

SENATE JOURNAL  
OF THE  
Thirty-Seventh Legislature  
OF THE  
STATE OF WASHINGTON  
AT  
Olympia, the State Capital

Convened January 9, 1961

Adjourned Sine Die March 9, 1961



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JOHN A. CHERBERG, *President*  
AL HENRY, *President Pro Tempore*  
DAVID C. COWEN, *Temporary President*

WARD BOWDEN, *Secretary*  
DONALD ROSS WILSON, *Assistant Secretary*

CHARLES L. R. JOHNSON, SR., *Sergeant-at-Arms*

NORINE D. MUNSON, *Minute Clerk*  
FLORENCE KENDERESI, *Journal Clerk*

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COMPILED, EDITED AND INDEXED BY

WARD BOWDEN  
SECRETARY OF THE SENATE

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# JOURNAL OF THE SENATE

## STATE OF WASHINGTON THIRTY-SEVENTH LEGISLATURE

### FIRST DAY

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, January 9, 1961.  
Twelve O'clock Noon

The Thirty-seventh Senate of the state of Washington assembled at the Senate Chamber in the State Capitol, pursuant to law, at 12:00 o'clock noon.

Lieutenant Governor John A. Cherberg, President of the Senate, called the Senate to order.

The Color Guard, consisting of Pages Marilyn Rottle and Michael McIntyre, presented the Colors.

#### MOTION

Senator Greive moved that the Senate recess to reconvene subject to the Call of the Chair at approximately 1:30 o'clock p. m.

The President:

"It has been moved that the Senate recess until approximately 1:30 o'clock p. m. If there are no objections, it will be so ordered."

There were no objections and the Senate recessed at 12:15 o'clock p. m. to be reconvened at approximately 1:30 o'clock p. m.

#### AFTERNOON SESSION

At 1:50 o'clock p. m. President Cherberg called the Senate to order.

The Reverend J. Burton Salter, Pastor of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, Who by Thy Holy Spirit, has promised to lead us unto all truth, we humbly beseech Thee to prepare the hearts and the minds of the Senators of the state of Washington, and all those associated with them in their labors for the business of this new session.

"We pray that Thou wilt bless them as they fulfill their high calling as servants of the people of the State. Thou knowest them, their needs, their motives, their hopes and their fears. We beseech Thee to give them wisdom greater than their own. May they hear Thy voice and seek Thy guidance. May they remember that Thou art concerned about what is said and done here. Grant them a clear conscience before Thee so that they need fear no man.

"Bless each one of us according to our deepest need and use us for Thy Glory, we ask in Jesus Christ's name. Amen."

#### PRESIDENT'S PRIVILEGE

President Cherberg:

"Members of the Senate, Ladies and Gentlemen:

"This is a memorable and an auspicious occasion which finds us gathered today—an occasion of dignity and of enjoyment.

"I am grateful to have the opportunity to serve once again with many good friends and to greet those of you who have been chosen by the people of our beautiful state to serve in this august body.

"It is a delight to see so many beloved relations and friends present to witness the administering of the oath of office to those of you recently elected.

"We are aware of our great responsibility to the people of the state of Washington. I am sure with a spirit of understanding and tolerance and the help of God that we can discharge our responsibilities in a proper and sincere manner."

The Acting Secretary called the roll of holdover members of the Senate, and all were present.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor to escort the Honorable Associate Justice Richard B. Ott of the Supreme Court of the state of Washington to the Senate Chamber and a seat upon the rostrum. The Committee consisted of Senators Petrich, Hanna and Freise.

Associate Justice Ott was thereupon escorted by the Sergeant-at-Arms and the special committee to a seat upon the rostrum.

The following certificate of election from the Secretary of State was read by the Acting Secretary of the Senate:

#### MESSAGE FROM THE SECRETARY OF STATE

Department of State, Office of the Secretary,  
Olympia, Washington, January 9, 1961.

*To the Honorable, the President of the Senate,  
The Legislature of the State of Washington  
Olympia, Washington*

Sir:

I, Victor A. Meyers, Secretary of State of the State of Washington, do hereby certify that the following is a full, true and correct list of the persons elected to the office of State Senator at the General Election held in the several voting precincts in the state on the eighth day of November, 1960, as shown by the official returns of said election now on file in the office of Secretary of State; together with a list of "holdover" Senators from the thirty-sixth session of the Legislature and that all of the following are entitled to seats in the Senate of the Legislature of the State of Washington, at its thirty-seventh biennial session commencing on the ninth day of January, A.D., 1961, as appears from said election returns.

#### LIST OF SENATORS ELECTED NOVEMBER 8, 1960

District	Name	Counties Represented
No. 1	Wilbur G. Hallauer	Douglas and Okanogan
No. 3	James (Jimmy) Keefe	Spokane, part
No. 4	Karl Herrmann	Spokane, part
No. 5	John L. Cooney	Spokane, part
No. 9	Marshall A. Neill	Whitman
No. 10	Dewey C. Donohue	Asotin, Columbia and Garfield
No. 11	Herbert H. Freise	Walla Walla
No. 12	H. B. (Jerry) Hanna	Chelan
No. 14	F. Stuart Foster	Yakima, part
No. 16	Mike McCormack	Benton and Franklin
No. 17	Al Henry	Clark, part, Klickitat and Skamania
No. 18	Don L. Talley	Cowlitz and Wahkiakum
No. 19	Robert C. Bailey	Grays Harbor, part and Pacific
No. 20	Joe Chytil	Lewis
No. 22	Victor F. (Vic) DeGarmo	Thurston
No. 23	Frances Haddon Morgan	Kitsap
No. 24	Gordon Sandison	Clallam, Jefferson and Mason
No. 25	Reuben A. Knoblauch	Pierce, part
No. 27	George W. Kupka	Pierce, part
No. 28	A. L. (Slim) Rasmussen	Pierce, part
No. 36	Charles P. Moriarty, Jr.	King, part

No. 37.....	Fred H. Dore.....	King, part
No. 39.....	William A. Gissberg.....	Island, part and Snohomish, part
No. 40.....	Fred J. Martin.....	San Juan and Skagit
No. 41.....	Ernest W. Lennart.....	Whatcom, part
No. 44.....	John Papajani.....	King, part
No. 49.....	Frank W. Foley.....	Clark, part

## LIST OF HOLDOVER SENATORS

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 2.....	David E. McMillan.....	Pend Oreille and Stevens
No. 6.....	John H. Happy.....	Spokane, part
No. 7.....	David C. Cowen.....	Spokane, part
No. 8.....	W. C. Raugust.....	Adams, Ferry and Lincoln
No. 13.....	Nat Washington.....	Grant and Kittitas
No. 15.....	Perry B. Woodall.....	Yakima, part
No. 21.....	Harry S. Elway, Jr.....	Grays Harbor, except 19 precincts
No. 26.....	John A. Petrich.....	Pierce, part
No. 29.....	John T. McCutcheon.....	Pierce, part
No. 30.....	Louis E. Hofmeister.....	King, part
No. 31.....	Andy Hess.....	King, part
No. 32.....	Wayne G. Angevine.....	King, part
No. 33.....	Frank Connor.....	King, part
No. 34.....	R. R. (Bob) Greive.....	King, part
No. 35.....	Edward F. Riley.....	King, part
No. 38.....	Howard S. Bargreen.....	Island, part and Snohomish, part
No. 42.....	Homer O. Nunamaker.....	Whatcom, part
No. 43.....	William D. Shannon.....	King, part
No. 45.....	Michael J. Gallagher.....	King, part
No. 46.....	John N. Ryder.....	King, part
No. 47.....	Martin J. Durkan.....	King, part
No. 48.....	Albert C. Thompson, Jr.....	King, part

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this ninth day of January, A.D., 1961.

(SEAL OF THE STATE OF WASHINGTON)

VICTOR A. MEYERS, *Secretary of State.*

The Acting Secretary read the following message from the Secretary of State:

## MESSAGE FROM THE SECRETARY OF STATE

Department of State, Office of the Secretary,  
Olympia, Washington, January 9, 1961.

*To the Honorable, The President of the Senate,  
The Legislature of the State of Washington,  
Olympia, Washington.*

Sir:

I have the honor of herewith submitting a recapitulation of the votes cast at the General Election, held throughout the state on the eighth day of November, 1960, as canvassed by me from the returns made to this department by the several County Auditors of the state.

Respectfully,  
VICTOR A. MEYERS,  
*Secretary of State,  
Chief Election Officer,  
State of Washington.*

## INITIATIVE MEASURE NO. 205, entitled:

"Authorizing taverns spirituous liquor licenses.

An Act relating to spirituous liquor licenses, making taverns eligible for a new class of license allowing the sale of spirituous liquors including mixed drinks and cocktails, providing for regulation, fees and disbursements thereunder."

FOR Initiative Measure No. 205.....	357,455
AGAINST Initiative Measure No. 205.....	799,643

## INITIATIVE MEASURE NO. 207, entitled:

"Civil service for state employees.

An Act entitled "The State Civil Service Law", relating to state government; establishing a civil service system for state employees; defining employees included and excluded; providing that appointments and promotions in the classified civil service shall be based solely on merit and fitness; governing appointment, promotion, transfer, layoff, recruitment, retention, classification and pay plan, removal, discipline and welfare of civil service employees, agreements regarding grievance procedures and collective negotiations, and other incidents of employment; blanketing-in certain employees, prohibiting certain activities; creating a revolving fund; abolishing existing personnel system; and repealing or amending inconsistent laws."

FOR Initiative Measure No. 207.....	606,511
AGAINST Initiative Measure No. 207.....	471,730

## INITIATIVE MEASURE NO. 208, entitled:

"Authorizing joint tenancies in property.

An Act relating to property; authorizing joint tenancies in real and personal property with common law incidents of survivorship and severability; allowing property rights of a deceased joint tenant to pass immediately upon death to the surviving joint tenant; prescribing methods and requirements for the creation of joint tenancies; providing that the transfer of property to surviving joint tenants shall not derogate from the rights of creditors; and repealing existing laws which abolished the right of survivorship as an incident of joint tenancies or tenancy by the entireties."

FOR Initiative Measure No. 208.....	647,529
AGAINST Initiative Measure No. 208.....	430,698

## INITIATIVE MEASURE NO. 210, entitled:

"Statewide daylight saving time.

An Act providing that at two o'clock antemeridian Pacific Standard Time of the last Sunday in April each year the time of the State of Washington shall be advanced one hour, and at two o'clock antemeridian Pacific Standard Time of the last Sunday in September in each year the time of the State of Washington shall, by the retarding of one hour, be returned to Pacific Standard Time."

FOR Initiative Measure No. 210.....	596,135
AGAINST Initiative Measure No. 210.....	556,623

## INITIATIVE MEASURE NO. 25, entitled:

"Dam construction and water diversion.

An Act prohibiting the construction or operation of any dam or other obstruction over 25 feet high on any tributary stream of the Columbia River downstream from McNary Dam within the migration range of anadromous fish, except on the North Fork of the Lewis River and White Salmon River, and prohibiting diversion of water from such stream in such quantities as will reduce the flow below the annual average low flow without concurrent approval of the Directors of Fisheries and Game."

FOR Initiative Measure No. 25.....	526,130
AGAINST Initiative Measure No. 25.....	483,449

AMENDMENT TO THE STATE CONSTITUTION  
PROPOSED BY THE LEGISLATURE

## SENATE JOINT RESOLUTION NO. 4

"Ownership of land by aliens.

Shall the constitutional restriction upon the ownership of land in the State of

Washington by aliens be removed by repealing Section 33, Article II as amended by Amendments 24 and 29 of the State Constitution?"

YES .....	466,705
NO .....	564,250

PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES

Republican Party	
Richard M. Nixon	} .....
Henry Cabot Lodge	
Democratic Party	
John F. Kennedy	} .....
Lyndon B. Johnson	
Socialist Labor Party	
Eric Hass	} .....
Georgia Cozzini	
Constitution Party	
Merritt B. Curtis	} .....
Byran M. Miller	
Socialist Workers Party	
Farrell Dobbs	} .....
Myra Tanner Weiss	

REPRESENTATIVES IN CONGRESS

First District		
Thomas M. Pelly.....	Republican .....	124,721
Carl Viking Holman.....	Democrat .....	53,009
Second District		
Jack Westland.....	Republican .....	87,802
Payson Peterson.....	Democrat .....	58,154
Third District		
Julia Butler Hansen.....	Democrat .....	76,930
Dale M. Nordquist.....	Republican .....	67,060
Unexpired Term		
Julia Butler Hansen.....	Democrat .....	71,416
Dale M. Nordquist.....	Republican .....	63,058
Fourth District		
Catherine May.....	Republican .....	94,210
Roy Mundy.....	Democrat .....	65,964
Fifth District		
Walt Horan.....	Republican .....	94,042
Bernard J. Gallagher.....	Democrat .....	64,321
Sixth District		
Thor C. Tollefson.....	Republican .....	83,158
John G. (Young John) Mc-	} .....	
Cutcheon .....		Democrat .....
Seventh District		
Don Magnuson.....	Democrat .....	95,663
John Stender.....	Republican .....	95,524

GOVERNOR

Albert D. Rosellini.....	Democrat .....	611,987
Lloyd J. Andrews.....	Republican .....	594,122
Henry Killman.....	Socialist Labor Party....	8,647
Jack W. Wright.....	Socialist Workers Party	992

## LIEUTENANT GOVERNOR

John A. Cherberg.....	Democrat	725,204
William J. Millard, Sr.....	Republican	410,063

## SECRETARY OF STATE

Victor A. Meyers.....	Democrat	607,070
Edwin J. Alexander.....	Republican	530,554

## STATE TREASURER

Tom Martin.....	Democrat	677,151
Robert (Bob) Coplen.....	Republican	412,419

## STATE AUDITOR

Cliff Yelle.....	Democrat	716,401
F. Gaines Sutherlin.....	Republican	397,805

## ATTORNEY GENERAL

John J. O'Connell.....	Democrat	720,385
Charles T. Morbeck.....	Republican	368,544

## SUPERINTENDENT OF PUBLIC INSTRUCTION

Louis Bruno.....	Non-Partisan	421,779
A. T. Van Devanter.....	Non-Partisan	390,110

## COMMISSIONER OF PUBLIC LANDS

Bert Cole.....	Democrat	751,290
John Robert Wenig.....	Republican	337,795

## INSURANCE COMMISSIONER

Lee I. Kueckelhan.....	Democrat	625,014
Fred C. Becker.....	Republican	436,371

## JUDGES OF THE STATE SUPREME COURT

Position No. 1—Six Year Term:		
Frank P. Weaver.....		595,071
Position No. 2—Six Year Term:		
Joseph A. Mallery.....		587,309
Position No. 3—Six Year Term:		
Hugh J. Rosellini.....		547,018

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington, at Olympia, this ninth day of January, A.D., 1961.

(SEAL OF THE STATE OF WASHINGTON)

VICTOR A. MEYERS, *Secretary of State.*  
*Chief Election Officer,*  
*State of Washington.*

The Acting Secretary called the roll of newly re-elected Senators. All were present.

The President requested the Sergeant-at-Arms to conduct all of the newly re-elected Senators to the bar of the Senate to receive their oath of office.

Associate Justice Ott, of the Supreme Court of the State of Washington, thereupon administered the oath of office to the following newly re-elected Senators:

Robert C. Bailey	Karl V. Herrmann
John L. Cooney	James (Jimmy) Keefe
Victor F. (Vic) DeGarmo	Rueben A. Knoblauch
Fred H. Dore	George W. Kupka
Frank W. Foley	Ernest W. Lennart
Herbert H. Freise	Fred J. Martin
William A. Gissberg	Marshall A. Neill
Wilbur G. Hallauer	Gordon Sandison
H. B. (Jerry) Hanna	Don L. Talley
Al Henry	

The President presented to each of the newly re-elected Senators his certificate of election.

**PRESIDENT'S PRIVILEGE**

The President:

"I am sure that everyone present will join with me in a resounding hand of applause."

(Applause).

The Acting Secretary of the Senate called the roll of the appointed and newly elected Senators as follows:

Charles P. Moriarty, Jr.

John Papajani

Associate Justice Ott of the Supreme Court of the state of Washington thereupon administered the oath of office to each of the foregoing appointed and newly elected Senators.

President Cherberg presented to each his certificate of election.

The Acting Secretary of the Senate called the roll of the newly elected Senators as follows:

Joe Chytil

Mike McCormack

Dewey C. Donohue

Frances Haddon Morgan (Mrs.)

F. Stuart Foster

A. L. (Slim) Rasmussen

The Sergeant-at-Arms escorted each of the newly elected Senators to the bar of the Senate to receive their oath of office.

**PRESIDENT'S PRIVILEGE**

The President:

"Gentlemen, may I present our one member of the fairer sex.

"I think it would be only fitting and proper that the members of the Senate rise. Will the Sergeant-at-Arms please escort Senator Morgan to the bar of the Senate.

"The President believes it would be very nice if former Senator Haddon would join Senator Morgan at the bar of the Senate. The Sergeant-at-Arms will please escort Senator Haddon to the rostrum."

The Sergeant-at-Arms escorted Mrs. Haddon to the rostrum to join Senator Morgan.

The President:

"The members of the Senate believe that Mrs. Haddon should present the certificate of election to Senator Frances Haddon Morgan."

Associate Justice Ott, of the Supreme Court of the state of Washington, administered the oath of office to Senator Morgan, and her mother, former Senator Haddon, presented her daughter with the certificate of election.

The President:

"Will the Sergeant-at-Arms please escort Senator Rasmussen to the bar of the Senate."

The Sergeant-at-Arms escorted Senator Rasmussen to the bar of the Senate whereupon he received the oath of office from Associate Justice Ott of the Supreme Court of the state of Washington. President Cherberg presented him with his certificate of election.

**PERSONAL PRIVILEGE**

Senator Cowen:

"Mr. President and Members of the Senate:

"As I have been sworn in as a member of the Washington State Senate, I have the

honor to present the following mothers and fathers of Senators present. Senator McCormack from Franklin County has parents here from Ohio who should be allowed to arise and be presented to the Senate."

The President requested that the parents of Senator McCormack please arise in order that the members of the Senate may personally recognize them.

The President:

"The members of the Senate are delighted to have you here today and know that you must feel exceedingly proud of your son, Mike McCormack."

The parents of Senator McCormack stood and were recognized.  
(Applause.)

The President:

"Will the committee of honor please come to the bar of the Senate at this time and escort Justice Ott to his chamber."

Associate Justice Ott, of the Supreme Court of the state of Washington, was escorted to his chamber.

Senator Knoblauch:

"Mr. President, I would like to draw your attention to the south gallery. The mother and wife of another member of the Senate are watching their son and husband being sworn, Mrs. John Papajani and Mrs. Papajani, Senior."

The President:

"Thank you for coming, ladies."  
(Applause.)

#### MOTION

Senator Greive:

"Mr. President, I move that the permanent rules of the 1959 session serve as the temporary rules of the 1961 session, as amended."

The President:

"The Secretary will read the amendment to the temporary rules as presented by Senator Greive."

The Acting Secretary of the Senate thereupon read the amendment to Senate Rule 2, as follows:

#### COMMITTEES—APPOINTMENT AND CONFIRMATION

Rule 2. The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate: *Provided, however,* That the appointment of said conference, special, joint and hereinafter named standing committees shall be subject to the confirmation of the senate.

In the event the Senate shall refuse to confirm any committee or committees, such committee or committees shall be forthwith elected by the Senate.

The following standing committees shall constitute the standing committees of the Senate:

1. Agriculture and Horticulture.....	13
2. Air and Water Pollution Control.....	9
3. Banks and Financial Institutions .....	9
4. Capitol Grounds, Public Buildings and Parks.....	9
5. Cities, Towns and Counties.....	23
6. Claims and Auditing.....	4
7. Commerce, Manufacturing and Licenses.....	18

8. Constitution, Elections and Legislative Processes.....	16
9. Education .....	21
10. Engrossed and Enrolled Bills.....	2
11. Fisheries, Game and Game Fish.....	17
12. Higher Education and Libraries.....	12
13. Highways .....	33
14. Insurance .....	5
15. Judiciary .....	17
16. Labor and Industrial Insurance.....	8
17. Liquor Control.....	17
18. Medicine and Dentistry .....	8
19. Natural Resources.....	13
20. Public Institutions.....	12
21. Public Utilities.....	24
22. Rules and Joint Rules.....	15
23. Social Security.....	13
24. State Government, Military Affairs and Civil Defense.....	15
25. Ways and Means.....	37

#### MOTION

Senator Greive:

"I move that the Secretary re-read the last line."

The Acting Secretary re-read the last line of Senate Rule 2.

Senator Woodall:

"We of the minority have not been furnished copies of the proposed rule. I would like to hear it read."

The President:

"The Secretary will read the amended rule."

The Acting Secretary read the amendment to Senate Rule 2.

#### MOTIONS

Senator Greive moved that the amendment to the temporary rules be adopted.

Senator Woodall moved that the following amendment to the amendment be adopted:

On line 22, after "Rules and Joint Rules" add the following: "No less than four shall be from the minority party."

Senator Greive moved that the amendment to the temporary rules proposed by Senator Woodall be laid on the table.

#### DEMAND FOR ROLL CALL

Senator Woodall:

"Mr. President, roll call was asked for."

The President:

"A demand for roll call was made by Senator Woodall."

The following Senators sustained the demand for the roll call: Senators Shannon, Woodall, Raugust, Thompson, Happy, Lennart, Neill, Cowen and Ryder.

The President:

"The question is: It has been moved that the amendment to the amendment by Senator Woodall be tabled."

The Secretary called the roll and the amendment to the amendment was tabled by the following vote: Yeas, 32; nays, 16; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Sandison, Talley, Washington—32.

Those voting nay were: Senators Chytil, Cowen, Elway, Jr., Foster, Freise, Happy, Keefe, Lennart, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon Thompson, Jr., Woodall—16.

Those absent or not voting were: Senator Herrmann—1.

The President:

"The question is the adoption of the amendment to Senate Rule 2 as proposed by Senator Greive."

The motion carried and the amendment to Senate Rule 2 was adopted.

On motion of Senator Greive the permanent rules of the 1959 session, as amended, became the temporary rules of 1961 session.

#### MOTION

Senator Greive:

"I move that the portion of Rule 40 pertaining to smoking be suspended."

The motion carried.

#### PRESIDENT'S PRIVILEGE

The President:

"Nominations are now in order for the office of President Pro Tempore of the Senate."

Senator Hanna:

"Mr. President, Your Honor Judge Ott, and members of the Senate:

"We are assembled today to organize the Washington State Senate. The problems that will arise will be great and the decisions will be far-reaching. I think we are fortunate in the Washington State Senate because our presiding officer is recognized as an outstanding President of the Senate. I think we should also have an outstanding President Pro Tempore. I rise to nominate a person who has a great capacity. He is a former member of the House of Representatives; a man who has served in the past, and a man who will serve us well in the future. It gives me great pleasure to nominate the Honorable Al Henry, as President Pro Tempore.

Senator Durkan:

"It is my pleasure to second the nomination of Senator Henry as President Pro Tempore of the Senate. He is a person with whom I have shared a great deal of experience. He first came to the Legislature in 1941, and has served almost continuously since that time. When Senator Henry left Kansas and came to the state of Washington, it was the privilege of the state of Washington to receive a great Senator."

Senator Kupka:

"I, too, rise to second the nomination of Senator Al Henry as President Pro Tempore of the Senate. We need a man like Al Henry to get a job done, and what he can't do his wife can do over on the House side. They are a great combination!"

Senator Neill:

"It is my pleasure to place in nomination the name of a man with whom we have worked in both Houses of the Legislature. Certainly during the trying days to come

we will have great need for his abilities and broad experience. It is with pleasure that the name of Senator Woodall is submitted as our candidate for President Pro Tempore of the Senate."

Senator Ryder:

"I would be very happy to second the nomination of Senator Woodall as President Pro Tempore."

#### MOTION

Senator Greive:

"I move that the nominations be closed."

The motion carried.

The President:

"The names of Senator Henry and Senator Woodall have been proposed for the office of President Pro Tempore of the Senate. The Secretary will call the roll."

The Acting Secretary called the roll on the election of President Pro Tempore of the Senate and Senator Henry was elected by the following vote: Senator Henry, 35; Senator Woodall, 13; absent or not voting, 1.

Those voting for Senator Henry were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Washington, Woodall—35.

Those voting for Senator Woodall were: Senators Chytil, Elway, Jr., Foster, Freise, Happy, Henry, Lennart, Moriarity, Jr., Neill, Raugust, Ryder, Shannon, Thompson, Jr.—13.

Those absent or not voting were: Senator Herrmann—1.

The President:

"Senator Al Henry, having received the constitutional majority vote of the Senate, is declared elected to the position of President Pro Tempore.

"I would like to congratulate Senator Henry and wish him every good fortune in the position. I am sure the members of the Senate would like to join with me.

"Will the Sergeant-at-Arms please escort Senator Henry to the rostrum."

The Sergeant-at-Arms escorted Senator Henry to the rostrum.

#### PERSONAL PRIVILEGE

Senator Woodall:

"For my information, how am I listed as voting?"

The Acting Secretary:

"Senator Woodall voted for Senator Henry."

The President:

"Will the Sergeant-at-Arms escort Representative Henry to the rostrum."

The Sergeant-at-Arms escorted Mrs. Henry to the rostrum.

The President:

"Members of the Senate:

"The President would like to prevail upon Al Henry to say a few words."

Senator Henry:

"Thank you, Governor Cherberg, fellow members of the Senate.

"I must be very careful in my remarks as long as the distaff member of the family is on the rostrum, and knowing her, I know she would demand equal time and that cannot be permitted."

The President:

"And now, the President takes great pride in presenting to the members of the

Senate and the ladies and gentlemen present today a very attractive and respected member of the House of Representatives, Mrs. Mildred Henry.

"Won't you please address us today?"

Mrs. Henry:

"Thank you, Governor Cherberg.

"I wish to extend to all of the Senators my sincere thanks for showing your confidence in my husband, and I am sure he will do his best by all of you. Thank you."

The President:

"Nominations for the position of Temporary President are now in order."

Senator Rasmussen:

"Mr. President, I wish to offer in nomination, the name of a man who has served in the Senate and in the House since 1935, and is now the Dean of the Senate; a man who will be able to fill the office of Temporary President very well, Senator Cowen."

Senator Keefe:

"Mr. President, I will second the nomination. Everyone knows of the many kind deeds and the courage of Senator Cowen's convictions."

Senator Freise:

"I would like to present a man from this side of the aisle, Senator Happy. I know he would do an excellent job as Temporary President of the Senate."

The President:

"Nominations for Temporary President are now declared closed and Senator Cowen and Senator Happy have been nominated. The Secretary will call the roll on the election of the Temporary President."

The Acting Secretary called the roll on the election of the Temporary President, and Senator Cowen was elected by the following vote: Senator Cowen, 32; Senator Happy, 13; absent or not voting, 4.

Those voting for Senator Cowen were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Foley, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Washington—32.

Those voting for Senator Happy were: Senators Chytil, Cowen, Elway, Jr., Foster, Freise, Lennart, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—13.

Those absent or not voting were: Senators Dore, Durkan, Hanna, Herrmann—4.

The President:

"Senator David C. Cowen, having received the constitutional majority vote of the Senate, is declared to be elected Temporary President of the Senate.

"The President would like to express his congratulations to Senator Cowen and his regrets to Senator Happy as he would have done a great job, also."

The President requested the Sergeant-at-Arms to escort Senator Cowen to the rostrum.

Senator Cowen:

"Mr. President and Members of the Senate:

"I am deeply grateful and humble for the many honors that you have conferred upon me for the past twenty-six years that I have been in the State Legislature. When I first came to the Legislature there is only one other member present today who was with me, and that is Senator Fred Martin. When you look at me you can see the many gray hairs that have come from hard work, and perhaps twenty-six years from now if I change my thinking from liberal to conservative I might be able to be elected President Pro Tempore.

"As some of you will remember, in the 1959 session we had with us one of the finest Senators, Senator Victor Zednick, and if you recollect, I said to him that I thought it was time for us to ease up a bit. This work is very arduous and tiresome, and truthfully

speaking, I believe that Senator Zednick worked too hard in the 1959 session and that is why he is gone. We will all miss Senator Zednick.

"Again, I want to thank you from the bottom of my heart for the many honors you have bestowed upon me these many years. God Bless You All."

The President:

"Thank you, Senator Cowen. Your thoughtfulness and kindness are again apparent in your remarks."

The Honorable Richard B. Ott, Associate Justice of the Supreme Court, administered the oath of office to Senator Cowen.

The President appointed the following committee of honor to escort the Honorable Associate Justice Richard B. Ott to his chamber: Senators Petrich, Hanna and Freise.

The President:

"Nominations are now open for the position of Secretary of the Senate."

Senator Gissberg:

"Gentlemen:

"It is with distinct and extreme personal pleasure that I arise to place in nomination for the office of Secretary of the Senate the name of a man who most of us have come to know well; a man with whom we have all worked and whose abilities we deeply respect. I first made his acquaintance while campaigning for my Senate seat in the Sultan Valley back in 1952, and since then I have been proud to have called him my friend.

"He has served as the Secretary of the Senate for the past two sessions and then, as now, he was busily engaged in an important American tradition, publishing weekly newspapers in Monroe and Sultan. He has a wealth of experience and knows our problems. He came to the Legislature in 1935, and since that time has been with us serving in one capacity or another. He knows the courtesy and consideration that we expect from the Secretary of the Senate.

"He is a man who has treated all of us fairly, and a man who must treat us all fairly. We need a man of his integrity and great ability.

"I place in nomination, for the position of Secretary of the Senate, the name of Ward Bowden."

Senator Freise:

"I is with real pleasure that I place in nomination the name of Ward Bowden as Secretary of the Senate. I have served in the Sessions of 1957 and 1959, and he has been the Secretary both times. He is an extremely fair and capable man."

Senator Bargreen:

"Mr. President, it is with great pleasure that I second the nomination of Ward Bowden for the office of Secretary of the Senate. Ward is a man who can fill the great position of Secretary. He has the ability and knowledge to carry out the many duties of running the Senate, which is very important to all of us."

Senator Happy:

"I, too, would like to second the nomination of Ward Bowden as Secretary of the Senate. Not only has he done a remarkable job as Secretary, but he has been completely fair to us on the minority side. You have all stressed the importance of fair play, and I might suggest that some of you adopt a page out of his book."

#### MOTION

Senator Kupka:

"I move the nominations be closed."

The President:

"It has been moved that the nominations for the position of Secretary of the Senate be closed."

The motion carried.

**MOTION**

Senator Cowen:

"I move that Ward Bowden be appointed Secretary of the Senate."

**POINT OF ORDER**

Senator Greive:

"It is necessary to call the roll, according to Senate Rule 70."

**RULING OF THE PRESIDENT**

The President:

"The point of order is well taken. It is necessary to call the roll."

The Acting Secretary called the roll on the election of Secretary of the Senate, and Ward Bowden was elected by the following vote: Ward Bowden, 47; absent or not voting, 2.

Those voting for Ward Bowden were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those absent or not voting were: Senators Connor, Foster—2.

Ward Bowden having received the majority vote of the Senate, was elected Secretary of the Senate.

The President asked the Sergeant-at-Arms to escort Mr. Bowden to the rostrum.

The President:

"The President of the Senate feels that he is in the best position of anyone present to evaluate the work of Ward Bowden. The President knows of the many services he performs for the Senate and of what benefit and value he has been to the President. I certainly am looking forward to serving with Ward again, as I know you are, too.

"Ward, would you say a few words to the Senate?"

Mr. Bowden:

"Thank you, Mr. President. I want to thank you all for supporting me and electing me to this office. Thank you, Mr. President, for your kind remarks."

**POINT OF ORDER**

Senator Greive:

"I wonder whether or not you should administer the oath of office to Mr. Bowden. It would seem to me that he probably should be given an oath."

**RULING OF THE PRESIDENT**

The President:

"Your point is very well taken. The President would like to suggest that you, Senator Greive, give the oath of office to Mr. Bowden."

Senator Greive administered the oath of office to Ward Bowden, Secretary of the Senate of the state of Washington.

The President declared nominations for the office of Sergeant-at-Arms of the Senate now in order.

Senator DeGarmo:

"I rise to place in nomination the name of a past representative who served in

the House, a gentlemen from my area. I would like to nominate Charlie Johnson as Sergeant-at-Arms of the Senate.

"I think that Charlie has served us all well, and his past performance has proved his ability."

Senator Sandison:

"I wish to rise to second the nomination of Charlie Johnson as the man for the position of Sergeant-at-Arms of the Senate. For the last four years he has performed his job efficiently."

Senator Elway:

"I also rise to place in nomination the name of a man for the position of Sergeant-at-Arms. This person has proven his character and his abilities in office during his tenure in public office. I am positive the man I nominate now will serve us well. I present to you the nomination of Ray Johnson who has nothing to sell but service to this body and carry out the wishes of the members of the Senate."

The President:

"Mr Ray Johnson has been nominated for the position of Sergeant-at-Arms."

#### MOTION

Senator Greive moved that the nominations for the position of Sergeant-at-Arms of the Senate be closed.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"President, Mr. Ray Johnson and Mr. Charlie Johnson have been nominated. Perhaps when the Secretary calls the roll the person answering will state Charlie or Ray."

The President stated that in answering the roll call the name Charlie or Ray would be spoken.

The Secretary called the roll on the election of Sergeant-at-Arms of the Senate and Charlie Johnson was elected by the following vote: Charlie Johnson, 31; Ray Johnson, 14; absent or not voting, 4.

Those voting for Charlie Johnson were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Hess, Hofmeister, McCormack, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Washington—31.

Those voting for Ray Johnson were: Senators Chytil, Elway, Jr., Foster, Freise, Happy, Lennart, McCutcheon, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—14.

The absent or not voting were: Senators Herrmann, Keefe, Knoblauch and Kupka—4.

Charlie Johnson, having received the constitutional majority vote of the Senate, was elected Sergeant-at-Arms of the Senate.

The President appointed Senators DeGarmo and Sandison to escort Mr. Johnson to the rostrum.

President Pro Tempore Al Henry administered the oath of office of Sergeant-at-Arms to Mr. Johnson.

The President:

"Mr. Sergeant-at-Arms, Charlie, you have served the Senate with distinction for the past two sessions. The members of the Senate join with me in offering our warmest congratulations and good wishes for your continued success.

"Certainly, it is in order for Charlie to deliver a few remarks today.

"Will you please do so."

Mr. Johnson:

"Thank you, Governor. Certainly, it is a great pleasure to serve you today as it has been a great pleasure to serve you in the past."

The President:

"Thank you, Charlie."

The Secretary read:

**SENATE RESOLUTION**

By Senator Henry:

*Resolved*, That the use of the committee room number one be assigned for use by the newspaper men during the thirty-seventh legislature.

On motion of Senator Greive, in behalf of Senator Henry, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION**

By Senator Greive:

*Resolved*, That a committee of three be appointed to notify the House that the Senate is now organized and ready to transact business.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed the following members to notify the House that the Senate is now organized and ready to transact business: Senators Papani, Gissberg and Chytil.

Senator Greive moved that the resolution be adopted.

The motion carried and the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION**

By Senators Cowen and Angevine:

*Resolved*, That the courtesies of the Senate are hereby extended to all former Presidents, former members and Secretaries of the Senate.

On motion of Senator Cowen, the resolution was adopted.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 9, 1961.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 1; also

House Concurrent Resolution No. 2; also

House Concurrent Resolution No. 3; also

House Concurrent Resolution No. 4 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 1**, by Senators Gissberg and Rasmussen:

An Act Relating to criminal procedure; adding a new section to chapter 10.28 RCW, amending section 2, chapter 90, Laws of 1951 and RCW 2.36.033; and adding a new section to chapter 43.10 RCW.

Referred to Judiciary Committee.

**FIRST READING OF HOUSE RESOLUTIONS**

The following were read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 1**, by Representative Litchman, Jr.:  
Relating to notifying the governor that the legislature is organized.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 1 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 1 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed Senators Bargreen, Moriarty, Jr., and Gallagher to serve as the members from the Senate, under the provisions of House Concurrent Resolution No. 1, to notify the Governor that the Legislature is organized and ready to transact business.

**House Concurrent Resolution No. 2**, by Representative Litchman, Jr.:  
Relating to a joint session for the purpose of canvassing votes.

On motion of Senator Greive the rules were suspended, House Concurrent Resolution No. 2 was advanced to second reading and read the second time in full.

On motion of Senator Greive the rules were suspended, House Concurrent Resolution No. 2 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

**House Concurrent Resolution No. 3**, by Representative Litchman, Jr.:

Relating to joint session to inaugurate the governor and the governor's message.

On motion of Senator Greive the rules were suspended, House Concurrent Resolution No. 3 was advanced to second reading and read the second time in full.

On motion of Senator Greive the rules were suspended, House Concurrent Resolution No. 3 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

**House Concurrent Resolution No. 4**, by Representative Litchman, Jr.:

Relating to joint session to receive a further message from the governor.

**POINT OF ORDER**

Senator Woodall:

"I don't think that the time is so pressing that we have to read the last line on a resolution. This is a real short resolution and I think we could take the time to hear it in full. We vote on a resolution that we don't even hear!"

**MOTION**

Senator Greive:

"I move that House Concurrent Resolution No. 4 be read in full for the benefit of Senator Woodall."

The Secretary read the resolution in full.

Senator Woodall:

"I can think of no more appropriate day to hear the affairs of finance than on Friday the 13th!"

On motion of Senator Greive the rules were suspended, House Concurrent Resolution No. 4 was advanced to second reading and read the second time in full.

On motion of Senator Greive the rules were suspended, House Concurrent Resolution No. 4 was advanced to third reading, the second reading considered the third and the resolution was adopted.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 9, 1961.

MR. PRESIDENT:

The Speaker has appointed as a committee of three from the House, authorized under House Concurrent Resolution No. 1, to notify the Governor that the Legislature is organized and ready for business, Representatives Mardesich, Bozarth and Swayze.

S. R. HOLCOMB, *Chief Clerk.*

**MOTION**

At 3:45 o'clock p. m., Senator Greive moved that the Senate adjourn until 10:30 o'clock a. m. on the second legislative day, Tuesday, January 10, 1961.

The motion carried.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## SECOND DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, January 10, 1961.

The Senate was called to order at 10:30 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Hallauer, Herrmann and Hess.

On motion of Senator Greive, Senators Hallauer and Herrmann were excused, Senator Hess having previously been excused.

The Color Guard, consisting of Pages Marilyn Rottle, Color Bearer, and Michael McIntyre, presented the Colors.

Reverend J. Burton Salter, pastor of the St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, we invoke Thy blessing upon the Senators of the state of Washington. May they ever be mindful of the high position of Senator, aware that the eyes of all the people are on them, that the welfare of the citizens of this state depends on them. May they ever turn to Thee for that guidance which imparts unwavering faith and unvarying direction from what is right.

"Grant to all of us the wisdom to see the need for the strengthening of our moral and spiritual lives. By Thy Holy Spirit help us to destroy our pride and give us humility to remove our hate and give us love, to lessen our sadness and give us joy, to take away turmoil of mind and give us peace of mind, to relieve our fretfulness and give us patience, and above all, to destroy our self-indulgence and give us self-control. So enable us to go about our tasks for the good of the citizens of this state. We ask these blessings in the name of Thy Son, Jesus Christ, our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

#### SENATE RESOLUTION

By Senators Knoblauch and Gallagher:

WHEREAS, The Honorable William A. (Billy) Sullivan, the Insurance Commissioner of the state of Washington, will retire on January 15, 1961, after a long and distinguished career in that office dating from the year 1932;

WHEREAS, When the said William A. Sullivan first took office the insurance industry of this state was in serious distress, which it shared with many other segments of the economy;

WHEREAS, Upon taking office the said William A. (Billy) Sullivan was instrumental in securing the adoption of a program financed by the Reconstruction Finance Corporation which provided immediate relief for the insurance industry;

WHEREAS, Under the administration of William A. Sullivan the insurance laws of this state have been codified, a task in which he took the initiative;

WHEREAS, The said Commissioner has vigorously and fairly enforced the laws relating to insurance to the end that the public has been protected, and during the course of his administration no citizen of this state who is a policy holder in a Washington licensed company has lost so much as a dime;

WHEREAS, The said William A. (Billy) Sullivan has served on the State Retirement Board and in many other public positions with ability and distinction; and

WHEREAS, The Senate of the state of Washington desires to command this distinguished son of Ireland, citizen and public servant;

*Now, Therefore, Be It Resolved, By the Senate of the State of Washington:*

That the Senate invite the Honorable William A. (Billy) Sullivan to attend upon its session immediately after the Joint Session on January 11, 1961, to receive fitting commendation from the Senate for his long career of public service to the people of this state.

Senator Knoblauch moved that the resolution be adopted.

#### PERSONAL PRIVILEGE

Senator Knoblauch:

"Mr. President, I think it would be a wonderful thing if on Wednesday we would pay tribute to a man in Washington State who has had a long and distinguished life of public service. He has devoted 28 years to public service. I am going to miss those phone calls to Olympia and that beautiful Irish brogue when he would answer the phone. I am going to miss the courtesies he extended to me.

"Billy Sullivan and his family came to America in 1904. In order to gain an education Billy Sullivan worked in the lumber yards during the day and went to school at night.

"I think it is fitting that the Senate recognize his service, and I plan sometime today to get each Senator to sign a certificate letting him know how much we think of his fine work."

The motion carried and the resolution was adopted.

#### POINT OF ORDER

Senator Rasmussen:

"Mr. President, is it permissible to suspend Senator Knoblauch so that President Pro Tem Henry could smoke?"

Senator Greive:

"I move that that portion of Rule 40 pertaining to smoking be suspended."

The President:

"Certainly the President would like to suspend that portion of Rule 40 pertaining to smoking; however, Senator Rasmussen has proposed a very interesting proposition—one that deserves the consideration of this body. I should like to hear that proposition discussed."

Senator Dore:

"Isn't it customary, Mr. President, that when a new Senator makes his maiden speech that he provide cigars?"

Senator Rasmussen:

"I was asking the President if Senator Knoblauch could be suspended."

#### RULING OF THE PRESIDENT

The President:

"The President does not believe that the rules permit the suspension of Senator Knoblauch; however, Rule 40 will be suspended if there are no objections."

Senator Knoblauch:

"In reference to Senator Rasmussen's maiden speech . . . ."

The President:

"The President believes that Senator Rasmussen's point was well taken and if and when Senator Rasmussen does make his first speech . . . ."

Senator Riley:

"I guarantee he will make one."

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 2**, by Senators Greive and Durkan:

An Act relating to subsistence and lodging of legislators; amending section 1, chapter 173, Laws of 1941, as last amended by section 1, chapter 3, Laws of 1957, and RCW 44.04.080; and declaring an emergency.

Referred to Committee on Claims and Auditing.

**Senate Joint Memorial No. 1**, by Senator Kupka:

Memorializing congress to enact legislation to provide for a youth conservation corps.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Joint Resolution No. 1**, by Senators Gissberg and Dore:

Joint resolution to ratify proposed amendment to U. S. Constitution regarding elections in the District of Columbia.

Referred to Committee on Constitution, Elections, and Legislative Processes.

**PRESIDENT'S PRIVILEGE**

The President:

"Yesterday, a very generous donor presented the members of this Senate with this lovely bouquet of red carnations. The flowers came from Wells Flower Shop, but there was no signature. I am sure that the donor intended for us to know who sent the lovely bouquet. The suspicion has been created that Senator David C. Cowen may have been at the bottom of it all. The President does not know for sure, Senator, but Secretary Bowden made a rather astute guess."

The President:

"Members of the Senate, the Senate will be at ease to await the Joint Session of the House and the Senate."

**MOTION**

At 11:00 o'clock a. m. on motion of Senator Greive the Senate retired to the House Chamber to meet in Joint Session.

**Note:** See Journal of the House for journal of Joint Session.

**SECOND MORNING SESSION**

The Senate was called to order at 11:30 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Hallauer, Hanna, Hess, Herrmann and Kupka.

**APPOINTMENT OF STANDING COMMITTEES**

The President announced the appointment of the Standing Committees of the Senate and the Secretary read the following appointments:

*Agriculture and Horticulture*—Senator Donohue, Chairman; Senators Chytil, Foster, Gissberg, Hanna, Hofmeister, Knoblauch, Lennart, Martin, McCormack, McMillan, Raugust, Woodall.

*Air and Water Pollution Control*—Senator McMillan, Chairman; Senators DeGarmo, Elway, Jr., Henry, Lennart, Morgan, Riley, Shannon, Talley.

*Banks and Financial Institutions*—Senator Herrmann, Chairman; Senators Connor, Cooney, Freise, Kupka, Neill, Ryder, Shannon, Talley.

*Capitol Grounds, Public Buildings and Parks*—Senator DeGarmo, Chairman; Senators Bargreen, Hallauer, Keefe, Morgan, Moriarty, Jr., Shannon, Thompson, Jr., Washington.

*Cities, Towns and Counties*—Senator Talley, Chairman; Senators Angevine, Bailey, Chytil, Connor, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Gallagher, Happy, Henry, Hess, Keefe, Kupka, McCormack, Nunamaker, Papajani, Rasmussen, Riley, Shannon, Thompson, Jr.

*Claims and Auditing*—Senator Foley, Chairman; Senators Freise, Durkan, Grieve.

*Commerce, Manufacturing and Licenses*—Senator Kupka, Chairman; Senators Angevine, Bargreen, Connor, Cooney, Cowen, Dore, Durkan, Foster, Freise, Gallagher, Greive, Herrmann, Keefe, Knoblauch, Papajani, Shannon, Thompson, Jr.

*Constitution, Elections and Legislative Processes*—Senator McCutcheon, Chairman; Senators Angevine, Donohue, Dore, Durkan, Gallagher, Henry, Herrmann, Hess, McCormack, Morgan, Moriarty, Jr., Papajani, Raugust, Thompson, Jr., Woodall.

*Education*—Senator Hess, Chairman; Senators Angevine, Bailey, Chytil, Donohue, Dore, Foley, Foster, Gissberg, Hanna, Henry, Knoblauch, Lennart, McCutcheon, McMillan, Papajani, Petrich, Raugust, Talley, Thompson, Jr., Washington.

*Engrossed and Enrolled Bills*—Senator Durkan, Chairman; Senator Chytil.

*Fisheries, Game and Game Fish*—Senator Nunamaker, Chairman; Senators Bailey, Chytil, DeGarmo, Dore, Freise, Herrmann, Lennart, Martin, McMillan, Papajani, Petrich, Rasmussen, Sandison, Talley, Thompson, Jr., Woodall.

*Higher Education and Libraries*—Senator Sandison, Chairman; Senators Angevine, Foley, Hallauer, Happy, Hess, McCormack, Morgan, Neill, Ryder, Shannon, Washington.

*Highways*—Senator Washington, Chairman; Senator Henry, Vice Chairman; Senator Martin, Vice Chairman; Senators Angevine, Bailey, Bargreen, Connor, Cooney, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Knoblauch, Lennart, McCormack, Morgan, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley.

*Insurance*—Senator Papajani, Chairman; Senators Chytil, Happy, Petrich, Sandison.

*Judiciary*—Senator Petrich, Chairman; Senators Cooney, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Herrmann, McCutcheon, Moriarty, Jr., Neill, Washington, Woodall.

*Labor and Industrial Insurance*—Senator Henry, Chairman; Senators Angevine, Connor, DeGarmo, Elway, Jr., Foster, Hofmeister, Nunamaker.

*Liquor Control*—Senator Connor, Chairman; Senators Bargreen, Cooney, DeGarmo, Durkan, Freise, Gallagher, Happy, Henry, Hofmeister, Keefe, Kupka, Nunamaker, Papajani, Raugust, Riley, Woodall.

*Medicine and Dentistry*—Senator Morgan, Chairman; Senators Angevine, Cooney, Cowen, Elway, Jr., Greive, Herrmann, Thompson, Jr.

*Natural Resources*—Senator McCormack, Chairman; Senators Bailey, Chytil, Donohue, Elway, Jr., Foster, Gallagher, Hallauer, Henry, McCutcheon, Morgan, Raugust, Thompson, Jr.

*Public Institutions*—Senator Martin, Chairman; Senators Chytil, Herrmann, Keefe, Knoblauch, Kupka, Morgan, Moriarty, Jr., Petrich, Sandison, Talley, Woodall.

*Public Utilities*—Senator Dore, Chairman; Senators Bailey, Chytil, Connor, Cooney, Cowen, Durkan, Foley, Foster, Greive, Hanna, Happy, Herrmann, Keefe, Kupka, McCormack, McCutcheon, Neill, Petrich, Rasmussen, Riley, Talley, Thompson, Jr., Washington.

*Rules and Joint Rules*—President Cherberg, Chairman; Senators Bailey, Bargreen, Cooney, Cowen, Gallagher, Gissberg, Greive, Hanna, Happy, Hofmeister, Keefe, Knoblauch, Raugust, Riley, Shannon.

*Social Security*—Senator Angevine, Chairman; Senators DeGarmo, Dore, Hofmeister, Kupka, McCormack, Morgan, Moriarty, Jr., Nunamaker, Raugust, Riley, Ryder, Talley.

*State Government, Military Affairs and Civil Defense*—Senator Rasmussen, Chairman; Senators Angevine, Bargreen, Elway, Jr., Freise, Gallagher, Hanna, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, Neill, Ryder, Washington.

*Ways and Means*—Senator Hallauer, Chairman; Senator Durkan, Chairman; Revenue and Taxation; Senator Foley, Chairman, Appropriations; Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Gallagher, Gissberg, Greive, Happy, Herrmann, Hess, Kupka, Lennart, Martin, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Woodall.

#### MOTION

Senator Happy moved that the names of Senators Happy, Shannon, and Raugust be stricken from the Committee on Rules and Joint Rules.

**PERSONAL PRIVILEGE**

Senator Happy:

"Speaking on the motion, Mr. President, Senator Ryder and I have met with members of the majority party and have found, from looking back through the years of the past eight sessions of the Legislature, that the minority group has never been treated as we are at this time; and that we are receiving unfair treatment. After all, this body is supposed to consist of members of both parties with the purpose of producing good legislation for our state. In Washington, D. C. they treat the minority party with respect and dignity and give them the treatment they deserve.

"The question is, do you want to be fair and decent about this or don't you? We feel that unless we are accorded the treatment to which we are entitled we do not wish to serve on the committee."

**MOTIONS**

Senator Greive moved that the motion by Senator Happy be tabled.

The motion carried, and Senator Happy's motion was tabled.

Senator Greive:

"Mr. President, I move at this time that Senator Bargreen be added to the Committee on Constitution, Elections and Legislative Processes."

The President:

"At a later time, with the approval of the Senate, the President will make several additions to the Standing Committees of the Senate. Senator Moriarty will be added to Banks and Financial Institutions and to Education. Senator Elway will be placed on Commerce, Manufacturing and Licenses Committee and the Fisheries Committee. Senator Freise will be added to the Public Institutions Committee, and Senator Bargreen to the Committee on Constitution, Elections and Legislative Processes."

Senator Greive:

"At this time I will withdraw my motion, with the permission of the Senate."

The President:

"Thank you, Senator Greive."

**PARLIAMENTARY INQUIRY**

Senator Greive:

"Mr. President, do you intend to make some additions at this time?"

The President:

"Not at this time, Senator Greive. It would be more expedient and efficient at a later date. Now, the body can go ahead and approve these particular appointments and the others will be made at a later date."

**MOTION**

Senator Greive moved that the appointments as made by the President of the Senate and as read by the Secretary be approved.

**PERSONAL PRIVILEGE**

Senator Woodall:

"Speaking again on the motion. It is our view that these appointments should not be confirmed for the reasons as stated by Senator Happy; that we do not feel that the proper representation has been given to the minority party."

Debate ensued.

Senator Woodall demanded a roll call and the demand was sustained by Senators Shannon, Neill, Happy, Lennart, Raugust, Foster, Thompson, Jr., Woodall and Freise.

The Secretary called the roll on the motion made by Senator Greive for confirmation of the appointments made to the Senate Standing Committees,

and the motion carried by the following vote: Yeas, 30; nays, 15; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Washington—30.

Those voting nay were: Senators Chytil, Cowen, Elway, Jr., Foster, Freise, Happy, Keefe, Lennart, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—15.

Those absent or not voting were: Senators Hallauer, Henry, Herrmann, Hess—4.

#### PROTEST

WHEREAS, The Committee on Committees and the Democratic majority have refused to grant the Republican members a proportionate membership on the Rules and Joint Rules Committee;

WHEREAS, Four members would have been in direct proportion of the Republican membership to the whole body;

WHEREAS, Three members does not give the Republican members a fair share of representation;

Now, Therefore, We protest this unfair conduct of the Committee on Committees and the Democratic majority.

John H. Happy  
Marshall A. Neill  
William D. Shannon  
Joe Chytil  
Ernest W. Lennart  
Herbert H. Freise  
W. C. Raugust

Perry B. Woodall  
Charles P. Moriarty, Jr.  
F. Stuart Foster  
Harry Elway, Jr.  
John N. Ryder  
Albert C. Thompson, Jr.

#### MOTION

At 12.10 o'clock p. m. on motion of Senator Elway, Jr., the Senate recessed until 3:00 o'clock p. m.

#### AFTERNOON SESSION

The Senate was called to order at 3:05 o'clock p. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Hallauer, Herrmann, Hess, McCutcheon and Rasmussen.

On motion of Senator Greive all Senators absent were excused.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 10, 1961.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 1; also

House Concurrent Resolution No. 2; also

House Concurrent Resolution No. 3; also

House Concurrent Resolution No. 4, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

**SIGNED BY THE PRESIDENT**

**The President signed: House Concurrent Resolution No. 1; also  
House Concurrent Resolution No. 2; also  
House Concurrent Resolution No. 3; also  
House Concurrent Resolution No. 4.**

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 10, 1961.

MR. PRESIDENT:

The House has passed the partial veto of House Bill 698 of the Thirty-Sixth Legislative Session, notwithstanding the veto of the Governor, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

It was moved by Senator Greive that the Senate do now pass vetoed House Bill No. 698, notwithstanding the partial veto of the Governor.

Debate ensued.

The Secretary called the roll on the final passage of House Bill No. 698, notwithstanding the partial veto of the Governor, and House Bill No. 698 was passed by the following vote: Yeas, 37; nays, 7; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—37.

Those voting nay were: Senators Chytil, Foster, Freise, Neill, Raugust, Ryder, Woodall—7.

Those absent or not voting were: Senators Hallauer, Herrmann, Hess, McCutcheon, Rasmussen—5.

The President:

"House Bill No. 698, having received the constitutional two-thirds vote of the members elected, notwithstanding the partial veto of the governor, is declared passed. The title of the bill will stand as the title of the act."

**PERSONAL PRIVILEGE**

Senator Thompson:

"I heard on the radio that somebody was going to throw a bomb on us. I am not too concerned. Was he apprehended?"

The President:

"The report given to us by Captain Johnson of the Washington State Patrol indicated that the person threatening a bombing was escorted from the Governor's office a few minutes ago and is now in custody."

Senator Thompson:

"You are aware that this body sponsored the bill passed two years ago, sponsored by Senator Olson and myself, making bomb hoaxes a crime."

**MOTION**

At 3:30 o'clock p. m. on motion of Senator Greive the Senate adjourned until 11:00 o'clock a. m. Wednesday, January 11, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRD DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, January 11, 1961.

The Senate was called to order at 11:05 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan and Herrmann.

On motion of Senator Greive, Senators Durkan and Herrmann were excused.

The Color Guard, consisting of Pages Michael McIntyre, Color Bearer, and Marilyn Rottle, presented the Colors.

Reverend J. Burton Salter, pastor of the St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, our Heavenly Father, bless our State that it may be a blessing to our Nation. Grant that the ideals and aspirations of the Senators of the state of Washington may be in accordance with Thy will. Keep them from hypocrisy in feeling or action. Grant them the spirit of unselfish service which alone can make them great statesmen and give us sound government and just laws. May they display clarity of thought, trueness of speech and evenness of temper in their relations with one another that they may have that success and happiness which is according to Thy will and for the welfare of the people of this state through Jesus Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PERSONAL PRIVILEGE

Senator Keefe:

"Mr. President, I think my fellow Senators would like to have an introduction to the young gentleman sitting to the right of the President."

The President replied that he thought Senator Keefe should make the introduction, upon which Senator Keefe introduced President John A. Cherberg's son, Jim Cherberg, who was visiting from Seattle.

(Applause.)

The President:

"Thank you very much Senator Keefe, Senators and Mrs. Morgan. The President feels that the gentleman would like very much to suspend that portion of Rule 40 pertaining to smoking, with penalties."

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 3**, by Senators Elway, Jr., Shannon and Riley (by Legislative Council request):

An Act relating to counties; providing for purchasing departments and purchasing agents; prescribing contract procedures, amending section 1, chapter 61, Laws of 1945, as amended by section 1, chapter 33, Laws of 1949 and

RCW 36.32.240; and amending sections 3 and 4, chapter 61, Laws of 1945 and RCW 36.32.260 and 36.32.270.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 4**, by Senators Riley, Shannon and Freise (by Legislative Council request):

An Act relating to counties; and amending section 2673, Code of 1881, as last amended by section 1, chapter 61, Laws of 1947, sections 2681 and 2687, Code of 1881, and RCW 36.32.120.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 5**, by Senators Talley, Henry and Chytil:

An Act relating to the granting of permits to perform weather modification operations, requiring approval of the county commissioners in the counties where such permits are to be utilized; and amending section 11, chapter 245, Laws of 1957, and RCW 43.37.110.

Referred to Committee on Natural Resources.

**Senate Bill No. 6**, by Senators Shannon and Riley (by Legislative Council request):

An Act relating to fireworks; prohibiting the sale, offering or exposing for sale of fireworks; defining fireworks and regulating the use thereof; providing penalties; repealing sections 1 through 11, chapter 174, Laws of 1951 as last amended by sections 1 through 3, chapter 34, Laws of 1953, and RCW 70.77.010 through 70.77.110; and declaring an emergency.

Referred to Committee on Commerce, Manufacturing and Licenses.

#### MOTION

On motion of Senator Greive, the names of Senators Cooney and Durkan were added as co-sponsors of Senate Bill No. 6.

**Senate Bill No. 7**, by Senators Dore and Donohue:

An Act relating to certain discriminatory practices based upon race, creed, color or national origin; and amending section 1, chapter 183, Laws of 1949 as amended by section 1, chapter 37, Laws of 1957, and RCW 49.60.010; section 2, chapter 183, Laws of 1949 as amended by section 3, chapter 37, Laws of 1957 and RCW 49.60.030; section 3, chapter 183, Laws of 1949 as amended by section 4, chapter 37, Laws of 1957, and RCW 49.60.040; section 9, chapter 37, Laws of 1957, and RCW 49.60.180; section 11, chapter 37, Laws of 1957, and RCW 49.60.200; section 14, chapter 37, Laws of 1957, and RCW 49.60.215; and section 15, chapter 37, Laws of 1957, and RCW 49.60.217.

Referred to Judiciary Committee.

**Senate Bill No. 8**, by Senators Thompson, Jr., Petrich and Woodall:

An Act relating to drugs; amending section 1, chapter 6, Laws of 1939, as last amended by section 1, chapter 24, Laws of 1955, and RCW 69.40.060; and amending section 1, chapter 23, Laws of 1955 and RCW 69.40.061.

Referred to Committee on Medicine and Dentistry.

**Senate Bill No. 9**, by Senators Angevine, Keefe and Washington:

An Act relating to motor vehicles; adding new sections to chapter ....., Laws of 1961 (House Bill No. 2) and to chapter 46.16 and 46.48 RCW; and providing penalties.

Referred to Committee on Highways.

**Senate Bill No. 10**, by Senators Kupka, Martin and Keefe (by Legislative Council request):

An Act relating to criminal procedure and punishment; providing for the establishment and administration of state, county and city industrial and agricultural farms and forestry and recreational improvement camps; authorizing joint operation of jails; authorizing state operated regional jails; providing for the inspection of all jails; providing for the commitment, discipline and discharge of persons committed to jails; and providing for the employment of persons committed to jails, jail farms or jail camps; amending section 72.64.050, chapter 28, Laws of 1959 and RCW 72.64.050; amending section 72.64.060, chapter 28, Laws of 1959 and RCW 72.64.060; amending section 72.64.030, chapter 28, Laws of 1959 and RCW 72.64.030; amending section 3, chapter 103, Laws of 1917 and RCW 36.63.150; amending section 4, chapter 103, Laws of 1917 and RCW 36.63.160; and adding two new sections to chapter 72.64 RCW.

Referred to Judiciary Committee.

#### MOTION

Senator Keefe moved that Senate Bill No. 10, by Senators Kupka, Martin and Keefe be referred to the Committee on Public Institutions.

The President:

"With the approval of the members of the Senate, Senate Bill No. 10 will be referred to the Committee on Public Institutions."

**Senate Bill No. 11**, by Senators Kupka, Freise and Keefe (by Legislative Council request):

An Act relating to criminal procedure; and amending section 5, chapter 133, Laws of 1955 and RCW 9.95.040.

Referred to Committee on Public Institutions.

**Senate Bill No. 12**, by Senators Kupka, Freise and Keefe (by Legislative Council request):

An Act relating to the board of prison terms and paroles; amending section 9, chapter 340, Laws of 1955 as amended by section 1, chapter 32, Laws of 1959 and RCW 43.67.020.

Referred to Committee on Public Institutions.

**Senate Bill No. 13**, by Senators Kupka, Martin and Keefe (by Legislative Council request):

An Act relating to the restoration of civil rights to persons convicted of infamous crimes; adding a new section to chapter 19, Laws of 1931 and chapter 9.96 RCW; and amending section 1, chapter 19, Laws of 1931 and RCW 9.96.010.

Referred to Committee on Public Institutions.

**Senate Bill No. 14**, by Senators Kupka, Freise and Keefe (by Legislative Council request):

An Act relating to state government; establishing within the department of institutions a division of probation and parole and providing for the transfer of powers and duties thereto; amending section 72.01.030, chapter 28, Laws of 1959 and RCW 72.01.030; amending section 3, chapter 114, Laws of 1935 and RCW 9.95.170; amending section 7, chapter 114, Laws of 1935 and RCW 9.95-.260; amending section 3, chapter 227, Laws of 1957 and RCW 9.95.200; amending section 4, chapter 227, Laws of 1957 and RCW 9.95.210; amending section

8, chapter 227, Laws of 1957 and RCW 9.95.250; adding a new chapter to Title 72 RCW; and providing an effective date.

Referred to Committee on Public Institutions.

**Senate Bill No. 15**, by Senators Woodall and Foster:

An Act relating to standards of grades and packs of agricultural commodities; amending section 15.16.080, chapter ....., Laws of 1961 (House Bill No. 1) and RCW 15.16.080; and repealing section 15.16.085, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.16.085.

Referred to Committee on Agriculture and Horticulture.

**Senate Joint Memorial No. 2**, by Senator Rasmussen:

Memorializes congress to establish electoral college.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Memorial No. 3**, by Senator Rasmussen:

Memorializes congress to repeal restriction of president to two terms.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Concurrent Resolution No. 1**, by Senators Kupka, Freise and Keefe (by Legislative Council request):

Providing for a joint meeting of senate and house committees to determine site for correctional institution.

Referred to Committee on Public Institutions.

**Senate Joint Resolution No. 2**, by Senators Woodall, Foster and Neill:

Amending the Constitution to give the legislature power to determine gubernatorial succession.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Joint Resolution No. 3**, by Senators Angevine, Morgan and Papani:

Constitutional amendment providing for school district excess levies for more than one year.

Referred to Committee on Education.

#### MOTIONS

Senator Greive moved that 1500 extra copies of Senate Joint Resolution No. 3 be printed.

The motion carried.

At 11:25 o'clock a. m. on motion of Senator Greive, the Senate recessed, subject to the Call of the Chair, for the purpose of a Joint Session with the House.

At 12.07 o'clock p. m., the President called the Senate to order and announced that the time had arrived for the Senate's departure to the House of Representatives for the purpose of a Joint Session.

**Note:** See Journal of the House for journal of Joint Session.

**AFTERNOON SESSION**

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At 1:20 o'clock p. m. Senator Henry, President Pro Tem, called the Senate to order.

**MOTION**

Senator Greive moved that the Senate recess, subject to the Call of the Chair, until approximately 3:00 o'clock p. m.

The motion carried.

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**SECOND AFTERNOON SESSION**

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At 3:07 o'clock p. m., the President, John A. Cherberg, called the Senate to order.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bargreen, Durkan, Herrmann and Sandison.

**MOTIONS**

On motion of Senator Greive, Senator Sandison was excused, Senators Durkan and Herrmann having been previously excused.

On motion of Senator Dore, Senator Hess was added as joint sponsor to Senate Bill No. 7.

**POINT OF ORDER**

Senator Woodall:

"Would Senator Knoblauch care to make a motion?"

Senator Knoblauch:

"No."

"Mr. President, with the permission of Senator Woodall, Senate Rule 40 was suspended this morning by Lieutenant Governor Cherberg's son."

The President:

"With penalties."

The President:

"Senator Knoblauch will please come to the rostrum."

Senator Knoblauch:

"I should like to appoint the following Irish Senators, and I hope I haven't missed any, to retire to the State Reception room and escort Mr. and Mrs. Sullivan to the State Senate rostrum: Senators Connor, Cooney, Cowen, Dore, Foley, Gallagher, Gissberg, Keefe, Moriarty, Jr., Papajani, Riley, Shannon and Donohue."

The President asked the Sergeant-at-Arms to escort Senator Henry to the rostrum.

The Sergeant-at-Arms then escorted Mr. and Mrs. Sullivan and the committee of honor to the rostrum.

Senator Knoblauch:

"The members of the State Senate, in their special way, wish to pay honor to a wonderful team. They would like to pay their respects to a man who has held public office in our state for twenty-eight years; a man who came up the hard way; a man who learned that this was really the land of opportunity.

"I am going to ask Senator Riley to step forward at this time to make a presentation to Mr. Sullivan."

Senator Riley:

"Senator Knoblauch, Mr. President, Mr. and Mrs. Sullivan, Ladies and Gentlemen; Mr. Sullivan, particularly, or 'Billy' as you are affectionately known to all:

"The members of the Senate asked me to be their spokesman today. I believe they realize I have always been an admirer of Billy Sullivan. As much as anyone who knows you Billy, I know of your years of constructive activity. For twenty-eight years you have given honorable and respectful service to the state. You are the Dean of all State Insurance Commissioners.

"Coming from Ireland as a young man, you exemplify the opportunities which this country affords to those who are willing to work, and in this little part that I play, Billy, I am going to borrow a quotation. I am sure you are aware of this quotation. It is taken from a letter written by Mr. J. Raymond Berry, the General Counsel of the National Board of Fire Underwriters.

"I do not believe there is a man alive who can look back on a more constructive life. You have left a trail of accomplishments that are monuments of progress to the business of regulating insurance."

"I might paraphrase by saying you can look forward also, Billy, the members of the Senate want you to have this citation designating you as a distinguished citizen. Wherever you go, Billy, we all wish for you and Mrs. Sullivan good health, good fortune and happy days ahead."

Mr. Sullivan:

"Thank you, Ed."

Senator Knoblauch:

"I, of course, realize that this is perhaps a sad day for Mr. Sullivan, but it should also be a happy day because now he is able to retire and enjoy life because he knows that the people of our state have come to love and respect him for a job well done.

"Now may I call to the rostrum Senator Shannon."

Senator Shannon:

"Mr. President, Mr. President Pro Tem, Mr. and Mrs. Sullivan, ladies and gentlemen of the Senate:

"On behalf of every member of this honorable body, Mr. Sullivan, it is my pleasure to present to you a citation of appreciation for all of your distinguished years in the office of Insurance Commissioner of the state of Washington. May I wish you, on behalf of every member of this body, many years full of happiness for you and for Mrs. Sullivan, and may God bless you."

Mr. Sullivan:

"Thank you very much."

Senator Knoblauch:

"Thank you Senator Shannon very much.

"Now you can't overlook the better member of the family, of course, as she is wearing a green hat. I want to call another fine Irish gentleman to make a presentation to Mrs. Sullivan, Senator Michael Gallagher."

Senator Gallagher:

"Mr. President, Mr. President Pro Tem, Honorable Chairman, members of the Washington State Senate:

"It is with a great deal of pleasure that I, at this time, present to the first lady of Insurance Commissioners of the United States of America, a beautiful bouquet of roses. We know that behind every good man there stands a good woman, and now, Mrs. Sullivan, on behalf of the Washington State Senate, I would like to present to you these roses."

Senator Knoblauch:

"I think it most appropriate at this time that we have a few words from our very distinguished guest, and I am going to give to our very fine and honorable Lieutenant Governor Cherberg the honor of introducing Mr. Sullivan."

The President:

"Thank you very much Senator Knoblauch and members of the Senate.

"Today has been a very wonderful day for me and it has been my pleasure to

have many honors bestowed upon me. Senator Knoblauch has just given me the nicest one of all, the pleasure to present Billy Sullivan to this august body is an honor that I shall long remember.

"It was many years ago that I first had the pleasure of meeting Mr. Sullivan—back in the early thirties. I believe it was at the time of Mr. Sullivan's first Commission and I had a problem relating to my father's insurance. I called upon him as a total stranger and he went beyond the regular duties of his office. I was given a very warm reception and the kindest possible treatment and Mr. Sullivan followed through on every point to extend courtesies to just another citizen of the State.

"But today to have this honor to acknowledge the tremendous achievements that Billy Sullivan has presented to the state of Washington, and especially to the people, is something I know I will carry with me for a long, long time. I am especially delighted that Mrs. Sullivan can be with us today for I am sure that she has also contributed a very great deal to all of us, as members of the Senate, and to me, as a state official.

"Billy Sullivan, congratulations and God bless you."

Mr. Sullivan:

"Mr. President, Senator Knoblauch, my good senators in the state of Washington, members of your great law-making body of our state, and ladies and gentlemen:

"There are no words of mine that are adequate enough for me to express the deep feeling in my heart today for the great honors that have been conferred upon me by the Legislature of my state and the members of the law-making bodies of the House and Senate.

"I owe a great obligation to the citizens and also a deep debt of gratitude to the Legislature of the state of Washington, since my first Commission in 1933 up to the close of my tour of office at 12:00 o'clock noon today. In our memories of the years, ladies and gentlemen, there are very few people of you today who went through the ordeals and the trying times that confronted the United States in the dark days of 1933 and 1934, and I recall Governor Martin was a new Governor.

"The Legislature was convened, of course, in its regular session and I want to say publicly now that the citizens of this state owe a deep debt of gratitude to the Legislature for what it has done and also to Governor Martin for the great service that he rendered in those dark days. In insurance I was confronted with the most serious financial situation with which I have ever been confronted.

"In 1933 in the state of New York the Superintendent of Insurance in New York was a very good friend of mine, and called the Rehabilitation Committee for the protection of, at that time, the 89 million policy holders. What a tragic affair that was in the insurance process of the United States. I was appointed on that committee by the National Association of Insurance Commissioners to represent all creditors and policy holders west of the Mississippi.

"The Legislature authorized me to prepare a study for a new Insurance Code for the state of Washington, and to submit my findings to the 1947 Legislature. The new Insurance Code was enacted and to this Legislature I feel indebted."

Senator Knoblauch:

"I just got the signal, and I call on the Dean of the State Senate, Dr. David 'O'Cowen' of Spokane."

Senator Cowen:

"I think I have known Billy as long as anyone sitting in the Senate today. I met Billy in 1932 when he was campaigning. We all love you, Billy. Not only the Irish, but the Jews, too.

"I understand, Billy, that you are going to take a trip as far as Rome to see the Pope. If you are going that far, I think we should do something in the state of Washington to make your trip complete. Therefore, Billy, I want to have the pleasure of paying for a round trip ticket for you and your wife—from Rome to Israel. I have notified Mrs. Ed Riley of Travel Advisers, Inc., Seattle, to provide you with two first class tickets from Rome, Italy to Jerusalem in Israel. Billy and Mrs. Sullivan, that will make your trip complete.

"I am sure, Billy, that if you get a letter from our distinguished Governor, you will meet Mr. Ben Gurion. While you are in Israel, just think of Davey Cowen who is in the Senate sweating it out for another sixty days."

**Senator Knoblauch:**

"We would all like to thank you for coming today to be with us, and letting us show you how much we love and respect you.

"In closing, let me say that no doubt you, too, have made many thousands of friends these past 28 years. I would like to say just a few words—a poem entitled 'Friends' dedicated to Mr. and Mrs. Billy Sullivan:

'Life is sweet because of the friends we have made and the things which in common we share.

We want to live on, not because of ourselves, but because of the people who care. It is giving and doing for somebody else—on this all of life's splendors depend. And the joys of this earth, when you sum it all up, is found in the making of friends.'"

Mr. and Mrs. Sullivan were escorted from the Senate by the committee of honor.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 11, 1961.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 5, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 5 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 5 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The President stated the question before the Senate to be the adoption of House Concurrent Resolution No. 5.

The motion carried, and House Concurrent Resolution No. 5 was adopted.

**MOTION**

On motion of Senator Greive, the Senate adjourned at 3:50 o'clock p. m. until 12:00 o'clock noon on Thursday, January 12, 1961.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

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## FOURTH DAY

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### NOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, January 12, 1961.

The Senate was called to order at 12:00 o'clock noon by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators DeGarmo, Durkan and Herrmann.

On motion of Senator Greive, Senators Durkan and Herrmann were excused.

The Color Guard, consisting of Pages Michael McIntyre, Color Bearer, and Marilyn Rottle, presented the Colors.

Reverend J. Burton Salter, pastor of the St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, our Heavenly Father, we beseech Thee to grant unto the Senators of the state of Washington the gift of wisdom that they may always prefer truth to falsehood and may avoid the pitfalls of the tempting shortcut and the evasion of responsibility; the gift of understanding that they may know Thy purpose for living; the gift of counsel that they may see their way in all perplexities; the gift of fortitude that with stubbornness they may battle our common foe of materialism and selfishness; the gift of knowledge that they may direct all their doings with a pure intention and patient faith to Thy Glory; the gift of true Godliness to make us all conscientious. We ask not for easy ways, but for a clear road and a right will and comradeship in the way, for Jesus Christ's sake. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Present in Olympia today is an esteemed and worthy member of the House of Representatives of Alaska. Dr. Peter DeVoe of Kodiak, Alaska."

### APPOINTMENT OF SPECIAL COMMITTEE

The President selected a committee including the following senators: Senators Greive, Elway, Jr., and Gissberg, to escort the esteemed visitor to a seat of honor on the rostrum.

### POINT OF ORDER

Senator Knoblauch:

"Senator Donohue, would you like to suspend Rule 40?"

Senator Donohue:

"I move that Rule 40 be suspended, with penalties."

The President:

"Senator Donohue, the President would be amiss if he did not call your attention to the fact that you have an opportunity to score twice here. Do you care to give your maiden speech at this time?"

Senator Donohue:

"I will reserve that for a later date."

**POINT OF ORDER**

Senator Greive:

"I believe that Dr. DeVoe is presently being presented to the House."

The President:

"Thank you Senator Greive."

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, January 10, 1961.

*To the Honorable, The Senate of the State of Washington.*

GENTLEMEN:

I have the honor to transmit herewith certified copy of a resolution of Congress, entitled, "*Joint Resolution Proposing an amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia,*" for such action as you may wish to take. There is also enclosed two printed copies of this Resolution.

Respectfully,

ALBERT D. ROSELLINI,  
*Governor.*

**Senate Joint Resolution No. 39:**

**EIGHTY-SIXTH CONGRESS OF THE UNITED STATES OF AMERICA**

At the Second Session

Begun and held at the City of Washington on Wednesday, the sixth day of January, one thousand nine hundred and sixty

**JOINT RESOLUTION**

Proposing an amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

**"ARTICLE .....**

"Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

"A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a state; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

"Sec. 2. The Congress shall have power to enforce this article by appropriate legislation".

SAM RAYBURN, *Speaker of the House of Representatives.*

MIKE MANSFIELD, *Acting President of the Senate pro tempore.*

I certify that this Joint Resolution originated in the Senate.

FELTON M. JOHNSTON, *Secretary.*

(Received by the Office of the Federal Register, NARS, General Services Administration, June 17, 1960)

**MOTION**

It was moved by Senator Greive that the matter from the United States Congress be assigned to the Committee on Constitution, Elections and Legislative Processes.

The President:

"With the approval of the Senate, the resolution was referred to the Committee on Constitution, Elections and Legislative Processes."

The Secretary read:

**Senate Bill No. 2:**

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., January 12, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Claims and Auditing to whom was referred Senate Bill No. 2, increasing the subsistence allowance of members of the Legislature, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

FRANK W. FOLEY, *Chairman.*

We concur in this report: Herbert H. Freise, R. R. (Bob) Greive.

Passed to the Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 16**, by Senators Talley, Riley and Freise (by Legislative Council request):

An Act relating to cities and towns; amending section 2, chapter 245, Laws of 1907 as amended by section 6, chapter 248, Laws of 1951 and RCW 35.13.020 through 35.13.050; amending section 3, chapter 245, Laws of 1907 and RCW 35.13.060 and 35.13.080; amending section 4, chapter 245, Laws of 1907 and RCW 35.13.070 and 35.13.090; amending section 2, chapter 239, Laws of 1957 and RCW 35.13.100; amending section 3, chapter 128, Laws of 1945 and RCW 35.13.130; amending section 6, chapter 239, Laws of 1957 and RCW 35.13.160; amending section 1, chapter 248, Laws of 1951 as amended by section 1, chapter 119, Laws of 1957 and RCW 35.13.220; amending section 4, chapter 248, Laws of 1951 as amended by section 1, chapter 27, Laws of 1951 second extraordinary session, and RCW 35.13.250; adding seven new sections to chapter 35.13 RCW; and repealing sections 2 and 3, chapter 248, Laws of 1951 and RCW 35.13.230 and 35.13.240.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 17**, By Senators Kupka, Keefe and Sandison (by Legislative Council request):

An Act relating to state government; creating the charitable, educational, penal and reformatory institutions account in the general fund; providing for the issuance and sale of certain limited obligation bonds and the security therefore; creating the charitable, educational, penal and reformatory institutions construction account in the state treasury; creating the charitable, educational, penal and reformatory institutions construction bond redemption fund in the state treasury; making an appropriation; and declaring an emergency.

Referred to Committee on Public Institutions.

**Senate Bill No. 18**, by Senators Gallagher and McCutcheon:

An Act relating to elections; amending section 1, chapter 215, Laws of 1955 and RCW 29.64.010; amending section 2, chapter 215, Laws of 1955 and RCW 29.64.020; and amending section 3, chapter 215, Laws of 1955 and RCW 29.64.030.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 19**, by Senators Keefe and Thompson, Jr.:

An Act relating to revenue and taxation; and amending section 82.26.020, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 82.26.020.

Referred to Committee on Commerce, Manufacturing and Licenses.

**MOTION**

On motion of Senator Keefe, Senator Foley's name was added to the sponsors of Senate Bill No. 19.

**Senate Bill No. 20**, by Senators Bargreen, Gallagher and Riley:

An Act relating to revenue and taxation; making exemptions; and adding a new section to chapter ....., Laws of 1961 and to chapter 84.36 RCW.

Referred to Committee on Ways and Means.

**PRESIDENT'S PRIVILEGE**

The President:

"The President has been advised that Representative DeVoe has arrived. Will the committee please escort Representative DeVoe to the bar of the Senate."

Dr. DeVoe was escorted to the rostrum.

The President:

"Members of the Senate it is a great pleasure to welcome to the Senate Chamber this morning, State Representative Peter DeVoe of Kodiak, Alaska. Dr. DeVoe is a native of Olympia, Washington, and since has moved to Alaska where he has become a successful business man.

"He has been a long-time friend of Senator Robert Greive and recently when representatives from this body visited Kodiak, Dr. DeVoe was one of the hosts and provided them with a great deal of warm Alaskan hospitality.

"I am sure that the members of the Senate join me with the sincere hope that Dr. DeVoe will feel inclined to address members of the Senate."

Dr. DeVoe:

"Mr. President and members of the Senate:

"I am here on a fishery problem that Alaska has and we hope to settle mutually with the state of Washington.

"Alaska also has other problems and one is that the Republicans in our state are going to lower our pay, or will attempt to. We are quite interested in your problems down here."

At the request of the President the committee of honor escorted Dr. DeVoe from the chamber.

**Senate Bill No. 21**, by Senators McCutcheon and Dore:

An Act relating to the conservation of the state's fishery resources by limiting the powers of any person authorized to construct or operate dams or to appropriate water; defining "person"; amending chapter 4, Laws of 1961, by adding thereto a new section 4; and providing a saving clause to preserve the validity of the remainder of this act if other parts are held invalid.

Referred to Committee on Public Utilities.

## MOTION

Senator Sandison:

"I move that Senate Bill No. 21 be referred to the Committee on Fisheries, Game and Game Fish."

The President:

"It has been moved that Senate Bill No. 21 be referred to the Committee on Fisheries, Game and Game Fish."

Debate ensued.

## POINT OF INQUIRY

Senator Bailey:

"Will Senator McCutcheon yield to a question?"

Senator McCutcheon:

"I will."

Senator Bailey:

"Will it take a two-thirds vote of the Senate to pass this bill?"

Senator McCutcheon:

"Yes, it will."

Further debate ensued.

Senator Dore demanded a roll call and the demand was sustained by Senators Nunamaker, McCutcheon, Talley, Kupka, Sandison, Martin, Bailey, Foley and Cowen.

## PARLIAMENTARY INQUIRY

Senator Greive:

"Will the President please state the question so that it will be clear?"

The President:

"The motion is that Senate Bill No. 21 be referred to the Committee on Fisheries, Game and Game Fish. A vote 'Aye' will be to refer it to that committee and 'Nay' will be to leave it with the Committee on Public Utilities."

## POINT OF INQUIRY

Senator Riley:

"Do I understand that a vote 'No' will refer the bill to the Committee on Public Utilities?"

The President:

"That is correct. The President referred it to Public Utilities and a vote 'No' will sustain that."

The Secretary called the roll on the adoption of the motion by Senator Sandison, and the motion failed by the following vote: Yeas, 10; nays, 35; absent or not voting, 4.

Those voting yea were: Senators Bailey, Bargreen, Cowen, Foley, Gissberg, Greive, Nunamaker, Papajani, Sandison, Talley—10.

Those voting nay were: Senators Angevine, Chytil, Connor, Cooney, Donohue, Dore, Elway, Jr., Foster, Freise, Gallagher, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Washington, Woodall—35.

Those absent or not voting were: Senators DeGarmo, Durkan, Herrmann, Morgan—4.

## POINT OF INQUIRY

Senator Riley:

"I was going to ask for a re-statement of the vote on the premises that as I understood it, it would have remained in the Committee on Public Utilities."

## RULING OF THE PRESIDENT

The President:

"That is correct. Senate Bill No. 21 will be referred to the Committee on Public Utilities."

**Senate Bill No. 22**, by Senators Elway, Jr., Riley and Sandison (by Legislative Council request):

An Act relating to county cumulative reserve funds; and amending sections 1 and 2, chapter 51, Laws of 1945 and RCW 36.33.020 and 36.33.030.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 23**, by Senators Dore and Petrich:

An Act relating to sales of personal property; and adding a new section to chapter 142, Laws of 1925 extraordinary session, and chapter 63.04 RCW.

Referred to Committee on Ways and Means.

**Senate Bill No. 24**, by Senator McCutcheon:

An Act relating to towns; amending section 143, page 198, Laws of 1890, section 144, page 198, Laws of 1890, section 147, page 200, Laws of 1890, section 168, page 209, Laws of 1890, section 173, page 214, Laws of 1890, sections 4 and 5, chapter 113, Laws of 1903, section 1, chapter 33, Laws of 1911, section 1, chapter 24, Laws of 1921, section 2, chapter 87, Laws of 1939, section 1, chapter 91, Laws of 1941, section 2, chapter 108, Laws of 1941, section 2, chapter 115, Laws of 1941, section 1, chapter 183, Laws of 1943, section 7, chapter 55, Laws of 1955, and RCW 35.27.070, 35.27.090, 35.27.130 and 35.27.170.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 25**, by Senators Talley, Donohue and Woodall:

An Act relating to probation officers and services; and amending section 5, chapter 331, Laws of 1959 (uncodified); section 11, chapter 331, Laws of 1959 (uncodified) and making an appropriation.

Referred to Committee on Public Institutions.

**Senate Bill No. 26**, by Senators Hallauer, Hess and Cooney:

An Act relating to game and game fish; and amending section 14, chapter 176, Laws of 1957, and RCW 77.32.005.

Referred to Committee on Fisheries, Game and Game Fish.

## POINT OF INQUIRY

Senator Hallauer:

"Senate Bill No. 23 which was referred to Ways and Means—may I have the title read again?"

The Secretary read Senate Bill No. 23.

Senator Petrich:

"Mr. President, do I understand that you referred that bill to the Committee on Ways and Means?"

The President:

"Yes, that is correct."

## MOTION

Senator Petrich:

"I would move that the bill be referred to the Judiciary Committee."

The President asked if there were any objections to referring Senate Bill No. 23 to the Judiciary Committee.

## POINT OF INQUIRY

Senator Hallauer:

"I would like to correct an inquiry. Senator Petrich, is there any reference to taxation in the bill?"

Senator Petrich:

"No, there are no references to taxation."

Senator Hallauer:

"I have no objections."

Senate Bill No. 23 was referred to the Judiciary Committee.

**Senate Bill No. 27**, by Senators Morgan, Rasmussen and Martin:

An Act relating to the display and sale at the World Fair or Century 21 Exposition of articles produced by persons confined to state institutions; and adding a new section to chapter 307, Laws of 1955 and to chapter 43.96 RCW.

Referred to Committee on Public Institutions.

**Senate Bill No. 28**, by Senators Morgan, Rasmussen and Greive:

An Act relating to officers and employees of state institutions; and adding a new section to chapter 28, Laws of 1959 and to chapter 72.01 RCW.

Referred to Committee on Public Institutions.

**Senate Bill No. 29**, by Senators Elway, Jr., Riley and Sandison (by Legislative Council request):

An Act relating to sanitary districts; amending section 2, chapter 155, Laws of 1933 and RCW 55.04.020; and amending section 3, chapter 155, Laws of 1933 and RCW 55.04.030.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 30**, by Senators Rasmussen, DeGarmo and Ryder (by Legislative Council request):

An Act relating to and regulating the use and operation of motor driven boats and vessels on waters over which the state of Washington has police jurisdiction; prescribing penalties; amending sections 2, 3 and 5, chapter 72, Laws of 1933 and RCW 88.12.020, 88.12.030 and 88.12.050; adding nine new sections to chapter 72, Laws of 1933 and to chapter 88.12 RCW; and repealing chapter 200, Laws of 1907 as amended by section 1, chapter 137, Laws of 1947, and RCW 88.04.010 through 88.04.290.

Referred to Judiciary Committee.

**Senate Bill No. 31**, by Senators Rasmussen, Talley and Foster:

An Act relating to the fiscal agency in New York City; prescribing certain duties of such fiscal agency and the duties of certain public officers in relation thereto; providing for compensation for additional duties; amending section 3, chapter 141, Laws of 1895 and RCW 43.80.030; and amending section 4, chapter 141, Laws of 1895 and RCW 43.80.040.

Referred to Judiciary Committee.

**Senate Bill No. 32**, by Senators Rasmussen, Woodall and Riley:

An Act relating to motor vehicles; amending section 46.64.010, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.64.010; amending section 46.64.015, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.64.015; and adding two new sections to chapter 46.64 RCW.

Referred to Committee on Highways.

**Senate Bill No. 33**, by Senator Foster:

An Act providing for the assumption of criminal and civil jurisdiction over Indians, their reservations and lands as authorized by federal law; amending section 1, chapter 240, Laws of 1957 and RCW 37.12.010; and repealing sections 2, 3, 4 and 7, chapter 240, Laws of 1957 and RCW 37.12.020, 37.12.030, 37.12.040 and 37.12.070; and declaring an emergency.

Referred to Judiciary Committee.

**Senate Bill No. 34**, by Senators Talley, Elway, Jr., and Bailey:

An Act relating to cities and towns; providing for construction of public improvements and works, purchase of supplies, material, equipment and services and for contracts for printing notices in second, third and fourth class municipalities; and amending section 1, chapter 211, Laws of 1951 as amended by section 1, chapter 121, Laws of 1957 and RCW 35.23.352.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 35**, by Senators Talley, Hofmeister and DeGarmo:

An Act relating to and the granting property tax exemptions to war veterans and their wives.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 36**, by Senators Talley, Hofmeister and DeGarmo:

An Act relating to free hunting and fishing licenses for disabled American war veterans; and amending section 77.32.230, chapter 36, Laws of 1955, as amended by section 2, chapter 245, Laws of 1959 and RCW 77.32.230.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 37**, by Senators Talley, Chytil and Knoblauch:

An Act relating to determination of the population of territory annexed to cities and towns; and amending section 14, chapter 175, Laws of 1957 and RCW 35.13.260.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 38**, by Senators Talley, Dore and Rasmussen:

An Act relating to the compilation, codification, and revision of city and town ordinances; amending section 7, chapter 97, Laws of 1957 and RCW 35.21.560.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 39**, by Senators Talley, Elway and Bailey:

An Act providing for a budget system for making and controlling estimates, tax levies and expenditures in certain cities and towns; amending section 1, chapter 158, Laws of 1923 and RCW 35.33.030; amending section 2, chapter 158, Laws of 1923 as amended by section 1, chapter 180, Laws of 1953, and section 3, chapter 158, Laws of 1923 and RCW 35.33.040, 35.33.050 and

35.33.060; and amending section 4, chapter 158, Laws of 1923 and RCW 35-33.070.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 40**, by Senators Keefe, Cowen and Cooney:

An Act authorizing the transfer of certain properties in Riverside State Park, Spokane county, to the city of Spokane.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

#### PRESIDENT'S PRIVILEGE

The President:

"The President has been informed that in the South Gallery we have a class of ninth graders and their instructor Mrs. Whitehall from the Cascade Junior High School of White Center, Seattle. Will the class please stand and be recognized?"

(Applause.)

#### POINT OF INQUIRY

Senator Woodall:

"Senate Bill No. 32 should be referred to the Judiciary Committee. This particular measure has to do with the notification policies of officers when juveniles have been held in the jails."

The President:

"If there are no objections Senate Bill No. 32 will be referred to the Judiciary Committee."

#### MOTION

Senator Foster:

"What was the number of the bill that has to do with Indians? I move that Senator McCutcheon be named as co-sponsor to that bill."

The President:

"If there are no objections Senator McCutcheon's name will be added as co-sponsor of Senate Bill No. 33."

#### MOTION

On motion of Senator Greive the Senate adjourned at 12:50 o'clock p. m. until 10:30 o'clock a. m. on Friday, January 13, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FIFTH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Friday, January 13, 1961.

The Senate was called to order at 10:35 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Cooney, Cowen, Foster, Freise, Hanna, Herrmann, Keefe, Ryder and Shannon.

On motion of Senators Greive and Happy, Senators Cooney, Cowen, Foster, Freise, Herrmann, Keefe, Ryder and Shannon were excused.

The Color Guard, consisting of Pages Michael McIntyre, Color Bearer, and Marilyn Rottle, presented the Colors.

Reverend J. Burton Salter, pastor of St. John's Episcopal Church of Olympia, offered prayer as follows:

"O Father, Whose unflagging energy moves the world and pours light of day upon the Senators and all those present, we will wait on Thee now, and renew our strength. We will open our hearts to Thine incoming Spirit of Power, so that we may not be weary in our doings this day. For Thy grace will uphold us in all we have to do, Thy wisdom will direct us, and we shall be sustained by Thy love. O Unsearchable Goodness, without Thee we can do nothing; with Thee all things are possible unto us. We will rely on Thee now, for Thou never failest to uphold them that rest in Thee. Establish our faith more firmly in Thee, that we may pass this day in confidence and peace, for Christ's sake. Amen."

#### PRESIDENT'S PRIVILEGE

The President:

"Thank you very much, Reverend Salter. The members of the Senate wish to express their appreciation to you for the fine messages you have given us during this first week of the Legislature, and I know everyone joins me in wishing that you may be able to be with us again soon."

#### MOTION

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### POINT OF ORDER

Senator Henry:

"I would like to ask Senator Elway if he would like to suspend Rule 40."

The President:

"With penalties, Senator Henry?"

Senator Henry:

"Let his conscience be his guide."

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 41**, by Senator McCutcheon:

An Act relating to psychologists; amending section 2, chapter 305, Laws

of 1955 and RCW 18.83.020; amending section 3, chapter 305, Laws of 1955 and RCW 18.83.030; amending section 5, chapter 305, Laws of 1955 and RCW 18.83.050; amending section 7, chapter 305, Laws of 1955 and RCW 18.83.070; amending section 8, chapter 305, Laws of 1955 and RCW 18.83.080; amending section 9, chapter 305, Laws of 1955 and RCW 18.83.090; amending section 11, chapter 305, Laws of 1955 and RCW 18.83.110; amending section 18, chapter 305, Laws of 1955 and RCW 18.83.180; adding a new section to chapter 305, Laws of 1955 and to chapter 18.83 RCW; and defining a crime and prescribing a penalty.

Referred to Committee on Medicine and Dentistry.

**Senate Bill No. 42**, by Senator Gissberg:

An Act relating to municipal corporations; prescribing certain additional powers of water districts; and amending section 1, chapter 142, Laws of 1933 and RCW 57.08.020.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 43**, by Senators Thompson, Jr., Hess and Knoblauch:

An Act relating to education for students of superior capacity; and adding a new chapter to Title 28 RCW.

Referred to Committee on Education.

**Senate Bill No. 44**, by Senators Rasmussen, Happy and Gallagher:

An Act relating to refunds of motor vehicle fuel tax and exemptions from use fuel tax for certain urban transportation systems; amending section 82.36.275, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.36.275; and amending section 82.40.047, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.40.047.

Referred to Committee on Public Utilities.

**Senate Bill No. 45**, by Senators Sandison, Elway, Jr., and Riley (by Legislative Council request):

An Act relating to revenue and taxation; amending section 84.40.320, chapter ....., Laws of 1961 and RCW 84.40.320; amending section 84.48.010, chapter ....., Laws of 1961 and RCW 84.48.010; amending section 84.56.290, chapter ....., Laws of 1961 and RCW 84.56.290; amending section 84.08.130, chapter ....., Laws of 1961 and RCW 84.08.130; and adding a new section to chapter ....., Laws of 1961 and to chapter 84.40 RCW.

Referred to Committee on Ways and Means.

**Senate Bill No. 46**, by Senator Gissberg (by Legislative Council request):

An Act relating to air pollution control; providing penalties; making an appropriation, and adding nine new sections to chapter 232, Laws of 1957 and to chapter 70.94 RCW.

Referred to Committee on Air and Water Pollution Control.

**Senate Bill No. 47**, by Senators Thompson, Jr., Keefe and Foley:

An Act relating to revenue and taxation; adding a new section to chapter ....., Laws of 1961 (House Bill No. 6) and to chapter 82.26 RCW; and providing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 48**, by Senators Cooney and Greive:

An Act relating to indecent publications and prescribing penalties.

Referred to Judiciary Committee.

**Senate Bill No. 49**, by Senators Hallauer, Woodall and Hanna:

An Act relating to the disposal of funds and other personal property in the hands, custody, or under the control of public officers or of trustees or other custodians.

Referred to Committee on Ways and Means.

**Senate Bill No. 50**, by Senators Chytil and Knoblauch:

An Act relating to taxation of baby chicks, started pullets, commercial layers, brooding flocks, medication and feed additives; and amending section 82.08.030, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.08.030; and amending section 82.12.030, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.12.030.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 51**, by Senators Elway, Jr., Sandison and Riley:

An Act relating to budgets of taxing districts.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 52**, by Senators Sandison, Talley and Elway, Jr. (by Legislative Council request):

An Act providing for the abolishment of townships.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 53**, by Senators Angevine, Gissberg, Cooney, Neill, Hess, Morgan, Hofmeister, Kupka, Moriarty, Jr., and DeGarmo (by Executive request):

An Act relating to and regulating retail installment sales of goods and services; to define terms used in this act; to prescribe and regulate the form and content of contracts and agreements covering such retail installment sales; to require a partial refund of the service charge on prepayment of such contracts; to make violations of this act unlawful and to prescribe penalties for such violations.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 54**, by Senators Talley, Knoblauch, Hofmeister, Moriarty, Jr., Durkan, Elway, Jr., Morgan, Raugust, Thompson, Jr., DeGarmo and Gallagher (by Executive request):

An Act relating to consumer protection; requiring registration of home improvement contractors; providing for administration and enforcement, and imposing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 55**, by Senators Bargreen, Petrich, Dore, Hanna, Angevine, DeGarmo, Washington and Neill (by Executive request):

An Act relating to consumer protection; defining terms used herein; prohibiting restraints of trade, unfair competition, and unfair or deceptive acts or practices in trade or commerce; and providing for enforcement.

Referred to Judiciary Committee.

**Senate Bill No. 56**, by Senators Morgan, Raugust, Durkan, Greive, Neill and DeGarmo (by Executive request):

An Act relating to and regulating vehicle salesmen; defining terms as used in this act; requiring licensing of vehicle salesmen; authorizing revocation and suspension of licenses; and adding a new chapter to chapter ....., Laws of 1961 (House Bill No. 2), and to Title 46 RCW.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 57**, by Senators DeGarmo, Hess, Hanna, Talley, Neill, Kupka, Dore, Elway, Jr., and Thompson, Jr. (by Executive request):

An Act relating to and prohibiting false, deceptive and misleading advertising, and providing for enforcement thereof.

Referred to Judiciary Committee.

#### MOTION

It was moved by Senator Greive that the rules be suspended and the names of the sponsors as read by the Secretary be approved. Also, that 1500 extra copies of Senate Bills No. 53, 54, 55, 56 and 57 be printed.

The motion carried.

**Senate Bill No. 58**, by Senator Bargreen:

An Act relating to the board of prison terms and paroles; providing a program of aid and assistance for paroled or discharged prisoners; adding seven new sections to chapter 133, Laws of 1955 and to chapter 9.95 RCW; and making an appropriation.

Referred to Committee on Public Institutions.

**Senate Bill No. 59**, by Senators Talley and McCormack:

An Act relating to third class cities and amending section 15, chapter 184, Laws of 1915 and RCW 35.24.300.

Referred to Committee on Cities, Towns and Counties.

#### POINT OF ORDER

Senator Thompson:

"I wonder if Rule 40 has been suspended and if the Sergeant-at-Arms is aware of it."

#### RULING OF THE PRESIDENT

The President:

"The President believes that the portion of Rule 40 pertaining to smoking has been suspended by Senator Elway."

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Mrs. William Sullivan has sent a very nice note to the President and members of the Senate. With your permission the Secretary will read it to you."

The Secretary read:

"Dear Mr. Cherberg: Thank you for the honors you and the Senate paid to Bill and me yesterday. The roses are beautiful and I am thoroughly enjoying them. Sincerely, /s/ Marie Sullivan."

#### PRESIDENT'S PRIVILEGE

The President:

"Present today in the gallery is a group of students from Rochester High School under the direction of their instructor, Mrs. Walker. These young ladies and gentlemen have an academic interest in state government and are the constituents of Senator DeGarmo. Will Senator DeGarmo and the students please stand in order that the members of the Senate may recognize you?"

(Applause.)

The President stated the Senate would be at ease subject to the Call of the Chair.

President Cherberg called the Senate to order at 11:03 o'clock a. m.

**PERSONAL PRIVILEGE**

Senator Henry:

"Mr. President, I have been asked to comment on the cigars being distributed. They are presented through the kindness of Senators Dewey Donohue and Harry Elway, Jr."

At 11:05 o'clock a. m. the Senate retired to the House chamber to meet in joint session for the purpose of receiving a message from the Governor.

**Note:** See Journal of the House for the journal of the Joint Session.

**SECOND MORNING SESSION**

At 11:50 o'clock a. m. President Cherberg called the Senate to order.

**MOTION**

Senator Greive:

"I would like the record to show that it is now five minutes after 12:00 o'clock noon. I move that the Senate adjourn until 12:00 o'clock noon on Monday, January 16, 1961."

**APPOINTMENTS TO STANDING COMMITTEE**

The President:

"With the approval of the Senate I would like to appoint Senator DeGarmo as chairman of the sub-committee on Fisheries."

**MOTIONS**

Senator Nunamaker:

"I move that the appointment of Senator DeGarmo be confirmed as chairman of the sub-committee on Fisheries of the committee on Fisheries, Game and Game Fish."

The motion carried.

Senator Nunamaker:

"I move that Senator Martin be appointed as chairman of the sub-committee on Game and Game Fish of the committee on Fisheries, Game and Game Fish."

The President:

"If it meets with the approval of the Senate, Senator Martin will be named as chairman of the sub-committee on Game and Game Fish."

The motion carried.

At 12:10 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 12:00 o'clock noon on Monday, January 16, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## EIGHTH DAY

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### NOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, January 16, 1961.

The Senate was called to order at 12:00 o'clock noon by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Rasmussen, Riley, Sandison, Talley and Woodall, who were all excused.

The Color Guard, consisting of Pages Michael McIntyre, Color Bearer, and Marilyn Rottle, presented the Colors.

Reverend Father Dermot C. Foyle, of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"In the name of the Father, the Son and Holy Ghost. Amen.

"Let us pray: O Lord, we implore Thee, let Thy inspiration precede our actions and Thy help further them so that all our deliberations here in this Senate room may ever take their beginning from Thee and, so begun, may through Thee, reach completion; through Christ, our Lord.

"In the name of the Father, the Son and Holy Ghost. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### MOTION

At 12:10 o'clock p. m. on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

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### AFTERNOON SESSION

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The Senate was called to order at 2:00 o'clock p. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Rasmussen, Riley and Gissberg. Senators Rasmussen and Riley were excused.

#### PERSONAL PRIVILEGE

Senator Woodall:

"Mr. President and members of the Senate:

"We have an honorary member of the Senate, Senator Wilbur Scruby of Seattle, who has been associated for many years with the Senate. Each session he likes to recall his association here and he has delivered cigars and candy to the members of the Senate."

The President:

"Is Mr. Scruby present today?"

Senator Woodall:

"No, he is not, Mr. President, he merely extended his greeting in this manner."

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 16, 1961.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 5, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: House Concurrent Resolution No. 5.**

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 13, 1961.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 6, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 60**, by Senators Foley, Petrich and Neill (by Judicial Council request):

An Act relating to supreme court fees; and amending section 1, chapter 51, Laws of 1951 and RCW 2.32.070.

Referred to Judiciary Committee:

**Senate Bill No. 61**, by Senators Foley, Petrich and Neill (by Judicial Council request):

An Act relating to jury trials in the superior court; providing for the payment by litigants of certain jury fees; and amending section 1, chapter 43, Laws of 1903, as amended by section 1, chapter 205, Laws of 1909, and RCW 4.44.100.

Referred to Judiciary Committee.

**Senate Bill No. 62**, by Senators Foley, Petrich and Woodall (by Judicial Council request):

An Act relating to the attendance of witnesses in civil proceedings; and amending section 393, Code of 1881, as amended by section 2, chapter 19, Laws of 1891, and RCW 5.56.010.

Referred to Judiciary Committee.

**Senate Bill No. 63**, by Senators Foley, Petrich and Woodall (by Judicial Council request):

An Act relating to survival of actions; adding a new section to chapter 4.20 RCW; repealing section 659, page 165, Laws of 1869, section 722, page 146, Laws of 1877, section 718, Code of 1881 and RCW 4.20.040; repealing section 1, chapter 73, Laws of 1953 and RCW 4.20.045; repealing section 149, chapter 156, Laws of 1917 and RCW 11.48.100; and repealing section 150, chapter 156, Laws of 1917 and RCW 11.48.110.

Referred to Judiciary Committee.

**Senate Bill No. 64**, by Senators Rasmussen, Henry and Raugust (by Legislative Council request):

An Act relating to licensing, and regulating farm labor contractors; amending sections 1, 2, 3, 4, 6, 8, 10, 11, 13, 14 and 15, chapter 392, Laws of 1955 and RCW 19.30.010, 19.30.020, 19.30.030, 19.30.040, 19.30.060, 19.30.080, 19.30.100, 19.30.110, 19.30.150, 19.30.130 and 19.30.140; adding new sections to chapter 392, Laws of 1955 and to chapter 19.30 RCW; making an appropriation, providing penalties, and declaring an effective date.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 65**, by Senators Rasmussen, Riley and Neill:

An Act abolishing discriminatory wage rates based on sex; repealing section 1, chapter 254, Laws of 1943 and RCW 49.12.175; and providing penalties.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 66**, by Senators Hallauer and Cooney:

An Act relating to and providing for the protection, preservation and propagation of fish and regulating the means, methods and manner of fishing for and taking of fish; adding a new section to chapter 12, Laws of 1955 and to chapter 75.12 RCW; and adding a new section to chapter 36, Laws of 1955 and to chapter 77.16 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 67**, by Senator Hallauer:

An Act relating to eggs and egg products; and amending section 5, chapter 193, Laws of 1955, and RCW 69.24.170.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 68**, by Senators Sandison, Elway, Jr. and Knoblauch:

An Act relating to courses of instruction at state universities; amending sections 2 and 5, chapter 10, Laws of 1917 and RCW 28.76.060; and amending sections 4 and 8, chapter 10, Laws of 1917 and RCW 28.76.080.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 69**, by Senators Shannon, Riley and Moriarty, Jr.:

An Act providing for the selection of candidates for designation as official party candidates on primary election ballots.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 70**, by Senators Washington, Knoblauch and Lennart:

An Act relating to the Washington state teachers' retirement system and adding three new sections to chapter 80, Laws of 1947, and to chapter 41.32 RCW.

Referred to Committee on Social Security.

**Senate Bill No. 71**, by Senators Gallagher, Greive and Gissberg:

An Act relating to elections; and amending section 17, page 406, Laws of 1889-90, as last amended by section 1, chapter 77, Laws of 1947, and RCW 29.30.080.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 72**, by Senators Dore, Petrich and Neill:

An Act relating to commercial transactions; enacting a Uniform Com-

mercial Code; repealing certain acts and parts of acts; and declaring an effective date.

Referred to Judiciary Committee.

**Senate Bill No. 73**, by Senators Kupka, McCormack and Elway, Jr.:

An Act relating to the operation of boilers and the regulation and supervision thereof; and prescribing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 74**, by Senator Rasmussen:

An Act relating to aeronautics; providing for the regulation of structures or objects of natural growth, and the property of which they form a part, adjacent to or in the vicinity of airports to insure unobstructed conditions for the safe flight of aircraft; and providing penalties; and declaring an emergency.

Referred to Committee on Public Utilities.

**Senate Bill No. 75**, by Senators Kupka, Keefe and Freise (by Legislative Council request):

An Act relating to revenue and taxation; amending section 82.04.050, chapter ....., Laws of 1961 and RCW 82.04.050; and amending section 82.04-190, chapter ....., Laws of 1961 and RCW 82.04.190.

Referred to Committee on Ways and Means.

**Senate Bill No. 76**, by Senators Kupka, Keefe and Freise (by Legislative Council request):

An Act relating to revenue and taxation; providing for the exemption of personal property from taxation under certain conditions; adding a new section to chapter 84.36 RCW; amending section 84.40.210, Chapter ....., Laws of 1961 and RCW 84.40.210; and repealing sections 84.36.140, 84.36.150 and 84.36.160, chapter ....., Laws of 1961 and RCW 84.36.140, 84.36.150 and 84.36.160.

Referred to Committee on Ways and Means.

**Senate Bill No. 77**, by Senators Greive, Kupka and Keefe (by Legislative Council request):

An Act relating to state government; creating the Washington industrial finance authority; making an appropriation; and providing an effective date.

Referred to Committee on State Government, Military Affairs and Civil Defense.

#### MOTION

Senator Greive:

"I would like to move that Senator Freise's name be added as a co-sponsor of Senate Bill No. 77."

The President:

"With the approval of the Senate, Senator Freise's name will be added as a co-sponsor of Senate Bill No. 77."

The motion carried.

#### POINT OF INQUIRY

Senator Foley:

"Mr. President, what Senate bill are we on now?"

The President:

"Senate Bill No. 78."

**Senate Bill No. 78**, by Senators Foley, Hallauer and Angevine:

An Act relating to the statute law committee; making an appropriation and declaring an emergency.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 78 was advanced to second reading and read the second time by sections.

#### POINT OF INQUIRY

Senator Ryder:

"Mr. President, has Rule 40 been suspended?"

The President:

"Not to my knowledge."

Senator Ryder:

"I am wondering if 'Senator' Nelson of the Seattle Post-Intelligencer would like to suspend Rule 40."

Mr. Nelson:

"I would be glad to if the rules of the Senate permit."

The President:

"That portion of Rule 40 pertaining to smoking will be suspended."

#### MOTION

It was moved by Senator Foley that the rules be suspended and the Senate do not resolve itself into the Committee of the Whole for the purpose of considering Senate Bills No. 78, 79 and 80.

The motion carried.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 78 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 78, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Bargreen, Gissberg, Kupka, Rasmussen and Riley—5.

Senate Bill No. 78, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 79**, by Senators Foley and Hallauer:

An Act relating to the expenses of the thirty-seventh legislature; making an appropriation therefor, and declaring an emergency.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 79 was advanced to second reading and read the second time by sections.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 79 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 79, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Gissberg, Rasmussen and Riley—3.

Senate Bill No. 79, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 80**, by Senators Foley and Hallauer:

An Act relating to legislative printing; making an appropriation; and declaring an emergency.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 80 was advanced to second reading and read the second time by sections.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 80 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 80, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Gissberg, Lennart, Rasmussen and Riley—4.

Senate Bill No. 80, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Foley, Senate Bills No. 78, 79 and 80 were ordered immediately transmitted to the House.

**Senate Joint Memorial No. 4**, by Senators Papajani, Nunamaker and Thompson, Jr.:

Memorializing Congress for fishermen's tax benefits.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Joint Memorial No. 5**, by Senators McCutcheon and Gissberg:

Memorializes Congress for federal aid to education.

Referred to Committee on Education.

**Senate Joint Resolution No. 4**, by Senators Rasmussen, Hallauer and Thompson, Jr.:

Amending Article 7, section 2 to permit state to levy over forty mill limit upon vote of people.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 5**, by Senators Greive, Kupka and Keefe (by Legislative Council request):

Proposing constitutional amendment to permit state tax deferrals to new industries.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 6**, by Senators Greive, Kupka and Keefe (by Legislative Council request):

Proposing constitutional amendment to permit lending of state credit to industry.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 6**, by Representatives Adams and Bernethy (by Legislative Council request):

Providing joint meeting of Senate and House committees to determine site for correctional institution.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 6 was advanced to second reading and read the second time in full.

Senator Greive moved that the rules be suspended, House Concurrent Resolution No. 6 be advanced to third reading, the second reading considered the third, and the resolution be placed on final passage.

Discussion ensued.

#### MOTIONS

On motion of Senator Greive, House Concurrent Resolution No. 6 was ordered to retain its place on the third reading calendar for the following day.

On motion of Senator Greive, the Senate was adjourned at 2:40 o'clock p. m. until 11:00 o'clock a. m. on Tuesday, January 17, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## NINTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, January 17, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Michael McIntyre, Color Bearer, and Marilyn Rottle, presented the Colors.

Reverend Father Dermot C. Foyle, of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"In the name of the Father, the Son, and the Holy Ghost. Amen.

"Let us pray: O Almighty God, source of all light, truth and justice, grant to us, we beseech Thee, Thy help to know what is just and equitable for our people. Guide all our efforts so that what we enact at this session may be entirely in accord with Thy law and Thy justice. Through Christ our Lord.

"In the name of the Father, the Son, and the Holy Ghost. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PERSONAL PRIVILEGE

Senator Hanna:

"Mr President, Members of the Senate:

"I think a little explanation may be in order this morning regarding the bright lights flooding the Senate Chamber. The Department of Commerce has been taking some pictures for the purpose of including them in a film they are making."

#### PRESIDENT'S PRIVILEGE

The President:

"The time unique has come when in the annals of the history of the Washington State Senate all the members are present; therefore, Mr. James O. Sneddon of the University of Washington will take pictures which the President is sure will be handed down generation to generation.

"Senator Bailey, Senator Washington and Senator Hofmeister would you please come to the bar of the Senate?"

#### PERSONAL PRIVILEGE

Senator Martin:

"Inasmuch as we are to be on TV, I would suggest that candy and cigars are in order."

#### MOTION

It was moved by Senator Hanna that Rule 40 be suspended.

The President:

"That portion of Rule 40 pertaining to smoking will be suspended."

#### PRESIDENT'S PRIVILEGES

The President:

"At this particular time, while we are waiting for Senators Washington, Hofmeister and Bailey, the President would like to take the opportunity of introducing a Lake

Washington High School class on Government present in the Gallery with their teacher, Mr. Brazel, and Glen Lampert, President of Kirkland Kiwanis Club. This class is hosted by the esteemed and eminent Senator Albert C. Thompson, Jr. Would the class and Senator Thompson please stand in order that the members of the Senate may recognize you?

"Also present with us this morning is a group of thirty-eight sophomores from St. Martin's High School who are also interested in their State Government, and especially in the State Senate and are under the direction of Mr. Harvey, their instructor. Senator DeGarmo, these young people are from your district. Would you please stand along with your young constituents in order that you and the class may be recognized by the members of the Senate?"

(Applause.)

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 81**, by Senators Shannon, Cooney and Kupka:

An Act relating to the practice of engineering and land surveying; amending section 1, chapter 297, Laws of 1959 and RCW 18.43.035; amending section 9, chapter 283, Laws of 1947 and RCW 18.43.060; amending section 11, chapter 283, Laws of 1947, as amended by section 5, chapter 297, Laws of 1959, and RCW 18.43.080; amending section 2, chapter 297, Laws of 1959 and RCW 18.43.105; amending section 16, chapter 283, Laws of 1947, as amended by section 7, chapter 297, Laws of 1959, and RCW 18.43.130; and declaring an emergency.

Referred to Committee on Commerce, Manufacturing and Licenses.

On motion of Senator Shannon the rules were suspended and the names of Senators McCormack and Freise were added as co-sponsors of Senate Bill No. 81.

**Senate Bill No. 82**, by Senator Elway, Jr.

An Act relating to the welfare of dependent and delinquent children; amending section 1, chapter 160, Laws of 1913 and RCW 13.04.010; and amending section 12, chapter 160, Laws of 1913 as last amended by section 1, chapter 58, Laws of 1959, and RCW 13.04.120.

Referred to Committee on Social Security.

**Senate Bill No. 83**, by Senators Angevine, Cooney and Gissberg:

An Act relating to the licensing and regulation of ambulances and ambulance operators; and providing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

#### PRESIDENT'S PRIVILEGE

The President announced that the entire membership of the Senate was now present and it would be advisable for Mr. Sneddon to proceed with the picture-taking.

**Senate Bill No. 84**, by Senators Bailey, Hallauer and Elway, Jr.:

An Act relating to control of forest insects and forest diseases, authorizing the creation of insect control districts; providing for methods of notice; amending section 5, chapter 233, Laws of 1951, and RCW 76.06.050; and declaring an emergency.

Referred to Committee on Natural Resources.

**Senate Bill No. 85**, by Senators Donohue, Moriarty, Jr., and Martin:

An Act relating to public health funds and authorizing boards of county

commissioners to transfer surplus funds to public hospital districts; and adding a new section to chapter 191, Laws of 1939 and to chapter 70.12 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 86**, by Senator Martin:

An Act relating to public lands; authorizing the withdrawal of described tidelands from sale, and from lease except for specific purposes; authorizing the use of said tidelands as public shooting grounds to be administered by the state game commission; and amending section 77.40.090, chapter 36, Laws of 1955, and RCW 77.40.090.

Referred to Committee on Natural Resources.

**Senate Bill No. 87**, by Senators Washington, Raugust and Martin (by Highway Interim Committee request):

An Act relating to revenue and taxation, amending section 82.04.050, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.04.050; amending section 82.04.190, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.04.190; amending section 82.12.030, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.12.030.

Referred to Committee on Ways and Means.

#### MOTION

Senator Washington:

"I think it might be best to first refer Senate Bill No. 87 to the Committee on Highways and then to the Committee on Ways and Means. I move that the bill be first referred to Highways and then to Ways and Means."

The motion carried, and Senate Bill No. 87 was referred to Committee on Highways.

**Senate Bill No. 88**, by Senators Henry, Donohue and Foster (by Highway Interim Committee request):

An Act relating to the giving of proof of financial responsibility and security by owners and operators of motor vehicles; and repealing section 46.28.075, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.28.075.

Referred to Committee on Highways.

**Senate Bill No. 89**, by Senators Henry, Connor and Martin (by Highway Interim Committee request):

An Act relating to the operation of motor vehicles upon public highways; and amending section 46.60.160, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.60.160.

Referred to Committee on Highways.

**Senate Bill No. 90**, by Senators Henry, Freise and Donohue (by Highway Interim Committee request):

An Act relating to motor vehicles and the licensing of operators thereof; and repealing section 46.20.050, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.050.

Referred to Committee on Highways.

**Senate Bill No. 91**, by Senators Henry, Raugust and Lennart (by Highway Interim Committee request):

An Act relating to speed on public highways; and amending section 46.48-.021, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.48.021.

Referred to Committee on Highways.

**Senate Bill No. 92**, by Senators Woodall, Greive and Henry:

An Act relating to juvenile courts; limiting jurisdiction in motor vehicle law and traffic violation cases and amending section 2, chapter 160, Laws of 1913, as last amended by section 1, chapter 65, Laws of 1937, and RCW 13.04.030.

Referred to Judiciary Committee.

**Senate Bill No. 93**, by Senators Nunamaker and Greive:

An Act relating to budgets and accounting; and amending section 11, chapter 328, Laws of 1959, and RCW 43.88.110.

Referred to Committee on Social Security.

**Senate Bill No. 94**, by Senators Greive, Angevine and Bailey:

An Act relating to municipal corporations; and to the police relief and pension fund in cities of the first class; amending section 4, chapter 39, Laws of 1909 as last amended by section 3, chapter 78, Laws of 1959, and RCW 41.20.050; amending section 5, chapter 39, Laws of 1909 as last amended by section 4, chapter 78, Laws of 1959, and RCW 41.20.060; and amending section 7, chapter 39, Laws of 1909 as last amended by section 5, chapter 78, Laws of 1959, and RCW 41.20.080; and amending section 13, chapter 39, Laws of 1909 as last amended by section 7, chapter 78, Laws of 1959, and RCW 41.20.120.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 95**, by Senators Hess, Elway, Jr., and Greive:

An Act relating to state government; creating a joint committee on urban area government of the legislature; providing for the selection, term, and reimbursement of certain expenditures of the members of the committee, and conferring rights, powers, duties and prescribing the functions of the committee; providing for advisory committee; making an appropriation; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**MOTION**

On motion of Senator Greive, 1500 extra copies of Senate Bill No. 95 were ordered printed.

**Senate Bill No. 96**, by Senator McCutcheon:

An Act relating to awards in lieu of and in addition to homesteads; amending section 2, chapter 264, Laws of 1951, as amended by section 10, chapter 205, Laws of 1955, and RCW 11.52.010; amending section 7, chapter 264, Laws of 1951, as amended by section 11, chapter 205, Laws of 1955, and RCW 11.52.020; and amending section 8, chapter 264, Laws of 1951 and RCW 11.52.022.

Referred to Judiciary Committee.

**Senate Bill No. 97**, by Senator McCutcheon:

An Act relating to exemptions of property from execution and attachment and amending section 253, page 178, Laws of 1854, as last amended by section 1, page 96, Laws of 1886, and RCW 6.16.020.

Referred to Judiciary Committee.

**Senate Bill No. 98**, by Senators Thompson, Jr. and Durkan:

An Act relating to mergers of certain water districts; and adding a new chapter to Title 57 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 99**, by Senators Sandison and Riley (by Legislative Council request):

An Act relating to revenue and taxation, and amending section 84.08.130, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 84.08.130.

Referred to Committee on Ways and Means.

**Senate Bill No. 100**, by Senator Hess:

An Act relating to recreational use of certain portions of streets, alleys, and roads; and prescribing a penalty.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 101**, by Senators Freise and Henry:

An Act relating to electricians and electrical installations; and amending section 3, chapter 325, Laws of 1959 and RCW 19.28.360.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 102**, by Senators Herrmann, Cooney and Keefe:

An Act relating to property taxation by certain fire protection districts; and adding a new section to chapter 24, Laws of 1951 second extraordinary session and to chapter 52.16 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 103**, by Senator McCutcheon:

An Act relating to the exemption of wages and salaries from garnishment; and amending section 23, chapter 56, Laws of 1893, section 1, chapter 24, Laws of 1897, section 1, chapter 139, Laws of 1901, section 1, chapter 210, Laws of 1907, section 1, chapter 287, Laws of 1927 and RCW 7.32.280.

Referred to Judiciary Committee.

**Senate Bill No. 104**, by Senators McCormack, Connor and Cooney:

An Act relating to county park and recreation programs; providing for the disposition of certain licensees' fees paid to the state horse racing commission; creating a county park and recreation fund; and amending section 9, chapter 55, Laws of 1933, as last amended by section 5, chapter 106, Laws of 1955 and RCW 67.16.100.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 105**, by Senators McCormack, Thompson, Jr. and Sandison:

An Act relating to public lands; providing for the administration and sale of land and valuable materials; providing for the regulation, administration, and granting of rights of way; authorizing the leasing of beds under navigable tidal waters and of agricultural and grant lands for designated purposes; providing for certain conditions in mining contracts; authorizing by contract the sale of stone on certain public lands and providing for conditions of said sale; permitting grants of property rights; amending section 33, chapter 255, Laws of 1927 as last amended by section 13, chapter 257, Laws of 1959, and RCW 79.01.340; amending section 42, chapter 255, Laws of 1927 as last amended by section 17, chapter 257, Laws of 1959, and RCW 79.01.168; amending section 50, chapter 255, Laws of 1927 as last amended by section 21, chapter 257, Laws of 1959, and RCW 79.01.200; amending section 51, chapter 255, Laws of 1927 as last amended by section 22, chapter 257, Laws of 1959, and RCW 79.01.204; amending section 85, chapter 255, Laws of 1927 as last amended by section 1, chapter 145, Laws of 1945, and RCW 79.01.340; amending section 96, chapter 255, Laws of 1927 as last amended by section 1, chapter 147, Laws of 1945, and RCW 79.01.384; amending section 97, chapter 255, Laws of 1927

as last amended by section 35, chapter 257, Laws of 1959, and RCW 79.01.388; amending section 98, chapter 255, Laws of 1927 as last amended by section 36, chapter 257, Laws of 1959, and RCW 79.01.392; amending section 142, chapter 255, Laws of 1927 as last amended by section 39, chapter 271, Laws of 1951, and RCW 79.01.568; amending section 162, chapter 255, Laws of 1927 as last amended by section 38, chapter 257, Laws of 1959, and RCW 79.01.644; amending section 1, chapter 203, Laws of 1949, and RCW 79.12.570; and adding two new sections to chapter 79.01 RCW.

Referred to Committee on Natural Resources.

**Senate Bill No. 106**, by Senators Dore and Petrich:

An Act prohibiting certain employment to members, officials and employees of the public service commission for one year after termination of service, and adding a new section to chapter ....., Laws of 1961 (House Bill No. 5) and to chapter 80.01 RCW.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 107**, by Senators Dore, Durkan and Petrich:

An Act relating to compulsory attendance of witnesses before legislative committees; and amending section 1, chapter 6, Laws of 1895 and RCW 44.16.010; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 108**, by Senators Greive, Hess and Ryder:

An Act relating to superior court judges; and amending section 3, chapter 125, Laws of 1951, as amended by section 1, chapter 176, Laws of 1955, and RCW 2.08.061.

Referred to Judiciary Committee.

**Senate Bill No. 109**, by Senator McCutcheon:

An Act relating to homesteads; and amending section 24, chapter 64, Laws of 1895, as last amended by section 1, chapter 29, Laws of 1955, and RCW 6.12.050.

Referred to Judiciary Committee.

**Senate Bill No. 110**, by Senators Dore and Petrich (by Legislative Council request):

An Act relating to traffic law enforcement; providing penalties; adding a new chapter to chapter ....., Laws of 1961, and to Title 46 RCW; amending sections 46.20.030 and 46.56.010, chapter ....., Laws of 1961 and RCW 46.20.030 and 46.56.010; adding a new section to chapter 46.20 RCW; adding a new section to chapter ....., Laws of 1961 and Title 46 RCW; and repealing sections 46.64.010, 46.64.015, 46.64.020, 46.64.030, 46.64.040 and 46.64.050, chapter ....., Laws of 1961 and RCW 46.64.010, 46.64.015, 46.64.020, 46.64.030, 46.64.040 and 46.64.050.

Referred to Judiciary Committee.

**Senate Bill No. 111**, by Senators Dore and Petrich (by Legislative Council request):

An Act relating to the judiciary; reorganizing the justice court system, prescribing the composition and jurisdiction thereof and procedure therein, abolishing certain inferior courts; repealing certain acts and parts of acts; and providing effective dates.

Referred to Judiciary Committee.

**Senate Bill No. 112**, by Senators Petrich and Dore (by Legislative Council request):

Relating to justice court procedure.  
Referred to Judiciary Committee.

**Senate Joint Resolution No. 7**, by Senators Foley, Petrich and Neill (by Judicial Council request):

Authorizing judges, retired judges, former judges of record courts in this state to perform temporarily judicial duties in courts of record.  
Referred to Judiciary Committee.

**Senate Joint Resolution No. 8**, by Senators Hess, Connor and Talley:  
Providing for annual sessions of legislature.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Concurrent Resolution No. 2**, by Senators Dore, Donohue and Petrich:

Proclaiming January 15-21, 1961 as Jaycee Week.

On motion of Senator Dore, the rules were suspended, Senate Concurrent Resolution No. 2 was advanced to second reading and read the second time in full.

On motion of Senator Dore, the rules were suspended, Senate Concurrent Resolution No. 2 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

Senator Dore:

"I move that Senate Concurrent Resolution No. 2 be immediately transmitted to the House."

The motion carried.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 17, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 78; also  
Senate Bill No. 79; also  
Senate Bill No. 80, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### POINT OF ORDER

Senator Greive:

"I especially call attention to the fact that we have a third reading calendar for today, House Concurrent Resolution No. 6."

#### THIRD READING OF BILLS

**House Concurrent Resolution No. 6**, by Representatives Adams and Bernethy (by Legislative Council request):

Providing joint meeting of Senate and House committees to determine site for correctional institution.

#### MOTIONS

On motion of Senator Kupka the rules were suspended and House Concurrent Resolution No. 6 was referred to the Committee on Public Institutions.

At 11:40 o'clock a. m., on motion of Senator Greive, the Senate was recessed until 7:50 o'clock p. m., January 17, for a joint session with the House of Representatives.

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**EVENING SESSION**


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The President called the Senate to order at 7:55 o'clock p. m.

The Secretary called the roll and announced to the President there were 29 Senators present and 20 absent.

The Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., January 17, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 78; also

Senate Bill No. 79; also

Senate Bill No. 80, have compared same with the original bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 78; also**

**Senate Bill No. 79; also**

**Senate Bill No. 80.**

The President:

"Members of the Senate, the purpose of the session this evening is to meet in joint session with the House of Representatives to receive the report on the progress of Century 21."

**MOTION**

On motion of Senator Greive the Senate recessed until after the joint session.

At 8:00 o'clock p. m. the Senate retired to the House Chamber for the purpose of receiving a report on the progress of Century 21.

**Note:** See House Journal for journal of the joint session.

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**SECOND EVENING SESSION**

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The President called the Senate to order at 8:45 o'clock p. m.

**MOTION**

On motion of Senator Greive at 8:50 o'clock p. m. the Senate adjourned until 11:00 o'clock a. m. on Wednesday, January 18, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

# TENTH DAY

## MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, January 18, 1961.

The Senate was called to order at 11:05 o'clock a. m. by President Pro Tempore Al Henry.

The Secretary called the roll and announced to the President that all Senators were present except Senator Cooney.

On motion of Senator Greive, Senator Cooney was excused.

The Color Guard, consisting of Pages Michael McIntyre, Color Bearer, and Marilyn Rottle, presented the Colors.

Reverend Father Dermot C. Foyle, of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"In the name of the Father, the Son, and the Holy Ghost. Amen.

"Let us pray: O Holy Lord, Father Almighty, eternal God, send Thy Holy angels from heaven to watch over, cherish, protect, be with and defend all who work in this Senate room, and guide them so that all their deliberations here may be carried out in accordance with Thy Holy Spirit, through Christ our Lord.

"In the name of the Father, the Son, and the Holy Ghost. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

### SENATE RESOLUTIONS

By Senator Bailey:

*Resolved*, That the state treasurer be and he is hereby directed to draw his warrants for the payment of salaries of employees of the Senate every week of the session upon payrolls which shall be certified by the President or President Pro Tempore and Secretary of the Senate, and he is hereby authorized and directed to deliver the warrants so issued to the Secretary of the Senate, taking his receipt therefor.

On motion of Senator Bailey the resolution was adopted.

By Senator Angevine:

*Resolved*, That the Secretary be and he is hereby instructed to purchase and deliver to the President of the Senate, the Secretary of the Senate, the Sergeant-at-Arms, and to each of the Senators, forty dollars (\$40) worth of postage.

On motion of Senator Angevine the resolution was adopted.

The Secretary read:

### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 17, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 78; also  
Senate Bill No. 79; also

Senate Bill No. 80, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., January 18, 1961.

MR. PRESIDENT:

The House has adopted: Senate Concurrent Resolution No. 2, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

**PRESIDENT'S PRIVILEGE**

The President:

"With the indulgence of the Senate the President would like to introduce to you a number of fine young people, some of whom have travelled great distances to visit us here. Sitting in the gallery are the Fourth and Fifth Grades from Highline School in Seattle. These students are from Senator Hofmeister's District. Would the students and Senator Hofmeister please stand in order to be recognized?"

"Now, would the Washington History Class from Foster High School please stand? These students are also from Seattle, and are from Senator Thompson's District.

"Also, we have a group of Freshman students from Port Townsend, Senator Sandison's District. Please stand and be recognized. We are very happy that you took the time to join us here this morning."

(Applause.)

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTION**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 113**, by Senators Gissberg, Sandison and Hess:

An Act relating to Indian affairs; and adding a new section to chapter 20, pages 627-629, Laws of 1889-90 and to chapter 43.06 RCW.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 114**, by Senators Gissberg and Shannon:

An Act relating to aeronautics; amending section 3, chapter 182, Laws of 1945 and RCW 14.08.020; and section 1, chapter 14, Laws of 1957 as amended by section 2, chapter 231, Laws of 1959, and RCW 14.08.120.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 115**, by Senators Cooney, Herrmann and Woodall:

An Act relating to actions by parents for death of or injury to their children; and amending section 9, page 4, Laws of 1969 as last amended by section 1, chapter 191, Laws of 1927 and RCW 4.24.010.

Referred to Judiciary Committee.

**Senate Bill No. 116**, by Senators Hess, Washington and Thompson, Jr.:

An Act relating to crimes and criminal procedure; abolishing capital punishment; amending section 12, page 78, Laws of 1854 as last amended by section 1, chapter 112, Laws of 1919, and RCW 9.48.030; amending section 1, chapter 6, Laws of 1933 extraordinary session and RCW 9.52.010; amending section 65, chapter 249, Laws of 1909 and RCW 9.82.010; amending section 11, page 78, Laws of 1854 as last amended by section 1, chapter 249, Laws of 1909, and RCW 9.01.020; amending section 30, page 185, Laws of 1873 as last amended by section 12, chapter 249, Laws of 1909 and RCW 9.01.070; adding a new section to chapter 249, Laws of 1909 and to chapter 9.01 RCW; repealing sections 1 through 10, chapter 9, Laws of 1901 extraordinary session; repealing sections 152 through 155, page 125, Laws of 1854; repealing section 291, page 152, Laws of 1860; repealing sections 288 through 291, pages 244

and 245, Laws of 1873; repealing sections 1130 through 1133, Code of 1881; and repealing RCW 10.70.040 through 10.70.130.

Referred to Judiciary Committee.

**Senate Bill No. 117**, by Senators Foster and Henry:

An Act relating to franchises on county roads and bridges; and amending section 38, chapter 187, Laws of 1937 and RCW 36.55.010, 36.55.040, 36.55.050 and 36.55.060.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 118**, by Senators Riley and Keefe:

An Act relating to parental financial responsibility for acts of minors.

Referred to Judiciary Committee.

**Senate Bill No. 119**, by Senators Nunamaker, Papajani and Rasmussen:

An Act relating to game and game fish; defining crimes; and amending section 77.16.040, chapter 36, Laws of 1955 and RCW 77.16.040.

Referred to Committee on Public Utilities.

**Senate Bill No. 120**, by Senators Gissberg, Kupka, Happy and Lennart:

An Act establishing deeds of trust, and foreclosure thereof, in the state of Washington, which offers an alternative method of financing real property which does not alter, amend or supersede statutes relating to real property mortgages.

Referred to Judiciary Committee.

**Senate Bill No. 121**, by Senators Keefe, Herrmann and Cooney:

An Act relating to limited access facilities within cities and towns; and amending section 47.52.140, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.52.140; and adding a new section to chapter 47.52 RCW.

Referred to Committee on Highways.

**Senate Bill No. 122**, by Senators Petrich, Moriarty Jr. and Dore:

An Act providing additional judges in the superior courts of Pierce county and King county; and amending section 3, chapter 125, Laws of 1951, as amended by section 1, chapter 176, Laws of 1955 and RCW 2.08.061.

Referred to Judiciary Committee.

**Senate Bill No. 123**, by Senators Rasmussen and Talley:

An Act relating to cities and towns; providing for local improvement installment notes and certificates; and adding a new section to chapter 35.45 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 124**, by Senators Greive, Angevine and Nunamaker:

An Act relating to public assistance; and amending section 74.04.005, chapter 26, Laws of 1959, and RCW 74.04.005.

Referred to Committee on Social Security.

**Senate Bill No. 125**, by Senators Rasmussen and Talley:

An Act relating to cities and towns; amending section 32, chapter 337, Laws of 1955 and RCW 35.33.080; amending section 33, chapter 337, Laws of 1955 and RCW 35.33.090; amending section 5, chapter 158, Laws of 1923 as last amended by section 1, chapter 322, Laws of 1955 and RCW 35.33.120 and RCW 35.33.130; and amending section 35, chapter 337, Laws of 1955 as amended by section 2, chapter 44, Laws of 1957 and RCW 35.33.150.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 126**, by Senators Angevine, Greive and Nunamaker:

An Act relating to budgets and accounting systems of the department of public assistance; and amending section 24, chapter 328, Laws of 1959, and RCW 43.88.240.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 127**, by Senators Cowen, Ryder and Neill:

An Act relating to banks and banking; amending section 30.04.230, chapter 33, Laws of 1955 and RCW 30.04.230.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 128**, by Senators Talley, Hanna and Hess:

An Act relating to county health care and group insurance; and amending section 1, chapter 51, Laws of 1955, as amended by section 1, chapter 106, Laws of 1957, and RCW 36.32.400.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 129**, by Senators Bailey, Washington and Sandison (by Highway Interim Committee request):

An Act relating to state government; changing the membership of the Washington toll bridge authority; relating to the powers and duties of the Washington toll bridge authority and the state highway commission; amending section 47.56.020, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.56.020; amending section 47.56.030, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.56.030; adding six new sections to chapter ....., Laws of 1961 (House Bill No. 3) and chapter 47.56 RCW; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 130**, by Senators Dore, Morgan and Donohue:

Modifying law relating to deaths and dead bodies.

Referred to Committee on Medicine and Dentistry.

**Senate Bill No. 131**, by Senators Cooney, Rasmussen and McCormack:

An Act relating to transportation; providing penalties for failure of railroad companies to comply with regulations of public service commission regarding sanitation and shelter; and adding two new sections to chapter 81.40, chapter ....., Laws of 1961 (House Bill No. 5) and to chapter 81.40 RCW.

Referred to Committee on Labor and Industrial Insurance.

#### MOTION

On motion of Senator Greive the names of Senators Keefe and Herrmann were added as co-sponsors of Senate Bill No. 131.

#### MOTION

Senator Angevine:

"If there are no objections I would like to move that Senate Bill No. 126 be referred to the Committee on Social Security."

The Secretary read the title of the bill.

Debate ensued.

The President:

"The motion before the Senate is that Senate Bill No. 126 be referred to the Committee on Social Security."

The motion was lost on a rising vote.

The President:

"Senate Bill No. 126 is referred to the Committee on State Government, Military Affairs and Civil Defense."

#### POINT OF ORDER

Senator Knoblauch:

"Would Senator Washington like to suspend that portion of Rule 40 pertaining to smoking, with penalties?"

Senator Washington suspended Rule 40 with penalties.

Senator Woodall:

"If Senator Knoblauch is as watchful of state finances as he is of smoking, we are going to have a fine session."

**Senate Bill No. 132**, by Senators Gissberg and Durkan:

An Act relating to blind made products; and amending section 1, chapter 100, Laws of 1959 and RCW 19.06.010; and amending section 2, chapter 100, Laws of 1959 and RCW 19.06.020; and adding two new sections to chapter 100, Laws of 1959 and chapter 19.06 RCW.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 133**, by Senators Gissberg and Bailey:

An Act relating to volunteer firemen's relief and pensions; and amending section 3, chapter 261, Laws of 1945 as last amended by section 1, chapter 116, Laws of 1957, and RCW 41.24.030.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 134**, by Senators Gissberg and Bailey:

An Act relating to volunteer firemen's relief and pensions; amending section 16, chapter 261, Laws of 1945 as last amended by section 2, chapter 159, Laws of 1957, and RCW 41.24.160; amending section 17, chapter 261, Laws of 1945 as last amended by section 3, chapter 253, Laws of 1953, and RCW 41.24.170; amending section 18, chapter 261, Laws of 1945, and RCW 41.24.180; amending section 20, chapter 261, Laws of 1945 as amended by section 5, chapter 253, Laws of 1953, and RCW 41.24.200; amending section 22, chapter 261, Laws of 1945 as last amended by section 4, chapter 159, Laws of 1957, and RCW 41.24.220; and amending section 23, chapter 261, Laws of 1945 as last amended by section 5, chapter 159, Laws of 1957, and RCW 41.24.230.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 135**, by Senators Foley, Hallauer and Angevine:

An Act relating to legislators' subsistence; making an appropriation; and declaring an emergency.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 135 was advanced to second reading and read the second time by sections.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 135 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Riley:

"Will this amount cover just the sixty days of the session, or if we have an extra session will we have to appropriate more funds?"

Senator Greive:

"It is my understanding that this amount covers just what is needed for the sixty days."

The Secretary called the roll on the final passage of Senate Bill No. 135, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—42.

Those absent or not voting were: Senators Cooney, Donohue, Durkan, Herrmann, McMillan, Martin, Woodall—7.

Senate Bill No. 135, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Greive, Senate Bill No. 135 was ordered immediately transmitted to the House.

#### PRESIDENT'S PRIVILEGE

The President (President Pro Tempore Henry in the Chair) acknowledged the presence of students in the south gallery from Olympic Junior High School in Auburn, Washington, and asked them to stand and be recognized. (Applause.)

**Senate Joint Memorial No. 6**, by Senator Riley:

Memorial relating to earnings of persons receiving public assistance.

Referred to Committee on Social Security.

**Senate Joint Resolution No. 9**, by Senators McCormack, McCutcheon and Neill:

Relates to distribution of the voters pamphlet.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 10**, by Senators McCormack, McCutcheon and Neill:

Changes publication requirements for Constitutional amendments.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 11**, by Senators McCormack, McCutcheon and Elway, Jr.:

Constitutional amendment providing for change in publication of city charters.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 12**, by Senator Riley:

Increasing terms for representatives to four years.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**MOTION**

Senator Riley: ,

"I move that in view of the fact Senate Joint Resolution No. 12 contains a Constitutional amendment that it be referred to the Committee on Constitution, Elections and Legislative Processes."

The President:

"If there are no objections, Senate Joint Resolution No. 12 will be referred to the Committee on Constitution, Elections and Legislative Processes."

The motion carried.

**MOTION**

Senator Nunamaker:

"I move that Senate Bill No. 119 be referred to the Committee on Game and Game Fish."

The President:

"If there are no objections, Senate Bill No. 119 will be referred to the Committee on Game and Game Fish."

The motion carried.

**Senate Joint Resolution No. 13**, by Senators McCormack, McCutcheon and Angevine:

Constitutional amendment changing vote requirement for calling Constitutional convention.

Referred to Committee on Constitution, Elections and Legislative Processes.

**MOTION**

On motion of Senator Greive, at 11:35 o'clock a. m., the Senate was adjourned until 11:00 o'clock a. m. on Thursday, January 19, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## ELEVENTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, January 19, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Pro Tempore Al Henry.

The Secretary called the roll and announced to the President that all Senators were present except Senators Donohue and Gissberg.

On motion of Senator Greive, Senator Donohue was excused.

The Color Guard, consisting of Pages Bob Norton, Color Bearer, and Vicki Papajani, presented the Colors.

Reverend Father Robert Daly, of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"In the name of the Father, the Son, and the Holy Ghost. Amen.

"O Almighty God, source of all justice, grant to us, we beseech Thee, Thy continued help to know what is equitable and just, and the basic honesty and the self-respect to promote it. Guide all our efforts so that what we enact this session may be entirely in accord with Thy law and Thy justice. Through Jesus Christ, Our Lord. Amen.

"In the name of the Father, the Son, and the Holy Ghost. Amen."

#### PRESIDENT'S PRIVILEGE

The President (President Pro Tempore Henry in the Chair):

"We are honored and fortunate to have with us today a visitor from the North, the Honorable Herbert J. Bruck, Majority Caucus President of the Provincial Parliament of the Province of British Columbia."

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed an escort committee consisting of Senators Bailey, Greive, Woodall and Happy to escort the Honorable Mr. Bruck to a seat of honor on the rostrum beside the President.

Sergeant-at-Arms Charlie Johnson and the committee escorted Mr. Bruck to the rostrum.

The President (President Pro Tempore Henry in the Chair):

"We are very pleased and honored to have this distinguished gentleman here today, and I have prevailed upon him to say a few words to this august body. I have also mentioned that in the course of his speech he might make mention of the salary received in British Columbia by members of their Parliament. Of course, his remarks are entirely up to him."

Mr. Bruck:

"Thank you, President Henry and Friends:

"It is an honor and a privilege to be here with you today. The cordiality and the hospitality I have received has been heartwarming. In fact, it will be very difficult to go back home next week and undertake the terrific battle we will be faced with in the Provincial Parliament in the Province of British Columbia.

"It has been most interesting to observe your procedures and compare them with ours, and to note the similarity you have in the state of Washington to so many of our problems in British Columbia.

"I notice there has been mention made about salaries. We think we have been badly treated, but our session of indemnity is \$5,000.

"I find that we perhaps have much to learn from you in the state of Washington, as many of our problems are similar to yours. As we look about us today we find much tension and dispute. Much of it is perhaps because we do not understand each other. We perhaps notice it more than others, because we are sandwiched in between the state of Alaska and the northwestern states. As a result of discussions to attempt to resolve our difficulties, we are now trying to develop what is known as a marine highway between Victoria and the state of Alaska. I do believe in the years to come that we of British Columbia and the western states who have so much in common, could gain much in the understanding and relationship of our common purpose. Our economy runs mainly from the north and south, and we have much in which to participate.

"Again, I want to thank you for your cordiality and hospitality and perhaps we can meet more often in the future. Any time that any of you are in Victoria, we will be glad to see you."

The President (President Pro Tempore Henry in the Chair):

"In private conversation, Mr. Bruck has informed me that British Columbia has the appropriation versus taxes problem the same as we have. Everyone wants something and no one wants to pay the bill.

"On behalf of the members of the Senate, it is my extreme pleasure Mr. Bruck, to make you an honorary citizen of the state of Washington. We know that cooperation between your great country, the province of British Columbia, and the state of Washington is of the utmost importance. Cooperation is the answer.

"Mr. Bruck has also mentioned the fact that our session seems to be very tranquil and peaceful. He should return in twenty days when the picture will be quite different."

#### POINT OF INQUIRY

Senator Knoblauch:

"I would like to inquire as to the salary legislators in the province of British Columbia receive."

The President (President Pro Tempore Henry in the Chair):

"\$5,000 per year for a forty day session."

Senator Knoblauch:

"I inquired of Mr. Bruck, Mr. President.

"Do you, in your Parliament, have what we call Rule 40? I would like to give you the privilege, without penalties, of suspending that portion of Rule 40 pertaining to smoking."

Mr. Bruck:

"Well, if that is my privilege, I might."

The President (President Pro Tempore Henry in the Chair):

"I might explain. That portion of Rule 40 pertaining to smoking, when suspended, necessitates the person suspending it to provide cigars. However, you have been given the privilege without penalties so Senator Knoblauch will have to buy his own cigars this morning."

Mr. Bruck was escorted by the honor guard to the State Reception Room.

#### MOTIONS

On motion of Senator Martin, the reading of the journal of the previous day was dispensed with and it was approved.

Senator Washington:

"Through oversight yesterday, I neglected to make the motion that the name of Senator Raugust be added as a co-sponsor to Senate Bill No. 129."

The President (President Pro Tempore Henry in the Chair):

"With the approval of the Senate, Senator Raugust's name will be added to the sponsors of Senate Bill No. 129."

The motion carried.

## PERSONAL PRIVILEGE

Senator Hess:

"I would like to announce that the cigars are being distributed through the courtesy of Senator Washington and Senator Hanna. Senator Hanna felt that his appearance on TV warranted the cigars."

The Secretary read:

## SENATE RESOLUTION

By Senators Woodall and Happy:

WHEREAS, By law the Washington State Senate has a duty to confirm certain appointees; and

WHEREAS, Said duty should not be taken lightly or approval perfunctorily given; and

WHEREAS, In the past two legislative sessions the Governor's messages concerning said appointees have not been received until the closing hours of the legislature and under such conditions that the Senate could not hold hearings or make investigations; and

WHEREAS, It is important to the welfare of the state that such appointees shall be carefully screened and investigated;

Now, Therefore, Be It Resolved, By the Senate of the state of Washington:

THAT, The Senate hereby requests the Governor to forward at an early date the names of all appointees for whom confirmation is required.

On motion of Senator Woodall, the resolution was adopted.

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,

Olympia, Wash., January 19, 1961.

Mr. President:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Concurrent Resolution No. 2, have compared same with the original bill and find it correctly enrolled.

MARTIN DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

## SIGNED BY THE PRESIDENT

The President (President Pro Tempore Henry in the Chair) signed Senate Concurrent Resolution No. 2.

## Senate Bill No. 13:

Senate Chamber,

Olympia, Wash., January 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions to whom was referred Senate Bill No. 13, reporting civil rights by board of prison terms have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Senate Bill No. 13 be referred to the Judiciary Committee.

FRED J. MARTIN, *Chairman*.

We concur in this report: Joe Chytil, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Don L. Talley, Perry B. Woodall.

On motion of Senator Martin, the report of the Committee on Public Institutions was adopted and Senate Bill No. 13 was referred to the Judiciary Committee.

## Senate Bill No. 17:

Senate Chamber,

Olympia, Wash., January 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions to whom was referred Senate Bill No. 17, creating the charitable, educational, penal and reformatory institu-

tions accounts in the general fund, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Senate Bill No. 17 be referred to the Committee on Ways and Means.

FRED J. MARTIN, *Chairman.*

We concur in this report: Joe Chytil, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupa, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Don L. Talley, Perry B. Woodall.

On motion of Senator Martin, the report of the Committee on Public Institutions was adopted and Senate Bill No. 17 was referred to the Committee on Ways and Means.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,  
Olympia, January 18, 1961.

*To the Honorable, The Senate of the State of Washington*

LADIES AND GENTLEMEN:

I have the honor to advise that the Acting Governor has approved the following Senate Bills, entitled:

**Senate Bill No. 78:**

"An Act relating to the statute law committee; making an appropriation; and declaring an emergency."

**Senate Bill No. 79:**

"An Act relating to the expenses of the thirty-seventh legislature; making an appropriation therefor; and declaring an emergency."

**Senate Bill No. 80:**

"An Act relating to legislative printing; making an appropriation; and declaring an emergency."

Very truly yours,

/s/ WARREN A. BISHOP,  
*Assistant to the Governor.*

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 136**, by Senators Woodall, Sandison and Keefe:

An Act relating to motor vehicles and the operation thereof; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 2), and to chapter 46.56 RCW.

Referred to Committee on Highways.

**Senate Bill No. 137**, by Senators Raugust, McCormack and Washington:

An Act relating to irrigation districts; and amending section 36, page 690, Laws of 1890, as last amended by section 1, chapter 216, Laws of 1937, and RCW 87.08.030, 87.08.040, and 87.08.050.

Referred to Committee on Natural Resources.

**Senate Bill No. 138**, by Senators DeGarmo, Talley and Thompson, Jr.:

An Act relating to the Washington state teachers' retirement system, providing an increase in pensions; and amending section 48, chapter 80, Laws of 1947, as amended by section 21, chapter 274, Laws of 1955 and RCW 41.32.480.

Referred to Committee on Social Security.

**Senate Bill No. 139**, by Senators Rasmussen and Gissberg (by Legislative Council request):

An Act relating to the rules for electrical construction; and repealing chapter 130, Laws of 1913 and RCW 19.29.010 through 19.29.060.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 140**, by Senators Foster, Hanna, and Hallauer (by Departmental request):

An Act relating to controlled atmosphere storage of fruits and vegetables; providing penalties; and declaring an emergency.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 141**, by Senators Hofmeister, Talley and DeGarmo:

An Act relating to the use of publicly owned buildings and facilities.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 142**, by Senators Bargreen and Gissberg:

An Act relating to cities and public utility districts; authorizing certain cities and public utility districts to jointly acquire, construct, own, operate and maintain electric and water utility properties for the generation, transmission, and distribution of electric power and for storage, transmission, and distribution of water for all purposes; to contribute to the cost of acquisition and construction thereof in money and property; and to issue revenue bonds therefor; amending section 1, chapter 287, Laws of 1957 and RCW 80.40.280; section 2, chapter 287, Laws of 1957, and RCW 80.40.290; section 3, chapter 287, Laws of 1957 and RCW 80.40.300; and section 4, chapter 287, Laws of 1957 and RCW 80.40.310.

Referred to Committee on Public Utilities.

#### MOTION

It was moved by Senator Woodall that Senate Bill No. 136 be referred to the Judiciary Committee.

The motion carried.

**Senate Bill No. 143**, by Senators Neill and McCormack:

An Act relating to public lands; and authorizing the exchange and lease of certain real properties by the board of regents of Washington State University.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 144**, by Senator Gissberg:

An Act relating to apprenticeship; amending section 1, chapter 231, Laws of 1941 and RCW 49.04.010; amending section 2, chapter 231, Laws of 1941 and RCW 49.04.030; and amending section 4, chapter 231, Laws of 1941 and RCW 49.04.050.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 145**, by Senators Ryder, Sandison and Papajani:

An Act relating to an insurance program for the regents, trustees, member of boards of directors, students and employees of the state public school system; and amending section 1, chapter 187, Laws of 1959 and RCW 28.76.410.

Referred to Committee on Education.

**PERSONAL PRIVILEGE**

Senator Happy:

"A very distinguished former member of this body is here, Senator Russell Barlow. I would suggest the President have him escorted to the rostrum."

**APPOINTMENT OF SPECIAL COMMITTEE**

The President Pro Tempore selected an honorary committee of Senator Petrich and Senator Dore to escort Senator Barlow to the rostrum.

Senator Woodall:

"May I suggest that Senator Gallagher be added to that committee. He and Senator Barlow used to spend a great deal of time in the committee room."

The President (President Pro Tempore Henry in the Chair):

"I would be very happy to add Senator Gallagher to that committee, and also Senator Woodall so that you can talk over old times."

Former Senator Barlow was escorted to the rostrum by the honor committee.

**PRESIDENT'S PRIVILEGE**

The President (President Pro Tempore Henry in the Chair):

"I would like to present former Senator Barlow to the members of the Senate. Would you care to offer a few words to the members, Senator Barlow?"

Senator Barlow:

"The only thing I have to say is that I would like to have that portion of Rule 40 pertaining to smoking suspended, with penalties."

The President (President Pro Tempore Henry in the Chair):

"Thank you, Senator. That rule has been suspended, but we will gladly accept your contribution."

**Senate Bill No. 146**, by Senators McCormack, Thompson, Jr. and Hallauer:

An Act relating to school bus transportation; and amending section 2, chapter 68, Laws of 1955 and RCW 28.58.100.

Referred to Committee on Education.

**Senate Bill No. 147**, by Senators Rasmussen and Chytil (by Legislative Council request):

An Act relating to public lands; adding a new section to chapter 79.01-RCW; creating the resource management cost account of the general fund, making an appropriation; and declaring an emergency.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 148**, by Senators Greive, Kupka, Petrich, Dore and Keefe (by Legislative Council request):

An Act relating to crimes and punishment; and amending section 118, page 96, Laws of 1854 as last amended by section 1, chapter 260, Laws of 1959 and RCW 9.68.010; and repealing section 2, chapter 260, Laws of 1959 and RCW 9.68.015.

Referred to Judiciary Committee.

**Senate Bill No. 149**, by Senator Greive, Petrich, Dore, Keefe and Kupka (by Legislative Council request):

An Act creating a publications review board; and making an appropriation. Referred to Judiciary Committee.

On motion of Senator Greive, additional sponsors were permitted on Senate Bill No. 148 and No. 149.

**Senate Bill No. 150**, by Senator Gissberg:

An Act relating to state government; abolishing the Washington toll bridge authority and transferring its powers, authority, functions and duties to the state highway commission; creating a director of toll facilities and prescribing his powers and duties; transferring certain powers and duties of the director of highways to the state highway commission; and providing an effective date.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 151**, by Senators McCormack, Henry and Hofmeister:

An Act relating to secondary state highways; amending section 47.20.410, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.20.410; making an appropriation; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 152**, by Senators Rasmussen and Dore:

An Act relating to governmental agencies and officers, employees, and agents thereof; and amending section 2, chapter 320, Laws of 1959, and RCW 42.22.020.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 153**, by Senators McCormack, Washington and Raugust:

An Act relating to irrigation districts; amending section 1, chapter 13, Laws of 1939 and RCW 87.04.010; amending section 2, chapter 13, Laws of 1939 and RCW 87.04.020; amending section 3, chapter 13, Laws of 1939 and RCW 87.04.030; amending section 4, chapter 13, Laws of 1939 and RCW 87.04.040; amending section 7, chapter 13, Laws of 1939 and RCW 87.04.050; amending section 5, chapter 13, Laws of 1939 and RCW 87.04.060; amending section 6, chapter 13, Laws of 1939 and RCW 87.04.070; amending section 8, chapter 13, Laws of 1939 and RCW 87.04.080; amending section 9, chapter 13, Laws of 1939 and RCW 87.04.090; amending section 10, chapter 13, Laws of 1939 and RCW 87.04.100; amending section 11, chapter 13, Laws of 1939 (uncodified); amending section 1, chapter 122, Laws of 1953, as last amended by section 4, chapter 57, Laws of 1955, and RCW 87.01.090; and amending section 4, page 673, Laws of 1890, as last amended by section 1, chapter 41, Laws of 1931, and RCW 87.01.100, 87.01.120 and 87.01.130.

Referred to Committee on Natural Resources.

**Senate Bill No. 154**, by Senators Morgan, Bailey and Washington (by Executive request):

An Act relating to toll bridges; making an appropriation and reappropriation for operation of the Washington toll bridge authority; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 155**, by Senators Henry, Talley and Neill:

An Act relating to cities and towns; authorizing police officers of municipal corporations of the second and fourth classes to pursue and arrest violators of city ordinances beyond the city limits; adding a new section to chapter 35.23 RCW; and amending section 172, page 213, Laws of 1890, and RCW 35.27.240. research laboratory in this state.

**Senate Bill No. 156**, by Senators Sandison and Bailey:

An Act relating to log patrols; providing for the application and issuance of licenses; creating a log patrol revolving fund to be maintained and administered by the department of natural resources; amending section 3, chapter 116, Laws of 1947, as last amended by section 3, chapter 182, Laws of 1957, and RCW 76.40.030; amending section 1, chapter 140, Laws of 1953, and RCW 76.40.015.

Referred to Committee on Natural Resources.

**Senate Bill No. 157**, by Senators Sandison and Bailey:

An Act relating to the exchange of lands; amending section 1, chapter 77, Laws of 1937 and RCW 76.12.050; amending section 2, chapter 77, Laws of 1937 and RCW 76.12.060; adding a new section to chapter 77, Laws of 1937 and to chapter 76.12 RCW; and amending section 1, chapter 290, Laws of 1957 and RCW 79.08.180.

Referred to Committee on Natural Resources.

**Senate Bill No. 158**, by Senator Gissberg:

An Act relating to highways; and amending section 47.20.490, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.20.490.

Referred to Committee on Highways.

**Senate Joint Memorial No. 7**, by Senators DeGarmo, McCutcheon and Bailey:

Memorializing congress to enact legislation establishing a pollution control research laboratory in this state.

Referred to Committee on Air and Water Pollution Control.

**Senate Joint Memorial No. 8**, by Senators Hallauer, Washington and Hanna:

Memorial to congress urging building of Oroville-Tonasket Unit, Chief Joseph Dam Project.

Referred to Committee on Public Utilities.

**Senate Joint Resolution No. 14**, by Senators Gissberg and Ryder (by Legislative Council request):

Proposing constitutional amendment to permit special levies by school districts at a single election covering expenditures for more than one year.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 15**, by Senator Rasmussen:

Amending Article 7, section 2 to allow school tax levy authorization for specified number of years at single election.

Referred to Committee on Constitution, Elections and Legislative Processes.

**MOTIONS**

On motion of Senator Shannon, Senator Raugust was excused until Tuesday morning, January 24, 1961.

On motion of Senator Greive, Senator Cowen was excused until Monday, January 23, 1961.

Senator Greive:

"I move that the Senate adjourn until tomorrow morning at 11:00 o'clock a. m."

Senator Washington:

"I move the rules be suspended and the Senate revert to the first order of business for the purpose of making a motion. I will explain; the motion is for the referral of a bill."

Senator Greive:

"I will move under Senate Rule 17, to withdraw the motion to adjourn."

The motion was carried.

Senator Washington:

"Senate Bill No. 150, to abolish the Washington toll bridge authority and transfer its powers, authority functions and duties to the state highway commission, should be referred to the Committee on Highways instead of the Committee on State Government. This is a bill which should be studied by the Committee on Highways and I feel it should be given to that committee. I believe there will be other bills on this same subject which should perhaps also be referred to that committee."

The motion carried.

**MOTION**

On motion of Senator Greive, the Senate adjourned at 11:40 o'clock a. m. until 11:00 o'clock a. m. on Friday, January 20, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## TWELFTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, January 20, 1961.

The Senate was called to order at 11:03 o'clock a. m. by President Pro Tempore Al Henry.

The Secretary called the roll and announced to the President that all Senators were present except Senators Cowen, Donohue, Foster, Hanna, Nunamaker, Raugust, Ryder; Senators Raugust and Cowen being excused.

On motion of Senator Happy, Senators Foster and Ryder were excused.

On motion of Senator Greive, Senators Hanna and Nunamaker were excused.

The Color Guard, consisting of Pages Bob Norton, Color Bearer, and Vicki Papajani, presented the Colors.

Reverend Father Robert Daly, of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"In the name of the Father, the Son, and the Holy Ghost. Amen.

"O God, Who hast poured the gift of wisdom by the grace of the Holy Spirit into the hearts of Thy faithful, grant we beseech Thee to us Thy servants here present, that strength of mind and heart which we need to introduce and bring to completion those things which are most pleasing to Thee and beneficial to our state. Through Jesus Christ our Lord. Amen.

"In the name of the Father, the Son, and the Holy Ghost. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

### SENATE RESOLUTION

By Senators Gissberg and Bargreen:

*To the Honorable John F. Kennedy, President of the United States, the President of the Senate and Speaker of the House of Representatives, and to the Senate and the House of Representatives of the United States, in Congress assembled:*

We, The members of the Senate of the State of Washington, in legislative session assembled, most respectfully represent and petition your Excellency as follows:

WHEREAS, The U. S. Army Corps of Engineers, pursuant to resolutions adopted January 4, 1960, by the Committee on Public Works of the United States Senate and June 9, 1960, by the Committee on Public Works of the House of Representatives, the District Engineer has been directed to review the reports of the Chief of Engineers on Snohomish River and Tributaries, transmitted to the Congress on December 23, 1955;

WHEREAS, The U. S. Army Corps of Engineers has scheduled a hearing at Snohomish, Washington, January 25, 1961, with a view to determining whether any modification of the recommendations contained therein is desirable at the present with respect to provision of flood control improvements in the watershed; and this watershed is considered to include the Snohomish, Snoqualmie, Skykomish Rivers, and all their Tributaries;

WHEREAS, Said review has been made more necessary due to disastrous floods of November and December, 1959, and in previous years which caused damages in the millions of dollars;

AND WHEREAS, A similar disastrous flood seems imminent at this moment;

Now, *Therefore, Be It Resolved*, That we, the Senate of the State of Washington do hereby respectfully petition the President of the United States and the Chief of the United States Army Corps of Engineers to act favorably on said review and for Congress to enact and approve at the earliest moment legislation and appropriations to provide necessary flood control improvements on the Snohomish River and Tributaries;

And *Be It Further Resolved*, That copies of this resolution be immediately transmitted to the Honorable John F. Kennedy, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States, the Chief of the U. S. Army Corps of Engineers and to each member of the Congress from the State of Washington.

On motion of Senator Gissberg, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Happy and Woodall:

WHEREAS, This twentieth day of January 1961 marks the conclusion of the second term of Dwight D. Eisenhower as President of the United States, and

WHEREAS, The legislature of the state of Washington wishes to pay tribute and express the gratitude of the people of the state of Washington to this great American:

Now, *Therefore, Be It Resolved*, That the legislature of the state of Washington does hereby pay tribute and homage to Dwight D. Eisenhower, soldier, statesman and world leader, and in humility, it does hereby express on behalf of the people of the state of Washington its gratitude to Dwight D. Eisenhower.

For providing effective leadership of the armed forces of this nation and its allies in time of war,

For leading this country and the United Nations into an era of world peace,

For personifying to the world the American desire for world-wide peace and economic prosperity,

For demonstrating that this country can enjoy both peace and prosperity,

For promoting confidence in the competence of state and local governments to administer a greater share of the affairs of our people,

For making great strides toward realizing the goals of Abraham Lincoln for the social equality of all our people, and

For dedicating a lifetime to selfless and devoted service to people throughout the world who are free or who strive for freedom.

*Be It Further Resolved*, That the Secretary of the Senate is directed to transmit a copy of this resolution to the Honorable Dwight D. Eisenhower.

On motion of Senator Woodall the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., January 20, 1961.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, herewith report the following number of miles of travel, and the amount due each member as mileage coming to and going from this session of the thirty-seventh legislature, and recommend that these amounts be allowed:

<i>Senators</i>	<i>From City</i>	<i>Miles Round Trip</i>	<i>Amount</i>
Angevine, Wayne G.....	Seattle	122	\$12.20
Bailey, Robert C.....	South Bend	134	13.40
Bargreen, Howard S.....	Everett	176	17.60
Chytil, Joe.....	Chehalis	60	6.00
Connor, Frank.....	Seattle	122	12.20
Cooney, John L.....	Spokane	678	67.80
Cowen, Dr. David C.....	Spokane	678	67.80
DeGarmo, Victor F.....	Olympia	...	.....
Donohue, Dewey C.....	Dayton	762	76.20
Dore, Fred H.....	Seattle	122	12.20

<i>Senators</i>	<i>From City</i>	<i>Miles Round Trip</i>	<i>Amount</i>
Durkan, Martin J.....	Seattle	138	\$13.80
Elway, Harry, Jr.....	Hoquiam	100	10.00
Foley, Frank W.....	Vancouver	212	21.20
Foster, F. Stuart.....	Yakima	356	35.60
Freise, Herbert H.....	Walla Walla	618	61.80
Gallagher, Michael J.....	Seattle	122	12.20
Gissberg, William A.....	Marysville	188	18.80
Greive, R. R. (Bob).....	Seattle	122	12.20
Hallauer, Wilbur G.....	Oroville	676	67.60
Hanna, H. B.....	Wenatchee	422	42.20
Happy, John H.....	Spokane	678	67.80
Henry, Al.....	White Salmon	342	34.20
Herrmann, Karl V.....	Spokane	678	67.80
Hess, Andy.....	Seattle	122	12.20
Hofmeister, Louis E.....	Enumclaw	106	10.60
Keefe, James E.....	Spokane	678	67.80
Knoblauch, Reuben A.....	Sumner	76	7.60
Kupka, George W.....	Tacoma	58	5.80
Lennart, Ernest W.....	Everson	332	33.20
Martin, Fred J.....	Rockport	326	32.60
McCormack, Claude G.....	Richland	700	70.00
McCutcheon, John T.....	Steilacoom	46	4.60
McMillan, David E.....	Colville	794	79.40
Morgan, Frances Haddon.....	Bremerton	134	13.40
Moriarty, Charles P., Jr.....	Seattle	128	12.80
Neill, Marshall A.....	Pullman	732	73.20
Nunamaker, Homer O.....	Bellingham	296	29.60
Papajani, John.....	Seattle	150	15.00
Petrich, John A.....	Tacoma	58	5.80
Rasmussen, A. L.....	Tacoma	60	6.00
Raugust, W. C.....	Odessa	536	53.60
Riley, Edward F.....	Seattle	122	12.20
Ryder, John N.....	Seattle	122	12.20
Sandison, Gordon.....	Port Angeles	252	25.20
Shannon, William D.....	Seattle	122	12.20
Talley, Don L.....	Kelso	132	13.20
Thompson, Albert C., Jr.....	Bellevue	138	13.80
Washington, Nat.....	Ephrata	432	43.20
Woodall, Perry B.....	Toppenish	394	39.40
Totals .....	14,552		\$1,455.20

FRANK W. FOLEY, *Chairman.*

We concur in this report: Martin J. Durkan, Herbert H. Freise, R. R. (Bob) Greive.

Senator Foley moved that the report of the Committee on Claims and Auditing be adopted.

The motion carried.

**Senate Bill No. 21:**

Senate Chamber,

Olympia, Wash., January 19, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities to whom was referred Senate Bill No. 21, relating to the conservation of the state's fishery resources by limiting the powers of any person authorized to construct or operate dams or to appropriate water, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. FRED H. DORE, *Chairman.*

We concur in this report: Joe Chytil, John L. Cooney, John H. Happy, Karl V. Herrmann, James E. Keefe, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Nat Washington.

Senate Chamber,  
Olympia, Wash., January 19, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Public Utilities to whom was referred Senate Bill No. 21, relating to the conservation of the state's fishery resources by limiting the powers of any person authorized to construct or operate dams or to appropriate water, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Frank Connor, R. R. (Bob) Greive.

Passed to Committee on Rules and Joint Rules for second reading.

#### MOTIONS

On motion of Senator Greive, Senator Talley's name was added to the minority report of the Committee on Public Utilities on Senate Bill No. 21.

On motion of Senator Kupka, the Senate reverted to the second order of business, and Senate Bill No. 77 was referred to the Committee on Commerce, Manufacturing and Licenses.

On motion of Senator Kupka, Senate Joint Resolution No. 6 was referred to the Committee on Commerce, Manufacturing and Licenses.

Senator Talley moved that Senate Bill No. 21 be referred to the Committee on Fisheries, Game and Game Fish.

#### PARLIAMENTARY INQUIRY

Senator Dore:

"Isn't Senate Bill No. 21 in the Rules Committee? If you will refer to Rule 46 you will find that a bill is not before the Senate when it has been referred to a committee."

#### RULING OF THE PRESIDENT

The President (President Pro Tempore Henry in the Chair):

"Your statement was that it has been passed to second reading and I agreed with you. The motion has to be put and Senator Talley's motion is in order."

#### POINT OF INQUIRY

Senator Dore:

"Where is the bill at the present time?"

The President (President Pro Tempore Henry in the Chair):

"In the possession of the Committee on Rules and Joint Rules."

Senator Dore:

"So in order to refer the bill to the Committee on Fisheries, Game and Game Fish, we would have to discharge the Committee on Rules and Joint Rules from the further consideration of the bill, is that correct?"

The President (President Pro Tempore Henry in the Chair):

"That is correct."

Senator Woodall:

"Speaking to the Point of Order, Senate Rule 46 reads as follows:

"The Committee on Rules and Joint Rules shall have charge of the daily calendar of the senate and shall direct the secretary the order in which the business of the senate shall be transacted: *Provided, however,* That by a vote of the majority of the senate any bill may be advanced to any place on the calendar, and any bill may be withdrawn from the committee by a like majority of the senate and placed upon the calendar in such position as may be ordered."

"Now as I understand that rule, it means that when you say 'passed to second reading' the bill automatically goes to the Rules Committee. I do not believe the Senate can take the bill from the committee and put it in another committee."

Debate ensued.

Senator Talley:

"I didn't realize it would result in so much confusion. With your permission, I will withdraw my motion and make it again on Monday."

The President (President Pro Tempore Henry in the Chair):

"You have my permission and my gratitude and if you continued, I would be inclined to ask for a written opinion."

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 19, 1961.

MR. PRESIDENT:

The House has passed: House Joint Memorial No. 5 and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Joint Memorial No. 5**, by Representatives Schaefer, Litchman, Jr. and Brink:

Relating to a congratulatory message to the new national administration.

On motion of Senator Foley, the rules were suspended and House Joint Memorial No. 5 was advanced to second reading and read the second time in full.

On motion of Senator Foley, the rules were suspended, House Joint Memorial No. 5 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of House Joint Memorial No. 5, and the memorial passed the Senate by the following vote: Yeas, 38, nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajana, Petrich, Rasmussen, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—38.

Those absent or not voting were: Senators Bailey, Cowen, Donohue, Foster, Freise, Hanna, Herrmann, Nunamaker, Raugust, Ryder, Woodall—11.

House Joint Memorial No. 5, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Gallagher that portion of Rule 40 pertaining to smoking was suspended.

#### PERSONAL PRIVILEGE

Senator Petrich:

"Mr. President, approximately twelve years ago when my distinguished colleague Senator Fred Dore and I were students in Law School in Washington, D. C., we had

the unique pleasure of becoming acquainted with John Kennedy. We were particularly honored to have participated in his campaign in Los Angeles, and in his nomination campaign in the state of Washington and particularly in the county of Pierce.

"It was a special privilege and inspiration to me to have heard his inspiring message to the citizens of the United States and the citizens of the world, and I was particularly pleased to have supported the memorial which you gentlemen just passed regarding the President of the United States. I am sure that you will all join with me in the best wishes to President Kennedy for the leadership which he will assert in our own country and throughout the world. Thank you."

The Senate reverted to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 20, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 135 and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 159**, by Senators Moriarty, Jr., Kupka and Woodall:  
An Act relating to criminal procedure.  
Referred to Committee on Public Institutions.

**Senate Bill No. 160**, by Senators Gallagher, Hallauer and Rasmussen:  
An Act relating to elections; amending section 17, page 406, Laws of 1890, as last amended by section 1, chapter 77, Laws of 1947, and RCW 29.30.080; amending section 4, chapter 58, Laws of 1913, as last amended by section 4, chapter 20, Laws of 1935, and RCW 29.33.090; amending section 4, chapter 195, Laws of 1957 and RCW 29.33.160; and amending section 23, page 409, Laws of 1890, as last amended by section 2, chapter 77, Laws of 1947, and RCW 29.51.100 and 29.51.110.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 161**, by Senators Hanna and Hallauer:

An Act relating to elections; amending section 12, chapter 13, page 404, Laws of 1890, section 1, chapter 21, Laws of 1933, section 18, chapter 163, Laws of 1919 and RCW 29.18.110, 29.18.150 and 29.30.110; amending section 8, chapter 94, Laws of 1937, section 19, chapter 14, Laws of 1950 extraordinary session and RCW 29.24.080; amending section 2, chapter 168, Laws of 1955 and RCW 29.33.210; amending section 4, chapter 167, Laws of 1955, and RCW 29.36.030; amending section 5, chapter 167, Laws of 1955 and RCW 29.36.040; amending section 6, chapter 167, Laws of 1955 and RCW 29.36.050; amending section 2, chapter 50, Laws of 1955, section 7, chapter 167, Laws of 1955 and RCW 29.36.060; amending section 3, chapter 50, Laws of 1955 and RCW 29.36.070; amending section 4, chapter 50, Laws of 1955 and RCW 29.36.095; amending section 16, chapter 14, Laws of 1950 extraordinary session and RCW 29.39.160; amending section 17, chapter 14, Laws of 1950 extraordinary session and RCW 29.39.170; amending section 21, chapter 14, Laws of 1950 extraordinary session and RCW 29.39.180; adding two new sec-

tions to chapter 41, Laws of 1933 extraordinary session and to chapter 29.36 RCW; and repealing sections 18 and 20, chapter 14, Laws of 1950 extraordinary session and RCW 29.36.080 and 29.36.090.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 162**, by Senators Hanna and Freise:

An Act relating to juvenile probation counselors; and amending section 3, chapter 160, Laws of 1913, as last amended by section 9, chapter 331, Laws of 1959, and RCW 13.04.040.

Referred to Committee on Public Institutions.

**Senate Bill No. 163**, by Senators Martin, Freise and Sandison (by Departmental request):

An Act relating to the department of institutions; providing for the transfer of alleged mentally ill or psychopathic delinquents from state residential schools for mentally deficient persons to state institutions for the mentally ill; and amending chapter 28, Laws of 1959 and chapter 72.33 RCW by adding a new section thereto.

Referred to Committee on Public Institutions.

**Senate Bill No. 164**, by Senators Martin, Kupka and Sandison (by Departmental request):

An Act relating to the department of institutions; authorizing the director to transfer equipment, supplies and livestock between institutions within the department without the necessity of reimbursement; providing notice to the director of the department of general administration of the transfer of capital items and amending chapter 28, Laws of 1959 and chapter 72.01 RCW by adding a new section thereto.

Referred to Committee on Public Institutions.

**Senate Bill No. 165**, by Senator Riley:

An Act relating to grounds for divorce; and amending section 2, chapter 215, Laws of 1949 and RCW 26.08.020.

Referred to Judiciary Committee.

**Senate Bill No. 166**, by Senators Hallauer and Hanna:

An Act relating to purchase of land for parks by towns; and amending section 1, chapter 103, Laws of 1899 and RCW 35.27.400.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 167**, by Senators Connor, Cooney and Gallagher:

An Act relating to pensions for widows and children of police department members of cities of the first class; and amending section 2, chapter 78, Laws of 1959 and RCW 41.20.085.

Referred to Committee on Social Security.

**Senate Bill No. 168**, by Senators Martin, Freise and Sandison (by Departmental request):

An Act relating to the department of institutions and the state hospitals for mentally ill persons, sexual psychopaths and psychopathic delinquents; providing commitment procedures; amending section 71.02.010, chapter 25, Laws of 1959, and RCW 71.02.010; amending section 72.23.010, chapter 28, Laws of 1959 and RCW 72.23.010; amending section 72.23.100, chapter 28,

Laws of 1959 and RCW 72.23.100; amending section 71.02.450, chapter 25, Laws of 1959 and RCW 71.02.450; amending section 72.50.090, chapter 28, Laws of 1959 and RCW 72.50.090; amending section 72.23.020, chapter 28, Laws of 1959 and RCW 72.23.020; amending chapter 28, Laws of 1959 and chapter 72.23 RCW by adding new sections thereto; amending chapter 25, Laws of 1959 and chapter 71.02 RCW by adding new sections thereto.

Referred to Committee on Public Institutions.

**Senate Bill No. 169**, by Senator Woodall:

An Act relating to the assessment and collection of charges for the care, custody, support and maintenance of inmates in state penal and correctional institutions.

Referred to Committee on Public Institutions.

**Senate Bill No. 170**, by Senators Gallagher, Gissberg and Durkan:

An Act relating to elections; and adding three new sections to chapter 41, Laws of 1933 extraordinary session and to chapter 29.36 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### MOTION

On motion of Senator Greive, the rules were suspended and the name of Senator Papajani was authorized as an additional sponsor on Senate Bill No. 170.

**Senate Bill No. 171**, by Senators Rasmussen, DeGarmo and Ryder (by Legislative Council request):

An Act Relating to appraisal of decedents' estates and to inheritance and gift taxation; amending section 8, chapter 202, Laws of 1939 and RCW 11.44-.010, and section 83.16.040, chapter ....., Laws of 1961 and RCW 83.16.040, and section 83.24.010, chapter ....., Laws of 1961 and RCW 83.24.010, and section 83.56.150, chapter ....., Laws of 1961 and RCW 83.56.150; and adding new sections to chapter ....., Laws of 1961 and to chapter 83.28, 83.32, 83.36 RCW.

Referred to Judiciary Committee.

#### MOTION

On motion of Senator Greive, the rules were suspended and the names of Senator Papajani and Senator Gallagher were added as co-sponsors of Senate Bill No. 171.

#### POINT OF INQUIRY

Senator Talley:

"Could I have the title of Senate Bill No. 167 read again?"

The Secretary read the title of Senate Bill No. 167.

#### MOTION

"Mr. President, I move that Senate Bill No. 167 be referred to the Committee on Cities, Towns and Counties."

The motion carried and Senate Bill No. 167 was referred to the Committee on Cities, Towns and Counties.

**Senate Bill No. 172**, by Senators Elway, Jr. and Gallagher:

An Act relating to attorneys; amending section 146, page 199, Laws of 1890, section 6, chapter 113, Laws of 1903, section 5, chapter 228, Laws of 1907, sections 5, 8, 10, 11 and 63, chapter 241, Laws of 1907, section 6, chapter 184, Laws of 1915, and section 1, chapter 113, Laws of 1919 and RCW 35.23-.180, 35.23.190, 35.23.240, 35.24.100 and 35.27.140; and amending section 62, chapter 241, Laws of 1907 and RCW 35.23.210.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 173**, by Senators Rasmussen, Kupka and Hallauer:

An Act relating to state government; amending section 6, chapter 7, Laws of 1921 and RCW 43.33.010 and 43.33.020; amending section 8, chapter 7, Laws of 1921 and RCW 43.34.010; amending section 3, chapter 250, Laws of 1947 as amended by section 1, chapter 162, Laws of 1957, and RCW 43.43-.140; amending section 47.56.020, chapter ....., Laws of 1961 and RCW 47.56.020; and amending section 4, chapter 146, Laws of 1951 and RCW 78.52.020.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**MOTION**

On motion of Senator Greive, the rules were suspended and the name of Senator Gissberg was added as an additional sponsor to Senate Bill No. 173.

**Senate Concurrent Resolution No. 3**, by Senators Lennart, Moriarty, Jr. and Petrich:

Providing for legislative review of administrative rules and laws relating thereto.

Referred to Judiciary Committee.

**MOTION**

Senator Petrich moved that the Senate revert to the first order of business and that Senate Bill No. 172 previously referred to the Committee on Cities, Towns and Counties be referred to the Judiciary Committee.

The motion carried and Senate Bill No. 172 was referred to the Judiciary Committee.

**MOTION**

On motion of Senator Greive, at 12:03 o'clock p. m., the Senate adjourned until 12:00 o'clock noon on Monday, January 23, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**FIFTEENTH DAY**

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**NOON SESSION**

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SENATE CHAMBER,

OLYMPIA, WASH., Monday, January 23, 1961.

The Senate was called to order at 12:00 o'clock noon by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Raugust.

On motion of Senator Happy, Senator Raugust was excused.

The Color Guard, consisting of Pages Charles Herrmann, Color Bearer, and Susan Hande, presented the Colors.

Reverend J. Edgar Pearson, pastor of the United Churches—Federated of Olympia, offered prayer as follows:

"Our Father God, who hast revealed the depth of Thy concern for the lives of all people, we thank Thee for this day of opportunity which has been granted us. We are grateful for the week-end of rest and preparation for the days that are ahead, for the time to listen to the voices of those who are represented here. Remind us frequently that this chamber is the focus not only of the eyes of the people of the state but that Thou art watching what is said and done. Make us examples of integrity and honor, which can inspire us all to prize justice above privilege and uprightness, above either pleasure or wealth.

"Whatever the problems faced in this chamber—whether the vast headaches of our complicated community life or the lesser pains of constituents, give these men and women grace to remember patience and forbearance. Give to the people of the state a greater awareness and better understanding of the problems faced and the responsibilities involved. And when this day's work is done here on the floor, in committees and conferences, in the privacy of their own homes, grant that we have been moved one step nearer the realization of Thy will for Thy people in providing for the needs and safeguards of this state. We ask in the name of Him who is the Master of us all. Amen."

**PRESIDENT'S PRIVILEGE**

The President:

"Thank you very much, Reverend Pearson. The members of the Senate and the President are very happy to have you with us once again."

**PERSONAL PRIVILEGE**

Senator Happy:

"Mr. President and members of the Senate: We have the very distinguished and eminent former Senator Dale Nordquist with us today. I would suggest that he be allowed to come to the rostrum."

The President:

"Thank you Senator Happy. Immediately after the reading of the Journal the Senator will be escorted to the rostrum."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President:

"Senator Happy has called to our attention the fact that a former member of this body is present today. I ask Senator Happy and Senator Shannon to join with Senator Keefe to act as a committee of honor to escort our distinguished and eminent visitor to a place of honor upon the rostrum."

Former Senator Nordquist was escorted to the rostrum by the committee of honor.

(Applause.)

The President:

"Members of the Senate and Ladies and Gentlemen:

"It is indeed a pleasure for the President to join with you in greeting our former colleague, Senator Nordquist. Senator Nordquist has established an excellent record in this Senate."

Former Senator Nordquist:

"Mr. President and all of you distinguished members of the Senate:

"I think one of the privileges of having been a member of the Senate is to come back as a visitor, as we have all been seen to do through the years, and make the customary motion to suspend that portion of Senate Rule 40 pertaining to smoking.

"I am very happy to notice that Governor Cherberg has his customary graciousness, increased as time has gone by.

"At this time I wish to suspend Rule 40, with penalties."

The committee of honor escorted former Senator Nordquist from the rostrum.

**PRESIDENT'S PRIVILEGE**

The President:

"At this time the President would like to exercise the privilege of calling your attention to the great honor brought to the Senate by the golden voiced gentleman immediately before me, Mr. Peter Brudevold. Mr. Brudevold is a member of the Puyallup Elks and that very talented group recently won first place in the Washington State Elks Ritualistic Contest. Sometime in the near future they will represent our beautiful state in Miami, Florida, where they will compete for national honors. The President is sure that you will join with me in wishing Mr. Brudevold the best of luck and good fortune in Miami."

Senator Kupka:

"I think we should allow Mr. Brudevold the privilege we allow all honored guests, the suspending of Senate Rule 40."

Mr. Brudevold:

"Mr. President and Senators, I believe that Rule 40 has already been suspended, but I also will be happy to do it, with penalties."

The Secretary read:

**SENATE RESOLUTION**

By Senators Morgan, Angevine, Papajani, Ryder and Dore:

WHEREAS, The true riches of a society consist chiefly in the humane and public spirited citizens in each generation who devote themselves to the public good. When such a person passes we are all diminished. The Legislature has received news of the death of Dorothy Wolens Block of Seattle. She was a young mother, known to many members of the Legislature personally, who had in the highest degree the virtues of personal kindness, energy, humor, vitality, intelligence, coupled with a warm concern for the welfare of others. In her manifold services to her community and her state she had already become a vital force for good in many affairs which touch all of our citizens. A life that had already been so fruitful held the promise of much more. Her

loss will be a loss to the many humane causes to which she gave so much. Her service to her fellow citizens during her life will be a continuing example to us all. We desire to express our sense of loss.

*Now, Therefore, Be It Resolved by the Senate:*

That the Legislature expresses its regret and sense of loss at the passing of Dorothy Wolens Block and extends its sympathy to the members of her family; and

That the President of the Senate shall communicate this resolution to the members of her family.

Senator Ryder:

"Mr. President, I join with the other Senators this morning in moving the adoption of this resolution for one of the first citizens of the city of Seattle in the person of Dorothy Wolens Block. This woman has done a tremendous job in the city of Seattle over the years. She and her husband and other members of her family have done a great amount of charitable and civic organizational work for the good of the community. It is with a great deal of pleasure that I join in urging the adoption of this resolution."

Senator Morgan:

"Mr. President, it is with a great deal of emotion that I talk of Dorothy Block. I have served on the Council for Children and Youth with Dorothy. It was just last month that I met with her last and I know what a wonderful person she was; I know how much she planned for the children, as well as the good she had already accomplished. It is with pleasure that I add my name to this resolution."

Senator Dore:

"Mr. President and Members of the Senate:

"I, too, would be remiss unless I joined in this resolution. I was a very personal friend of the Blocks. She was one of the most outstanding women I have ever known in my lifetime. She was the mother of six children and I know personally that she worked from twelve to fourteen hours a day for the benefit and help of others."

Senator Thompson:

"It is a great pleasure for me to join in this resolution. Mrs. Block was a dynamic force of the Washington State delegation to the Golden Anniversary Conference on Children and Youth in Washington, D. C., and many of the resolutions passed by the conference called by President Eisenhower can be traced directly to her efforts."

#### MOTION

Senator Ryder:

"If it please the President and the members of the Senate, I move that the resolution be adopted."

The resolution was adopted.

The President:

"Thank you, Senator Ryder. The President should like to thank the members of the Senate for expressing the thoughts so beautifully which I felt when I heard of the death of such a wonderful woman.

"In addition, the members of the Senate will send a beautiful flower memorial."

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash, January 20, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 135, have compared same with the original bill and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

## SIGNED BY THE PRESIDENT

The President signed: Senate Bill No. 135.

The Secretary read:

## MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 19, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Concurrent Resolution No. 2, and the same is herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., January 20, 1961.

MR. PRESIDENT:

The House has passed: House Joint Memorial No. 6, and the same is herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., January 20, 1961.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 7, and the same is herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.

## INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 174**, by Senators Rasmussen, Kupka and Moriarty, Jr.:

An Act relating to workmen's safety; and providing penalties; and adding three new sections to chapter 49.24 RCW.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 175**, by Senators Petrich and Neill:

An Act relating to justice court civil procedure; and amending section 6, chapter 160, Laws of 1909, as amended by section 1, chapter 70, Laws of 1939 and RCW 12.32.060.

Referred to Judiciary Committee.

**Senate Bill No. 176**, by Senators Henry, Washington, Thompson, Jr., and Gissberg (by Highway Interim Committee request):

An Act relating to the operation of motor vehicles and the licensing of operators thereof; prescribing certain additional fines and special costs; amending section 46.20.030, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.030; amending section 46.20.070, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.070; amending section 46.20.110, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.110; and amending section 46.68.040, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.68.040.

Referred to Committee on Highways.

On motion of Senator Greive, more than three sponsors were permitted on Senate Bill No. 176.

## MOTION

It was moved by Senator Woodall that Senate Bill No. 176 be referred to the Judiciary Committee.

Senator Woodall:

"Mr. President and Members of the Senate:

"I understand this bill is a measure relating to penalties, additional penalties, fines, etc. It is, therefore, more properly a Judiciary matter."

Debate ensued.

Senator Woodall:

"With leave of the Senate I will withdraw the motion."

The motion was withdrawn.

**Senate Bill No. 177**, by Senators Hallauer, Foley, Washington and Chytill:

An Act relating to public utility districts; and adding a new section to chapter 54.24 RCW; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

On motion of Senator Greive, more than three sponsors were permitted on Senate Bill No. 177.

**Senate Bill No. 178**, by Senators Rasmussen, Papajani and Gissberg:

An Act relating to collection agencies and all persons, firms, or associations engaged in the business of collection of debts; defining a crime; and providing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 179**, by Senators Gissberg and Rasmussen:

An Act relating to county officers' travel expenses; raising mileage allowances; and amending section 1, chapter ....., Laws of 1961 (House Bill No. 162) and RCW 36.17.030.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 180**, by Senators Cooney and Happy:

An Act approving, ratifying and enacting into law the Columbia interstate compact relating to the division, apportionment and use of the waters of the Columbia river and its tributaries and the determination of rights in connection therewith and incidental thereto; making the state of Washington a party thereto; creating the Columbia compact commission; providing for the members of such commission from the state of Washington; providing for the carrying out of said compact; making an appropriation; and declaring an emergency.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 181**, by Senators Rasmussen, Henry and Gissberg (by Legislative Council request):

An Act relating to the safety of industrial workmen; amending section 2, chapter 70, Laws of 1957 and RCW 49.16.010; amending section 1, chapter 130, Laws of 1919 and RCW 49.16.020; amending section 5, chapter 130, Laws of 1919 and RCW 49.16.040; amending section 8, chapter 130, Laws of 1919 and RCW 49.16.050; amending section 25, chapter 130, Laws of 1919 as amended by section 12, chapter 136, Laws of 1923 and RCW 49.16.090; amending section 50, chapter 130, Laws of 1919 as amended by section 13, chapter 136, Laws of 1923 and RCW 49.16.120; amending section 67, chapter 130, Laws of 1919 and RCW 49.16.130; amending section 73, chapter 130, Laws of 1919 and RCW 49.16.150; and amending section 13, chapter 182, Laws of 1921 as last

amended by section 1, chapter 186, Laws of 1943 and RCW 49.16.151; and providing penalties.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 182**, by Senators Dore and Foley (by Departmental request):

An Act relating to the Washington public service commission; amending section 80.04.470, chapter ....., Laws of 1961 (House Bill No. 5), and RCW 80.04.470; amending section 81.04.460, chapter ....., Laws of 1961 (House Bill No. 5), and RCW 81.04.460; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 5), and to chapter 81.80 RCW.

Referred to Committee on Public Utilities.

**Senate Bill No. 183**, by Senators Hallauer, Hess and Thompson, Jr.:

An Act relating to education; and amending section 6, page 308, Laws of 1909, as last amended by section 2, chapter 20, Laws of 1955, and RCW 28-.02.060.

Referred to Committee on Education.

**Senate Bill No. 184**, by Senators Cooney and Herrmann:

An Act relating to, securing and perpetuating liens upon chattels for labor, skill and material expended thereon; and amending section 5, chapter 72, Laws of 1905 and RCW 60.08.060.

Referred to Judiciary Committee.

**Senate Bill No. 185**, by Senators Hallauer, Hess and Thompson, Jr.:

An Act relating to organization of school districts; and adding a new section to chapter 266, Laws of 1949 and to chapter 28.57 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 186**, by Senators Greive, Petrich and Dore (by Legislative Council request):

An Act relating to family desertion or nonsupport; and amending section 2, chapter 158, Laws of 1943 and RCW 26.20.040.

Referred to Judiciary Committee.

**Senate Bill No. 187**, by Senators Greive, Petrich and Dore (by Legislative Council request):

An Act relating to adoption; amending section 3, chapter 291, Laws of 1955 and RCW 26.32.030; and amending section 7, chapter 291, Laws of 1955 and RCW 26.32.070.

Referred to Judiciary Committee.

**Senate Bill No. 188**, by Senators Petrich and Dore (by Legislative Council request):

An Act relating to the welfare of dependent and delinquent children; and adding a new section to chapter 13.04 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 189**, by Senators Gissberg, Hess and Shannon:

An Act relating to the regulation of signs on expressways and other public highways; establishing penalties for the violation thereof; and declaring an emergency.

Referred to Committee on Highways.

**MOTION**

On motion of Senator Hess, the following additional sponsors were added to Senate Bill No. 189, bringing the total sponsors to thirty-two: Angevine, Cowen, Cooney, DeGarmo, Donohue, Elway, Jr., Freise, Gallagher, Greive, Hallauer, Happy, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Thompson, Jr., and Woodall.

The President:

"The President believes, Senator Hess, that you have named off a number equivalent to several more than the majority."

**Senate Bill No. 190**, by Senators Thompson, Jr. and Hess:

An Act relating to the licensing of certain schools and their representatives.  
Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 191**, by Senators Riley, Connor and Happy:

An Act relating to the regulation of certain sales of spirituous, vinous and malt liquors.

Referred to Committee on Liquor Control.

**MOTION**

It was moved by Senator Riley that the same co-sponsors added to S. B. No. 189 by the motion of Senator Hess be added to Senate Bill No. 191.

**RULING OF THE PRESIDENT**

The President:

"Senator Riley, the President would like to remind you that the rules would have to be suspended to put the motion."

**MOTION**

It was moved by Senator Riley that the rules be suspended and the names submitted by Senator Hess to Senate Bill No. 189 be also added as co-sponsors to Senate Bill No. 191.

The President:

"Why do you arise, Senator Lennart?"

Senator Lennart:

"To protest."

The President:

"As a matter of personal privilege, perhaps?"

The motion, having failed to receive a majority vote, was declared lost.

**MOTIONS**

On motion of Senator Lennart 2500 additional copies of Senate Bill No. 191 were ordered printed.

On motion of Senator Hess 500 additional copies of Senate Bill No. 189 were ordered printed.

It was moved by Senator Thompson that Senate Bill No. 190 be referred to the Committee on Education.

## POINT OF INQUIRY

Senator Gissberg:

"Will the Senator yield to a question?"

Senator Thompson:

"Yes, Senator Gissberg."

Senator Gissberg:

"Senator, are you the sponsor of the bill, and if so, what does it do?"

Senator Thompson:

"I am the co-sponsor. The bill attacks the problem of private schools that have no regulation whatsoever. Do you recall the episode that occurred a number of years ago about a private school for young adults which created such a furor? This is a bill drawn, together with the Superintendent of Public Instruction, to try to protect the student against a recurrence of this type."

Senator Kupka:

"Senate Bill No. 190 is a license bill and has to do with the licensing of private schools, of course, but Senator Thompson is on the Committee on Commerce, Manufacturing and Licenses, and we can give it a fair hearing. Then I have no objection to sending it on to another committee."

Debate ensued.

The motion by Senator Thompson carried and Senate Bill No. 190 was referred to the Committee on Education.

## MOTION

On motion of Senator Dore, the Senate reverted to the first order of business for the purpose of reading a resolution concerning the Battleship Missouri.

The Secretary read:

## SENATE RESOLUTION

By Senators Morgan, Dore and Donohue:

*To the Honorable John F. Kennedy, President of the United States, and to the Senate and House of Representatives of the United States of America, in Congress Assembled:*

WHEREAS, The mighty USS Missouri is now stationed at the Puget Sound Naval Ship Yard at Bremerton, Washington; and

WHEREAS, The Puget Sound Naval Ship Yard has excellent berthing facilities; and

WHEREAS, The Puget Sound Naval Ship Yard is within a highly populated area and is served by excellent ferry, highway, and other transportation facilities; and

WHEREAS, The mighty Battleship USS Missouri is highly attractive to tourists because of its glorious history in battle and as the place of the surrender terminating the Second World War; and

WHEREAS, The holding of the Century 21 Exposition in Seattle, Washington in the near future will attract millions of tourists to the Pacific Northwest, thousands of whom will be eager to view this historic Battleship;

*Now, Therefore, Be It Resolved,* By the Senate that the USS Missouri continue to be berthed at the Puget Sound Naval Ship Yard at Bremerton, Washington; and

*Be It Further Resolved,* That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States, the President of the Senate and Speaker of the House of Representatives of the United States, the Secretary of the Navy, and to each of the Senators and Representatives of the State of Washington in Congress.

On motion of Senator Dore, the resolution was adopted.

## POINT OF INQUIRY

Senator Knoblauch:

"Would Mrs. Morgan yield to a question?"

Senator Morgan:

"I will."

Senator Knoblauch:

"Mrs. Morgan, you made a very fine talk and, of course, you well know that this is a woman's world—but in the Senate, it is a man's world. We have a custom. This was a maiden speech. Would you please make that customary motion that we have in the Senate for anyone making a maiden speech."

Senator Morgan:

"Mr. President, I desire to suspend Rule 40 with penalties."

The President:

"Senator Morgan just moved that that portion of Rule 40 pertaining to smoking be suspended with the penalties as prescribed by Senator Cowen, a box of candy—for everyone, of course, and for the President and for our friends."

Senator Neill:

"I would like to announce that the cigars being passed are contributed through the courtesy of former Senator Nordquist."

The President:

"Thank you, Senator Neill—and thank you, Senator Nordquist."

**Senate Bill No. 192**, by Senators McCutcheon, DeGarmo and Hallauer: An Act relating to elections; amending section 17, page 406, Laws of 1890, as last amended by section 1, chapter 77, Laws of 1947, and RCW 29.30.080; and adding a new section to chapter 29.18 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 193**, by Senators Herrmann, Woodall and Cooney:

An Act relating to sites of archaeological and historical significance, amending section 2, chapter 95, Laws of 1949 and RCW 27.52.020; and adding four new sections to chapter 95, Laws of 1949 and to chapter 27.52 RCW.

Referred to Committee on Highways.

**Senate Bill No. 194**, by Senators McCormack and Petrich (by Departmental request):

An Act authorizing the conveyance of certain lands in Benton county, Washington to the county of Benton, Washington.

Referred to Committee on Natural Resources.

**Senate Bill No. 195**, by Senators Cooney, Gallagher and Durkan:

An Act relating to fireworks; adding a new section to chapter 174, Laws of 1951 and chapter 70.77 RCW; and amending section 6, chapter 174, Laws of 1951, as amended by section 3, chapter 34, Laws of 1953, and RCW 70.77.060.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 196**, by Senators Thompson, Jr. and Morgan:

An Act relating to beauty culture; and amending section 4, chapter 180, Laws of 1951, as last amended by section 5, chapter 52, Laws of 1957, and RCW 18.18.070; and amending section 5, chapter 180, Laws of 1951, as last amended by section 4, chapter 324, Laws of 1959, and RCW 18.18.090; and amending section 2, chapter 168, Laws of 1953 and RCW 18.18.104; and amend-

ing section 14, chapter 215, Laws of 1937, as last amended by section 6, chapter 180, Laws of 1951, and RCW 18.18.120; and amending section 7, chapter 180, Laws of 1951, as last amended by section 5, chapter 324, Laws of 1959, and RCW 18.18.140; and amending section 8, chapter 180, Laws of 1951, as last amended by section 9, chapter 52, Laws of 1957, and RCW 18.18.190; and amending section 9, chapter 180, Laws of 1951, as last amended by section 10, chapter 52, Laws of 1957, and RCW 18.18.210; and adding a new section to chapter 180, Laws of 1951 and RCW 18.18.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 197**, by Senators Keefe and Cowen:

An Act relating to state highways; and amending section 47.20.310, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.20.310.

Referred to Committee on Highways.

**Senate Bill No. 198**, by Senators Talley, Bailey and Lennart:

An Act making an appropriation for operation of the Westport Ferry.

Referred to Committee on Highways.

**Senate Bill No. 199**, by Senators Durkan, Cooney and Raugust:

An Act relating to the state legislature and legislative districts; amending section 34, chapter 5, Laws of 1957, as amended by section 34, chapter 289, Laws of 1957 and RCW 44.06.340; and amending section 38, chapter 5, Laws of 1957, as amended by section 38, chapter 289, Laws of 1957 and RCW 44.06.380.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Memorial No. 9**, by Senators Hess and Bailey:

Memorializing Congress re Taft-Hartley Act.

Referred to Committee on Labor and Industrial Insurance.

**Senate Joint Memorial No. 10**, by Senator Riley:

Memorial extending felicitations to President Kennedy and the new national administration.

On motion of Senator Riley, the rules were suspended and Senate Joint Memorial No. 10 was advanced to second reading and read the second time in full.

On motion of Senator Riley, the rules were suspended and Senate Joint Memorial No. 10 was advanced to third reading, the second reading considered the third, and placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 10, and the memorial passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Foley, Gissberg, Raugust—3.

Senate Joint Memorial No. 10, having received the constitutional majority, was declared passed.

**Senate Joint Resolution No. 16**, by Senators Neill, Lennart and Moriarty, Jr.:

Prohibiting deficit spending.

Referred to Committee on Ways and Means.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Joint Memorial No. 6**, by Representatives Wang, Olsen and Testu:  
Requesting Congress to keep USS Missouri stationed at Puget Sound Naval Ship Yard.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**House Concurrent Resolution No. 7**, by Representatives Brouillet and Uhlman:

Relating to a joint session for the purpose of hearing the legislative problems of the state's five institutions of higher learning and the public schools.

On motion of Senator Greive the rules were suspended and House Concurrent Resolution No. 7 was advanced to second reading and read the second time in full.

#### POINT OF INQUIRY

Senator Woodall:

"What resolution did we act on earlier at the request of Senators Morgan and Dore?"

Senator Greive:

"This particular resolution deals with a joint meeting of the House and Senate. The one you refer to is House Joint Memorial No. 6, which deals with the Battleship Missouri."

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 7 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 23, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 135, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

#### MOTION

At 1:00 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m., Tuesday, January 24, 1961.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

## SIXTEENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, January 24, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Gallagher and Morgan.

The President announced that Senator Morgan had been excused.

The Color Guard, consisting of Pages Charles Herrmann, Color Bearer, and Susan Hande, presented the Colors.

Reverend J. Edgar Pearson, pastor of the United Churches—Federated of Olympia, offered prayer as follows:

"Almighty God, we pause before entering into deliberations of the session of the Senate to invoke Thy wisdom and guidance upon what is said and decided here. We are grateful for the progress that has been made, for the good intentions yet not accomplished. As we view the task before us, we are constantly humbled by its tremendous problems, opportunities and the pressures of special needs. Forgive those actions which make consciences uneasy in Thy presence.

"Make us constantly aware of our responsibility to work together, protecting our party loyalties but not allowing them to hinder progress and growth. May these members be given: wisdom beyond our limited knowledge; insight beyond restricted vision; courage beyond political consideration; that the work Thou hast given each of us may be the reflection of Thy will for this state and its people. May the citizens of this state be as quick to appreciate work well done as they are swift to criticize the unworthy act or deed.

"Bless also the President of these United States, the Governor, and all who lead the state and nation, that we may merit living in a world in which there is peace. These things we ask in the name of Him who never gives us tasks greater than the resources to meet them. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"This morning the Senate chamber is graced by the presence of a very attractive and lovely group of ladies from the Thurston-Mason County Medical Auxiliary. Ladies, the members of the Senate and the President wish to extend to you a very warm welcome and thank you for your interest in legislative affairs. Would you please stand, in order that the members of the Senate may more properly recognize you."

(Applause.)

"Also present this morning, are two very fine people who have served the state of Washington, and especially the children of Washington, for many years. The President had the pleasure of a visit this morning with these two retired teachers, Miss Lapham and Mrs. Verna Gloystein. Would you please stand."

(Applause.)

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Joint Memorial No. 1:**

Senate Chamber,

Olympia, Wash., January 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Joint Memorial No. 1, memorializing congress to enact legislation to provide for a youth conservation corps, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard S. Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

On motion of Senator Kupka the rules were suspended, and Senate Joint Memorial No. 1 was advanced to second reading and read the second time in full.

On motion of Senator Kupka, the rules were suspended, Senate Joint Memorial No. 1 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 1, and the memorial passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Gallagher, Knoblauch and Morgan—3:

Senate Joint Memorial No. 1, having received the constitutional majority, was declared passed.

**MOTIONS**

Senator Talley:

"I move that Senate Bill No. 21 be referred to the Committee on Fisheries, Game and Game Fish."

Senator Talley demanded a roll call on the referral of Senate Bill No. 21. The demand was not sustained and the motion lost.

On motion of Senator McCutcheon, Senate Bill No. 34 was referred to the Committee on Cities, Towns and Counties.

**Senate Joint Memorial No. 7:**

Senate Chamber,

Olympia, Wash., January 23, 1961.

MR. PRESIDENT:

We, your Committee on Air and Water Pollution Control, to whom was referred Senate Joint Memorial No. 7, memorializing congress to enact legislation establishing pollution control research laboratory, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Ernest

W. Lennart, Frances Haddon Morgan, Edward F. Riley, William D. Shannon, Don L. Talley.

#### MOTIONS

On motion of Senator McMillan, the rules were suspended, Senate Joint Memorial No. 7 was advanced to second reading and read the second time in full.

On motion of Senator McMillan, Senate Joint Memorial No. 7 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 7 and the memorial passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Herrmann, Lennart, Martin, Morgan—4.

Senate Joint Memorial No. 7, having received the constitutional majority, was declared passed.

#### MOTION

It was moved by Senator Happy that the portion of Rule 40 pertaining to smoking be suspended:

The President:

"The President was awaiting the completion of the business before the Senate.

"Now, the arrival of a bolt from the blue. The affable, generous and highly capable Secretary of the Senate, Mr. Ward Bowden, has requested permission, with Senator Cowen's consent, to suspend the rules and has asked the President to require the Sergeant-at-Arms to await upon him at this time for the purpose of supplying the wherewithal to provide the members of the Senate with the necessary cigars."

#### PRESIDENT'S PRIVILEGE

The President announced the presence of a distinguished group of students from Little Rock who should be recognized. The President also asked Senator DeGarmo, from whose district the students came, to stand and be recognized. (Applause.)

The Secretary read:

#### MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,  
Olympia, January 23, 1961.

*To the Honorable, The Senate of the State of Washington*

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bill, entitled:

Senate Bill No. 135:

"An Act relating to legislators' subsistence; making an appropriation; and declaring an emergency."

Very truly yours,

**WARREN A. BISHOP,**

*Assistant to the Governor.*

## INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 200**, by Senator Knoblauch:

An Act relating to primary state highway No. 5; and making an appropriation.

Referred to Committee on Highways.

**Senate Bill No. 201**, by Senators Nunamaker, Greive and Bargreen:

An Act relating to burial expenses of public assistance recipients; and amending section 74.08.120, chapter 26, Laws of 1959 and RCW 74.08.120.

Referred to Committee on Social Security.

**Senate Bill No. 202**, by Senators Hanna, Foley and Hallauer:

An Act relating to public utility districts; and amending section 4, chapter 207, Laws of 1951, as amended by section 5, chapter 124, Laws of 1955, as amended by section 2, chapter 140, Laws of 1957, and RCW 54.12.080.

Referred to Committee on Public Utilities.

**Senate Bill No. 203**, by Senators Papajani, Happy and DeGarmo (by Insurance Commissioner request):

An Act relating to insurance; amending section .0501, chapter 79, Laws of 1947 and RCW 48.05.010; amending section .05.24, chapter 79, Laws of 1947 and RCW 48.05.240; adding a new section to chapter 79, Laws of 1947 and to chapter 48.06 RCW; amending section .12.15, chapter 79, Laws of 1947, as last amended by section 3, chapter 225, Laws of 1959, and RCW 48.12.150; amending section .17.15, chapter 79, Laws of 1947 and RCW 48.17.150; amending section .20.34, chapter 79, Laws of 1947 and RCW 48.20.340; amending section .21.08, chapter 79, Laws of 1947 and RCW 48.21.080; amending section .23.35, chapter 79, Laws of 1947, as last amended by section 8, chapter 225, Laws of 1959, and RCW 48.23.350; adding a new section to chapter 79, Laws of 1947 and to chapter 48.24 RCW; amending section .24.04, chapter 79, Laws of 1947, as amended by section 18, chapter 303, Laws of 1955, and RCW 48.24.040; amending section .24.17, chapter 79, Laws of 1947 and RCW 48.24.170; amending section .31.01, chapter 79, Laws of 1947 and RCW 48.31.010; and amending section .31.11, chapter 79, Laws of 1947 and RCW 48.31.110.

Referred to Committee on Insurance.

**Senate Bill No. 204**, by Senators Petrich, Henry and Gallagher (by Insurance Commissioner request):

An Act relating to employee welfare trust funds; amending section 2, chapter 8, Laws of 1955 extraordinary session and RCW 48.52.020; and amending section 3, chapter 8, Laws of 1955 extraordinary session and RCW 48.52.030.

Referred to Committee on Insurance.

**Senate Bill No. 205**, by Senators Riley, Thompson, Jr. and Kupka:

An Act providing for the registration of contractors; and prescribing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 206**, by Senators Herrmann, Ryder and Riley:

An Act relating to mutual savings banks; amending section 32.12.010,

chapter 13, Laws of 1955 as amended by section 2, chapter 41, Laws of 1959, and RCW 32.12.010; amending section 32.12.020, chapter 13, Laws of 1955 as amended by section 3, chapter 41, Laws of 1959, and RCW 32.12.020; amending section 32.12.090, chapter 13, Laws of 1955 as amended by section 5, chapter 80, Laws of 1957, and RCW 32.12.090; amending section 32.20.250, chapter 13, Laws of 1955, as last amended by section 4, chapter 41, Laws of 1959, and RCW 32.20.250; amending section 32.20.260, chapter 13, Laws of 1955, and RCW 32.20.260; amending section 32.20.270, chapter 13, Laws of 1955 as amended by section 5, chapter 41, Laws of 1959, and RCW 32.20.270; amending section 32.20.275, chapter 13, Laws of 1955, and RCW 32.20.275; and amending chapter 13, Laws of 1955, and chapter 32.20 RCW by adding thereto a new section.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 207**, by Senators Moriarty, Jr., Petrich and Neill:

An Act relating to inheritance taxes; and amending section 83.40.040, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 83.40.040.

Referred to Committee on Ways and Means.

**Senate Bill No. 208**, by Senators Moriarty, Jr. and Angevine:

An Act relating to group hospitalization and medical aid for public employees and their dependents.

Referred to Committee on Insurance.

**Senate Bill No. 209**, by Senators Petrich, Angevine and Woodall:

An Act relating to court reporters; and amending section 1, chapter 210, Laws of 1951, as last amended by section 2, chapter 244, Laws of 1957 and RCW 2.32.210.

Referred to Judiciary Committee.

**Senate Bill No. 210**, by Senators Talley, Henry and Chytil:

An Act relating to third class cities; and amending section 5, chapter 55, Laws of 1955, section 2, chapter 365, Laws of 1955 and RCW 35.24.020.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 211**, by Senators Petrich and Lennart:

An Act relating to limited access highway facilities within cities and towns; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 3) and to chapter 47.52 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 212**, by Senators DeGarmo, Hallauer and Rasmussen (by Departmental request):

An Act relating to the state capitol; providing for the acquisition, development, and management of property approximate thereto; and declaring an emergency.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Senate Bill No. 213**, by Senators Foster, Chytil, Hanna and Hallauer:

An Act relating to state government and the civil service system of personnel administration; and amending section 7, chapter 1, Laws of 1961 (uncodified) (Initiative Measure No. 207).

Referred to Committee on State Government, Military Affairs and Civil Defense.

**MOTIONS**

On motion of Senator Greive the rules were suspended, and more than three sponsors were permitted on Senate Bill No. 213.

On motion of Senator Foster, Senate Bill No. 213 was referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 214**, by Senators Henry, Shannon and Washington (by Executive request):

An Act relating to motor vehicles and the licensing of operators thereof; adopting a compact between this and other states or provinces; and providing an effective date.

Referred to Committee on Highways.

**Senate Bill No. 215**, by Senators Woodall, Hanna and Moriarty, Jr.:

An Act relating to the enforcement of obligations against the marital community.

Referred to Judiciary Committee.

**Senate Bill No. 216**, by Senators Angevine, Gallagher and Cooney:

An Act relating to state government and a civil service system of personnel administration; and amending section 25, chapter 1, Laws of 1961.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 217**, by Senators Durkan, Thompson, Jr. and Cooney:

An Act relating to the business of collecting and transportating garbage and refuse; adding a new chapter to Title 81 RCW; levying certain fees; providing penalties; and making an effective date.

Referred to Committee on Commerce, Manufacturing and Licenses.

**MOTION**

At 11:45 o'clock a. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Wednesday, January 25, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## SEVENTEENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, January 25, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Freise and Senator Petrich.

On motion of Senator Happy, Senator Freise was excused.

The Color Guard, consisting of Pages Charles Herrmann, Color Bearer, and Susan Hande, presented the Colors.

Reverend J. Edgar Pearson, pastor of the United Churches—Federated of Olympia, offered prayer as follows:

"Eternal God, our Father, who governs all the times and ages of men; lead us in our day that we may acknowledge Thee as a God of righteousness and justice and peace. We bring to Thee this Senate and the people of this State. Help us to match the problems of these days with lives that are responsible and faithful to the trust placed in us.

"We thank Thee for the freedom Thou hast given us, a freedom so complete that we may by our actions deny that freedom to others and forge our own bonds by compromise. Forbid by word or deed that we may be guilty of the tragic waste of our natural and human resources. Help us to care enough for the people we serve that we do not cause or countenance any action that would degrade another human being.

"Grant to these members the judgment to distinguish the temptations from the responsibilities of power. May they remember that while theirs is to lead, it is also their duty to respond to the expressed desires of the people whom they serve.

"Let Thy Spirit rest within the hearts and minds of every member of this body, to guide and strengthen them, that they may come to the end of this day with a sense of fulfillment, with no dreams to haunt their sleep, and with no uneasy minds to speak of a duty that has been shirked.

"In thanks giving for their devotion, we pray in the name of Him who gives courage in every crisis. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### MOTION

It was moved by Senator Dore that Senate Bill No. 177 be referred from Committee on Cities, Towns and Counties to the Committee on Public Utilities.

### POINT OF ORDER

Senator Greive:

"I do not believe Senator Dore's motion is in order. I would suggest that he make a motion that the committee be discharged of their responsibility on the bill and the bill be placed on the calendar of the day. It will take a second motion to refer the bill to another committee."

Senator Dore:

"I believe the bill can be released from the Committee on Cities, Towns and Counties with the release of the bill from Senator Talley."

Senator Talley:

"I have no objection."

**RULING BY THE PRESIDENT**

The President:

"The President believes that Senator Greive's point of order is well taken."

**MOTION**

Senator Dore:

"I move that the rules be suspended and Senate Bill No. 177 be referred from the Committee on Cities, Towns and Counties to the Committee on Public Utilities."

The President:

"The question is: It has been moved that the rules be suspended and Senate Bill No. 177 be referred to the Committee on Public Utilities."

The motion carried and Senate Bill No. 177 was referred to the Committee on Public Utilities.

**MOTION**

It was moved by Senator Hallauer that the rules be suspended and Senate Bill No. 70 be referred to the Committee on Ways and Means.

The President:

"For what purpose, Senator Hallauer, do you desire that Senate Bill No. 70 be referred to the Committee on Ways and Means?"

**POINT OF INQUIRY**

Senator Greive:

"I would like to inquire of Senator Hallauer, what is the context of Senate Bill No. 70?"

Senator Hallauer:

"In explanation of the motion, the bill has been in the hands of the Committee on Social Security. It now has an appropriation item on the bill involving \$3,000,000. It is customary that all bills involving funds be referred to the Committee on Ways and Means."

Senator Knoblauch:

"As one of the sponsors of the bill, this is the measure that would give aid to retired teachers. It does carry an appropriation and should be sent to the Committee on Ways and Means."

Debate ensued.

The President:

"The Senate will be at ease for just a moment, subject to the Call of the Chair."

The Senate recessed for five minutes.

The President called the Senate to order.

**RULING OF THE PRESIDENT**

The President:

"Senator Hallauer, the President has been advised by the Secretary of the Senate that Senate Bill No. 70 is now in his hands, and that during the second order of business, Reports of Standing Committees, the report of the Committee on Social Security will be read. Then it would be in perfect order for you to move to refer the bill to the Committee on Ways and Means."

With the permission of the Senate, Senator Hallauer withdrew his motion that Senate Bill No. 70 be referred to the Committee on Ways and Means.

The Secretary read:

**SENATE RESOLUTION**

By Senator Henry:

*Be It Resolved By the Senate of the State of Washington in Legislative Session Assembled:*

WHEREAS, No provision is made for the subsistence expenses of the Lieutenant Governor while in attendance upon the legislature,

Now, *Therefore, Be It Resolved*, That the Lieutenant Governor be allowed the sum of twenty-five dollars for expenses of subsistence and lodging per day while in attendance during this thirty-seventh session of the legislature, upon vouchers drawn and approved, said sum to be paid out of the appropriation for legislative expense.

On motion of Senator Henry, the resolution was adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 70** (reported by Committee on Social Security):

Do pass as amended.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, W. C. Raugust, John N. Ryder, Don L. Talley.

On motion of Senator Hallauer Senate Bill No. 70 was referred to the Committee on Ways and Means.

**Senate Bill No. 154:**

Senate Chamber,  
Olympia, Wash., January 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways to whom was referred Senate Bill No. 154, appropriating moneys for completing Hood Canal Bridge, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice-Chairman,*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Harry S. Elway, Jr., Frank W. Foley, F. Stuart Foster, William A. Gissberg, R. R. (Bob) Greive, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 191:**

Senate Chamber,  
Olympia, Wash., January 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Senate Bill No. 191, relating to the regulation of certain sales of spirituous, vinous and malt liquors, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANK CONNOR, *Chairman.*

We concur in this report: Howard S. Bargreen, John L. Cooney, Victor F. DeGarmo, Michael J. Gallagher, John H. Happy, Al Henry, Louis E. Hofmeister, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani, Edward F. Riley, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., January 24, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Liquor Control, to whom was referred Senate Bill No. 191, relating to the regulation of certain sales of spirituous, vinous and malt liquors, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Martin J. Durkan, Herbert H. Freise, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 8:**

Senate Chamber,  
Olympia, Wash., January 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities to whom was referred Senate Joint Memorial No. 8, memorializing congress urging building of Oroville-Tonasket Unit, Chief Joseph Dam Project, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, Martin J. Durkan, Frank W. Foley, R. R. (Bob) Greive, H. B. Hanna, George W. Kupka, John T. McCutcheon, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate:

"We have a lovely group of youngsters from St. Luke's School in Seattle. These eighth grade students are accompanied by Sister Karen, Mr. Theodore Cummings, Mrs. Freidhoff and Mr. Bertman. The President of the Senate would like to have these youngsters please stand in order that the members of the Senate may properly recognize you. Thank you for coming and we hope that you enjoy your visit to Olympia.

(Applause.)

"The President would like to announce at the request of Senator Talley, the presence of a group of Camp Fire Girls from Longview in the south gallery. They are accompanied by Mrs. Englemann, Mrs. Eddy and Mrs. Quachenbush, their leaders. Would you please stand, along with Senator Talley, in order that the members of the Senate may properly recognize you."

(Applause.)

**PERSONAL PRIVILEGES**

Senator McMillan:

"I am happy to have the opportunity this morning to present to the members of the Senate a couple of visitors from my district. I live so far away from the population centers that it is not often that people come to visit me, but today it is my pleasure to have two visitors in the south gallery. They are Alfred Honeyland, Superintendent of Colville Schools, and Kenneth Phillips."

Senator Papajani:

"I would like to announce that the candy that was just passed among you is being distributed through the courtesy of Senator Morgan, on behalf of her maiden speech."

Senator Morgan:

"Now that you have been sweetened up, you may allow me the privilege of introducing some visitors. They are a school delegation, Mrs. Fassbinder and guests of Silverdale."

(Applause.)

Senator Knoblauch:

"I know that this is a privilege that I am going to lose in a day or two, but I would like to call your attention to a member of the House of Representatives, August Mardesich, who is speaking to the Sergeant-at-Arms, and is also smoking."

The President:

"Thank you Senator Knoblauch. Mr. Mardesich, there is a Senate Rule No. 40 which prohibits smoking in the Senate chamber, without suspending the rule which involves the penalty of paying for the cigars.

"With the permission of the Senate, that portion of Rule 40 pertaining to smoking has been provided for by Mr. Mardesich, with penalties."

Senator Bargreen:

"Mr. President, under the heading of penalties, I would like to announce that the presentation of cigars and candy now being made is from none other than our good Secretary, Ward Bowden."

#### PRESIDENT'S PRIVILEGE

The President:

"I would now like to introduce a group of Camp Fire Girls from Everett, under the direction of Trudy Peyton. This is Senator Bargreen's district. Would you please stand, Senator Bargreen, along with the group.

"We have some visitors from Edgemont, the seventh grade class under the direction of Jean Twidwell. Senator Knoblauch, would you care to stand in order that you may be recognized along with the class."

The President expressed his pleasure at the many groups of Camp Fire Girls visiting today, and announced the presence of Troop 28, Girl Scouts of America, of Vancouver. Senator Foley was asked to stand along with this group.

(Applause.)

The President introduced a group of citizens from Senator Lennart's home district and asked that they stand and be recognized, along with Senator Lennart.

(Applause.)

The President:

"The President would like to exercise the privilege of calling the attention of the Senate to two important dignitaries from Seattle, Washington. The golden-voiced reporter on radio, Pat Hayes of KIRO, and his guest. Would you please stand and be recognized."

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 24, 1961.

MR. PRESIDENT:

The House has passed House Bill No. 1; also

House Bill No. 2; also

House Bill No. 3; also

House Bill No. 4; also

House Bill No. 5; also

House Bill No. 6; also

House Bill No. 7; also

House Bill No. 8; also

House Bill No. 9; also

House Bill No. 10; also

House Bill No. 11; also

House Bill No. 14; and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

The Speaker has signed House Joint Memorial No. 5; also  
House Concurrent Resolution No. 7, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

**The President signed: House Joint Memorial No. 5; also  
House Concurrent Resolution No. 7.**

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 218**, by Senators Hanna, Hallauer and Elway, Jr.:

An Act relating to intercounty rural library districts and amending section 2, chapter 75, Laws of 1947, and RCW 27.12.100 and section 4, chapter 75, Laws of 1947, and RCW 27.12.120.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 219**, by Senators Hanna, Knoblauch and Raugust:

An Act relating to the excise tax on motor vehicles and trailers; and amending section 82.44.160, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.44.160.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 220**, by Senator Riley:

An Act relating to colleges of education; repealing section 3, chapter 85, Laws of 1905; repealing sections 12 and 13, chapter 97, page 255, Laws of 1909; repealing section 1, chapter 136, Laws of 1921; repealing RCW 28.81.070 and 28.81.080; and adding new sections to chapter 28.81 RCW.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 221**, by Senators Rasmussen, Ryder and Donohue:

An Act relating to state government; providing for the investment of certain moneys under state management; and transferring certain rights, powers and duties of certain officers and agencies.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 222**, by Senators McCormack, Washington and Raugust:

An Act relating to motor vehicles; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 2) and to chapter 46.44 RCW.

Referred to Committee on Highways.

**Senate Bill No. 223**, by Senators Washington, Raugust and Hofmeister:

An Act relating to county roads and city streets; and repealing section 5, chapter 156, Laws of 1949 and RCW 36.81.120.

Referred to Committee on Highways.

**Senate Bill No. 224**, by Senators Woodall, Herrmann and Greive:

An Act relating to the enforcement of judgments against a married person to the extent of his half of the community property.

Referred to Judiciary Committee.

**Senate Bill No. 225**, by Senators Woodall, Herrmann and Greive:

An Act relating to the liability of the owner of a motor vehicle for damages caused by the use of his vehicle when entrusted to another.

Referred to Judiciary Committee.

**Senate Bill No. 226**, by Senators Bargeen and Washington:

An Act relating to motor vehicle wreckers; and amending section 46-.80.130, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.80.130.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 227**, by Senators Elway, Jr. and Bailey:

An Act relating to traffic control on and along ocean beach highways; and amending section 46.08.180, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.08.180.

Referred to Committee on Highways.

**Senate Bill No. 228**, by Senators Sandison, Papajani and Woodall:

An Act relating to civil rights; amending section 1, chapter 37, Laws of 1957 and RCW 49.60.010; amending section 2, chapter 37, Laws of 1957 and RCW 49.60.020; amending section 3, chapter 37, Laws of 1957 and RCW 49.60-.030; amending section 4, chapter 37, Laws of 1957 and RCW 49.60.040; amending section 9, chapter 37, Laws of 1957 and RCW 49.60.180; amending section 10, chapter 37, Laws of 1957 and RCW 49.60.190; and amending section 11, chapter 37, Laws of 1957 and RCW 49.60.200; adding a new section to chapter 37, Laws of 1957 and to chapter 49.60 RCW; and providing penalties.

Referred to Judiciary Committee.

#### MOTION

On motion of Senator Sandison, the name of Senator Talley was added as co-sponsor of Senate Bill No. 228.

**Senate Bill No. 229**, by Senators Riley and Shannon:

An Act relating to civil procedure and the collection of secured debts and providing for redemptions and the enforcement of judgments; and amending section 8, chapter 53, Laws of 1899 and RCW 6.24.140; section 10, chapter 53, Laws of 1899 and RCW 6.24.160; section 15, chapter 53, Laws of 1899, as last amended by section 6, chapter 8, Laws of 1957 and RCW 6.24.210; and amending section 617, chapter 50 (page 127), Laws of 1877, as amended by Code 1881, section 612 and RCW 61.12.070.

Referred to Judiciary Committee.

#### MOTION

On motion of Senator Riley, 500 additional copies of Senate Bill No. 229 were ordered printed.

**Senate Bill No. 230**, by Senators Knoblauch and Gissberg:

An Act relating to honey, removing the requirement of a state seal; amending section 1, chapter 103, Laws of 1957 and RCW 69.28.080; amending section 40, chapter 199, Laws of 1939 and RCW 69.28.090; and repealing section 38, chapter 199, Laws of 1939 and RCW 69.28.160.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 231**, by Senators Moriarty, Jr., Petrich and Ryder:

An Act relating to notice of the pendency of an action in a United States

district court affecting the title to real property in the state of Washington; and adding a new section to chapter 4.28 RCW.

**Referred to Judiciary Committee.**

**Senate Bill No. 232**, by Senator Riley:

An Act relating to public works.

**Referred to Committee on Commerce, Manufacturing and Licenses.**

**Senate Joint Memorial No. 11**, by Senators McCormack, Washington and Raugust:

Memorial to Congress and to President—urging action to raise single axle gross weight limits on national highway system.

**Referred to Committee on Highways.**

**Senate Concurrent Resolution No. 4**, by Senators Greive, Rasmussen and McCormack:

Relative to planning for conversion of state's economy to nonmilitary production.

**Referred to Committee on State Government, Military Affairs and Civil Defense.**

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Bill No. 1**, by Representatives Gorton, Brink and Ackley:

An Act relating to agriculture and marketing; enacting an agriculture and marketing code to be known as Title 15 of the Revised Code of Washington; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

**Referred to Judiciary Committee.**

**House Bill No. 2**, by Representatives Brink, Ackley and Gorton:

An Act relating to vehicles; providing for the regulation and licensing thereof and of persons in relation thereto; providing for the collection and disposition of moneys; enacting a vehicle code to be known as Title 46 of the Revised Code of Washington—"Motor Vehicles"; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

**Referred to Judiciary Committee.**

**House Bill No. 3**, by Representatives Gorton, Brink and Ackley:

An Act relating to public highways, streets, bridges, ferries, tunnels, and related means of transportation; providing for the acquisition, construction, maintenance, operation, regulation and financing thereof; enacting Title 47 of the Revised Code of Washington; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

**Referred to Judiciary Committee.**

**House Bill No. 4**, by Representatives Ackley, Gorton and Brink:

An Act relating to industrial insurance; enacting an industrial insurance code to be known as Title 51 of the Revised Code of Washington; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

**Referred to Judiciary Committee.**

**House Bill No. 5**, by Representatives Ackley, Gorton and Brink:

An Act relating to public service properties and utilities, providing for the

regulation thereof, enacting a public utilities and transportation code to be known as Titles 80 and 81 of the Revised Code of Washington; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.  
Referred to Judiciary Committee.

**House Bill No. 6**, by Representatives Brink, Ackley and Gorton:

An Act relating to revenue and taxation; enacting a revenue and taxation code to be known as Title 82 RCW—Excise Taxes, Title 83 RCW—Inheritance and Gift Taxes, and Title 84 RCW—Property Taxes; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

Referred to Judiciary Committee.

**House Bill No. 7**, by Representatives Brink, Gorton and Ackley:

An Act relating to diking, drainage and sewerage improvement districts; reenacting section 4, chapter 26, Laws of 1949, section 1, chapter 63, Laws of 1951 and RCW 85.16.060 and 85.16.080; reenacting section 7, chapter 26, Laws of 1949 and RCW 85.16.110; reenacting section 8, chapter 26, Laws of 1949 and RCW 85.16.120; and declaring an emergency.

Referred to Judiciary Committee.

**House Bill No. 8**, by Representatives Brink, Gorton and Ackley:

An Act relating to soil conservation; adding to chapter 304, Laws of 1955 a section to be known as section 8A (RCW 89.08.080); and declaring an emergency.

Referred to Judiciary Committee.

**House Bill No. 9**, by Representatives Ackley, Brink and Gorton:

An Act relating to irrigation districts; reenacting sections 55, 56, and 67, pages 697 and 702, Laws of 1889-90, sections 34 and 42, chapter 129, Laws of 1921, and section 2, chapter 241, Laws of 1947 (heretofore codified as RCW 87.44.080 and 87.44.220) and codifying said sections as RCW 87.03.595, 87.03.600 and 87.03.680; and declaring an emergency.

Referred to Judiciary Committee.

**House Bill No. 10**, by Representatives Ackley, Gorton and Brink:

An Act relating to water and water rights; amending section 8, chapter 117, Laws of 1917, section 72, chapter 7, Laws of 1921, section 3, chapter 57, Laws of 1951 and RCW 43.21.130; repealing sections 5, 6 and 7, chapter 117, Laws of 1917; and declaring an emergency.

Referred to Judiciary Committee.

**House Bill No. 11**, by Representatives Ackley, Brink and Gorton:

An Act relating to banks and trust companies; and amending section 30.04-.290, chapter 33, Laws of 1955 and RCW 30.04.290; and declaring an emergency.

Referred to Judiciary Committee.

**House Bill No. 14**, by Representatives Gorton, Brink and Ackley:

An Act relating to intoxicating liquors; amending and re-enacting section 27, chapter 62, Laws of 1933 extraordinary session, section 3, chapter 174, Laws of 1935, section 1 (23-U), chapter 217, Laws of 1937, section 1, chapter 144, Laws of 1947, section 1, chapter 245, Laws of 1953, section 8, chapter 289, Laws of 1955, and RCW 66.24.010 through 66.24.100; repealing sections 443 and 444, chapter 249, Laws of 1909 (uncodified); and declaring an emergency.

Referred to Judiciary Committee.

**MOTION**

At 11:45 o'clock a. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m., January 26, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**EIGHTEENTH DAY****MORNING SESSION****SENATE CHAMBER,**

OLYMPIA, WASH., Thursday, January 26, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Charles Herrmann, Color Bearer, and Susan Hande, presented the Colors.

Reverend J. Edgar Pearson, pastor of the United Churches-Federated of Olympia, offered prayer as follows:

"O Thou eternal God, we who are stewards of Thine upon this earth, turn to Thee for inspiration and strength as we open this session of the Senate.

"We seek Thee each morning, not as a routine means of opening this session, but because the duty of building a better state weighs heavily upon us and we are not always equal of ourselves to the grave choices we must make. Yet we would make full use of the talents within us and the forces about us. This awaits only the touch of Thy spirit and a willingness on our part to follow Thy leading.

"We are thankful for these who have given of themselves to lead in government. Keep them ever conscious of their ultimate goals: a community where every child shall have the fullest chance to learn, where a decent home for everyone is a common concern, where equal opportunity shall be assured to all for a full and good life. To take such actions as will sustain and not attempt to circumvent the expressed desires of the people. May they not become so entangled with their own housekeeping that they lose sight of the larger aims that are truly theirs.

"Let them not be content to wait and see what will happen, but give them the courage and initiative to make the right things happen. Help them not to misuse this day but to make it the opportunity for firm action and constructive deeds, that they may so speak and vote as to merit Thy blessing. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PRESIDENT'S PRIVILEGE****The President:**

"Members of the Senate: This morning a very fine group of youngsters from the Edgemont School in Puyallup are present in the gallery. There are ninety eighth grade school students under the direction of Alan Miller, their superintendent. Also with the group are Miss Honsowetz, Mr. Funkhouser, Wally Sibbert and Mr. Olson.

Would this group of youngsters please stand along with that pillar of the state, Senator Reuben Knoblauch, from whose district these students have come."

(Applause.)

#### APPOINTMENT OF SPECIAL COMMITTEE

The President:

"Senator Riley, with your permission, the President at this time would like to ask Senators Riley, Dore, Bailey and Cowen as a committee of honor to escort Mr. Edwin Guthman to a place of honor upon the rostrum.

"The President should also like to ask Mr. LeRoy Hittle of the Associated Press, Mr. Jack Fisher and Mr. Jack Pyle to please join the committee of honor.

"Perhaps this committee might meet a sudden attack. Senator Henry and Senator Connor would you please join the group. Also, we need a little more weight on that team.

"Would Mr. Robinson of KOMO-TV please represent his industry.

"Now, Senator Happy, we will have to have you represented with at least three members. Senator Raugust and Senator Shannon, would you join the committee, please."

The Committee of honor escorted Mr. Guthman to the rostrum.

The Secretary read:

#### SENATE RESOLUTION

By Senators Riley, Bailey, Dore and Cowen:

WHEREAS, Mr. Edwin O. Guthman, eminent journalist and outstanding citizen of the State of Washington has recently been appointed by the United States Attorney General as "special assistant for public information"; and

WHEREAS, Mr. Guthman, a former football player of distinction at historic Broadway High School in Seattle, Washington, has contributed greatly to the development of the youth of the State of Washington, in his capacity as a Little League Football coach; and

WHEREAS, Mr. Guthman as an honor student of journalism at the University of Washington, brought honor to the University and to himself by receiving a Nieman Fellowship to Harvard University; and

WHEREAS, Mr. Guthman as an alumnus of the University of Washington, earned national and international reknown for the University and the State of Washington, when he was awarded the coveted Pulitzer Prize for National Reporting in 1950; and

WHEREAS, We, as citizens of this great state are appreciative of the service rendered to the public by Mr. Guthman as a member of the staff of the Seattle Times newspaper; and

WHEREAS, The members of the Senate of the State of Washington are grateful for the tireless efforts on the part of Mr. Guthman to accurately report the activities of the Legislature to the public over a period of many years past in an intelligent and unbiased manner; and

WHEREAS, Mr. Guthman is a devoted husband and father; and

WHEREAS, Mr. Guthman was awarded the Silver Star for gallantry in action and a Purple Heart, for wounds, while serving his country in North Africa and Italy during World War II; and

WHEREAS, Mr. Guthman will be leaving the State of Washington to assume the responsibilities of his new position on February 6, 1961;

Now, Therefore, *Be It Resolved*, That the Senate of the State of Washington does hereby commend Mr. Guthman for the years of faithful service to the United States of America and to the State of Washington; and

*Be It Further Resolved*, That the appreciation of the members of the Senate of the State of Washington for the service rendered the Legislature be extended to Mr. Guthman; and

*Be It Further Resolved*, That we extend our best wishes for continued success to Mr. Guthman, and express our confidence that his exemplary character and ability make this success inevitable; and

*Be It Further Resolved*, That the Secretary of the Senate be directed to transmit to Mr. Guthman at his home in Seattle, Washington, a certified copy of this resolution.

On motion of Senator Riley, the Senate Resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"The President, with the permission of the members of the Senate should like to exercise the privilege of making several remarks relative to our guest, Mr. Edwin O. Guthman. The President first became aware of this young man when he was a member of the Broadway High School football team, "The Broadway Tigers", under the direction of Tony Bell. At that time, this young man distinguished himself in athletics, as a student, and as a person; being very active in other school affairs.

"He went to the University of Washington later and from that time, this resolution covers the rest of his career. Now, the President has become very familiar with this young man over the course of years. There was one particular episode in the life of the President wherein he found this young man to be certainly dedicated to the best principles of fair play.

"With these remarks the President would like, with the consent of the Senate, to ask Mr. Guthman to address the Senate this morning."

Mr. Guthman:

"Mr. President, Members of the Senate, Ladies and Gentlemen:

"I have had a lot of nice things happen to me in the course of my life. This experience today is one of the things I will long remember and always treasure.

"This gives me an opportunity for the first time to talk back to you and to rebut some of the things you have said. I would like to just say this—in the fourteen years that I have been coming down to Olympia and observing the legislature, I have developed out of this experience a profound understanding and appreciation of our democratic way of government. I feel that democracy works here. Sometimes people think it does not, but I know that it does. I think this is the seat of our government, here in the Senate and in our County courthouses. Here the democratic processes work, and while we get frustrated sometimes as newspaper men, the net result is that we have a greater appreciation of what you are doing.

"Going back to this position I have taken, I believe the experience I have had with you in the Washington State Senate and in the legislature will be an excellent background for some of the things with which I will have to deal.

"I know this was not a Democratic plot to get me out of the State of Washington, and I leave here with the kindest feelings for each and every one of you."

Senator Knoblauch:

"Mr. Guthman, you said you have had good things happen to you, and we also have had good things happen to us. Mr. Guthman, a good many of these Senators are anxious to smoke and would you suspend the rules, with the permission of the Senate, without penalties."

Mr. Guthman:

"With your permission, I would like to have the privilege of suspending the rule pertaining to smoking, without penalties."

The President:

"With the approval of the Senate, that portion of Rule 40 pertaining to smoking will be suspended, without penalties.

"Thank you very much, Ed. Everyone here in the Senate and gallery join in wishing the best of everything to you and your family."

(Applause.)

#### POINT OF ORDER

Senator Woodall:

"I observed in the corridors the former President of the Senate, and now Secretary of State, smoking when he entered the Chamber. This particular individual well knows

that this is a breach of the Senate Rules without the suspension of a certain rule. I ask that Victor Aloysius Meyers suspend Rule 40 with penalties and the Sergeant-at-Arms wait upon him."

#### RULING OF THE PRESIDENT

The President:

"It is so ordered. The portion of Rule 40 pertaining to smoking will be suspended with penalties."

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 1** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 18:**

Senate Chamber,

Olympia, Wash., January 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitutions, Elections and Legislative Processes to whom was referred Senate Bill No. 18, relating to election recount procedure, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Andy Hess, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 173:**

Senate Chamber,

Olympia, Wash., January 26, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense to whom was referred Senate Bill No. 173, removing state auditor from agencies he is required to audit, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Herbert H. Freise, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 1:**

Senate Chamber,

Olympia, Wash., January 23, 1961.

MR. PRESIDENT:

We, your Committee on Constitution, Elections and Legislative Processes to whom was referred Senate Joint Resolution No. 1, ratifying proposed amendment to U. S. Constitution regarding elections in the District of Columbia, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Andy Hess,

Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 9** (reported by Committee on Constitution, Elections and Legislative Processes):

Do pass as amended.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust.

Senate Chamber,  
Olympia, Wash., January 23, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Constitution, Elections and Legislative Processes to whom was referred Senate Joint Resolution No. 9, relating to distribution of the voters' pamphlet, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman.*

We concur in this report: Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 11**, (reported by Committee on Constitution, Elections and Legislative Processes):

Do pass as amended.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 233**, by Senators Thompson, Jr. and Durkan:

An Act relating to public highways; and amending section 47.20.140, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.20.140.

Referred to Committee on Highways.

**Senate Bill No. 234**, by Senators Kupka, Henry and Shannon:

An Act relating to port districts; authorizing the establishment of industrial development districts therein; authorizing the acquisition, development, operation, lease and sale of lands therein for port improvements and industrial sites; providing for the levy of taxes for the exercise of such powers; amending section 1, chapter 73, Laws of 1955 and RCW 53.25.010; amending section 2, chapter 73, Laws of 1955 and RCW 53.25.020; amending section 3, chapter 73, Laws of 1955 and RCW 53.25.030; amending section 4, chapter 73, Laws of 1955 and RCW 53.25.040; amending section 5, chapter 73, Laws of 1955 and RCW 53.25.050; amending section 6, chapter 73, Laws of 1955 and RCW 53.25.060; amending section 7, chapter 73, Laws of 1955 and RCW 53.25.070; amending section 8, chapter 73, Laws of 1955 and RCW 53.25.080; amending section 9, chapter 73, Laws of 1955 and RCW 53.25.090; amending section 10, chapter 73,

Laws of 1955 and RCW 53.25.100; amending section 11, chapter 73, Laws of 1955 and RCW 53.25.110; amending section 12, chapter 73, Laws of 1955 and RCW 53.25.120; amending section 13, chapter 73, Laws of 1955 and RCW 53.25.130; amending section 14, chapter 73, Laws of 1955 and RCW 53.25.140; amending section 15, chapter 73, Laws of 1955 and RCW 53.25.150; amending section 16, chapter 73, Laws of 1955 and RCW 53.25.160; amending section 17, chapter 73, Laws of 1955 and RCW 53.25.170; amending section 18, chapter 73, Laws of 1955 and RCW 53.25.180; amending section 20, chapter 73, Laws of 1955 and RCW 53.25.200; amending section 1, chapter 265, Laws of 1957 and RCW 53.36.100; amending section 2, chapter 265, Laws of 1957 and RCW 53.36.110; and repealing section 19, chapter 73, Laws of 1955 and RCW 53.25.190.

Referred to Committee on Cities, Towns and Counties.

#### MOTION

On motion of Senator Kupka, the rules were suspended and the following names added to Senate Bill No. 234: Senators Talley, Bailey, Knoblauch, Petrich and Gissberg.

**Senate Bill No. 235**, by Senators Bailey, Knoblauch and Lennart (by Departmental request):

An Act relating to the state employees' retirement system; amending section 1, chapter 274, Laws of 1947, as last amended by section 1, chapter 231, Laws of 1957, and RCW 41.40.010; amending sections 3, 4, and 7, chapter 274, Laws of 1947, and RCW 41.40.030, 41.40.040, and 41.40.065; amending section 8, chapter 274, Laws of 1947, as last amended by section 1, chapter 220, Laws of 1955, and RCW 41.40.070; amending section 20, chapter 274, Laws of 1947, as last amended by section 11, chapter 200, Laws of 1953, and RCW 41.40.190; amending section 23, chapter 274, Laws of 1947, as last amended by section 12, chapter 200, Laws of 1953, and RCW 41.40.220; amending section 26, chapter 274, Laws of 1947, as amended by section 13, chapter 200, Laws of 1953 and RCW 41.40.250; amending section 28, chapter 274, Laws of 1947, as last amended by section 1, chapter 201, Laws of 1953 and by section 14, chapter 200, Laws of 1953, and RCW 41.40.270; amending section 30, chapter 274, Laws of 1947, as last amended by section 6, chapter 277, Laws of 1955, and RCW 41.40.290; amending section 43, chapter 274, Laws of 1947, as last amended by section 19, chapter 200, Laws of 1953, and RCW 41.40.410; repealing sections 1 and 2, chapter 284, Laws of 1953, and RCW 41.40.085 and 41.40.087; repealing section 1, chapter 202, Laws of 1953, as amended by section 1, chapter 234, Laws of 1955, and RCW 41.32.495 and 41.40.127; repealing section 1, chapter 253, Laws of 1959, and RCW 41.32.496 and 41.40.127; and declaring an emergency.

Referred to Committee on Social Security.

**Senate Bill No. 236**, by Senators Washington, Henry and Raugust (by Highway Interim Committee request):

An Act relating to traffic law enforcement; providing penalties; amending section 46.64.015, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.64.015; amending section 46.64.020, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.64.020; and repealing section 46.64.010, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.64.010.

Referred to Committee on Highways.

**Senate Bill No. 237**, by Senator Riley:

An Act relating to public assistance and creating a new category of medical assistance for the aged; and adding a new chapter to chapter 26, Laws of 1959, and title 74 RCW.

Referred to Committee on Social Security.

**Senate Bill No. 238**, by Senators Sandison and Chytil (by Insurance Commissioner request):

An Act relating to the regulation of credit life insurance and credit accident and health insurance.

Referred to Committee on Insurance.

**Senate Bill No. 239**, by Senators Washington, Shannon and Durkan (by Departmental request):

An Act relating to traffic control at work sites; and amending section 47.36-.200, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.36.200.

Referred to Committee on Highways.

**Senate Bill No. 240**, by Senators Donohue, McCormack and Woodall (by Departmental request):

An Act relating to bakeries and bakery products; and repealing sections 1 through 10, chapter 135, Laws of 1903 as amended by section 1, chapter 206, Laws of 1919 and chapter 69.11 RCW.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 241**, by Senators McCormack, Donohue and Woodall (by Departmental request):

An Act relating to bakeries and bakery workers; amending section 7, chapter 137, Laws of 1937 and RCW 69.12.070; amending section 8, chapter 137, Laws of 1937, as amended by section 1, chapter 44, Laws of 1939 and RCW 69.12.080.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 242**, by Senators Donohue, McCormack and Woodall (by Departmental request):

An Act relating to confectionery workers; and amending sections 16 and 17, chapter 112, Laws of 1939 and RCW 69.20.095 and 69.20.100.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 243**, by Senators Washington, Elway, Jr. and Hallauer (by Departmental request):

An Act relating to contracts for the construction of highways; and amending section 47.28.100, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.28.100.

Referred to Committee on Highways.

**Senate Bill No. 244**, by Senators Lennart, Martin and Hanna (by Departmental request):

An Act relating to the improvement and certification of planting stock used for propagation purposes; and providing penalties.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 245**, by Senators Cooney and Herrmann:

An Act relating to certain state owned lands; providing for use thereof for recreational, game and fisheries purposes, and withholding it from sale;

adding a new section to chapter 203, Laws of 1949 and chapter 79.12 RCW; and declaring an emergency.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 246**, by Senators Herrmann, Cooney and Ryder:

An Act relating to banks and trust companies; and amending section 30.04.090, chapter 33, Laws of 1955 as last amended by section 2, chapter 106, Laws of 1959 and RCW 30.04.090; amending section 30.08.080, chapter 33, Laws of 1955 and RCW 30.08.080; adding a new section to chapter 30.16 RCW; amending section 30.20.020, chapter 33, Laws of 1955 and RCW 30.20.020; amending section 30.20.060, chapter 33, Laws of 1955, as amended by section 5, chapter 106, Laws of 1959 and RCW 30.20.060; and adding two new sections to chapter 30.20 RCW.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 247**, by Senators Bailey and Riley:

An Act relating to employment of strikebreakers; and providing penalties.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 248**, by Senators Bailey, Henry and Woodall:

An Act relating to the Washington-Oregon boundary commission, and making an appropriation.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 249**, by Senators DeGarmo, Woodall and Papajani:

An Act relating to malt liquor and regulating the labeling of packages thereof; and amending section 44, chapter 62, Laws of 1933, extraordinary session and RCW 66.28.120.

Referred to Committee on Liquor Control.

**Senate Bill No. 250**, by Senators Rasmussen, Hofmeister and Washington (by Highway Interim Committee request);

An Act relating to toll facility aid districts; and repealing sections 47.57.010 through 47.57.220 and 47.57.900, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.57.010 through 47.57.220 and RCW 47.57.900.

Referred to Committee on Highways.

#### MOTION

On motion of Senator Washington, the rules were suspended and the names of Senators Morgan and Foster were added as sponsors to Senate Bill No. 250.

**Senate Bill No. 251**, by Senators Washington, Lennart and Bargreen (by Departmental request):

An Act relating to highways; and amending section 47.44.010, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.44.010.

Referred to Committee on Highways.

**Senate Bill No. 252**, by Senators Woodall, Herrmann and Greive:

An Act authorizing suits against the state of Washington to the same extent as suits against an individual.

Referred to Judiciary Committee.

**Senate Bill No. 253**, by Senators Greive and Herrmann:

An Act relating to the selection of jurors in the superior court; amending

section 3, chapter 57, Laws of 1911, as last amended by section 1, chapter 238, Laws of 1943 and RCW 2.36.060.

Referred to Judiciary Committee.

**Senate Bill No. 254**, by Senators Woodall, McCormack and Donohue (by Departmental request):

An Act relating to macaroni workers; and amending sections 16 and 17, chapter 190, Laws of 1939 and RCW 69.16.115 and 69.16.120.

Referred to Committee on Labor and Industrial Insurance.

#### SECOND READING OF BILLS

**Senate Bill No. 154**, by Senators Morgan, Bailey and Washington (by Executive request):

Appropriating moneys for completing Hood Canal Bridge.

On motion of Senator Greive, the Senate resolved itself into a Committee of the Whole, Senator Henry in the Chair, for the purpose of considering Senate Bill No. 154.

#### COMMITTEE OF THE WHOLE

Senate Bill No. 154 was considered in the Committee of the Whole and reported back to the Senate, President Cherberg presiding, with the recommendation that it do pass.

On motion of Senator Greive, the report of the Committee was adopted, and the reading had in the Committee of the Whole was considered the second reading.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 154 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The Secretary called the roll on the final passage of Senate Bill No. 154, and the bill passed the Senate by the following vote: Yeas, 49, nays, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—49.

Senate Bill No. 154, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, Senate Bill No. 191 was ordered to hold its place on the calendar and to be considered the first order of business immediately following the recess for lunch.

#### PRESIDENT'S PRIVILEGE

The President called the attention of the Senate to the group of students from Bothell in the gallery. Senator Thompson was requested to stand and be recognized along with the students.

The President recognized the presence of Mr. Robert Hill, Director of the Tourist and Convention Bureau of the Seattle Chamber of Commerce; Mr. Ben Bowling, Vice-President of Pacific Telephone—Northwest, and a member of the 100-Man Common Sense Control Committee heading a delegation of that group; and Mr. Jim Faber, former legislative reporter and deputy director of Century 21, now executive secretary of the Common Sense Control Committee.

The President:

"Will these gentlemen please stand in order that the members of the Senate may properly recognize you as persons expounding common sense!"

There being no objection, the Senate reverted to the fifth order of business to consider a message from the House of Representatives.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 8; also House Concurrent Resolution No. 9, and the same are herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 8**, by Representatives Uhlman, Bergh and Evans:

Commending University of Washington on centennial.  
Referred to Committee on Higher Education and Libraries.

**House Concurrent Resolution No. 9**, by Committee on Rules and Order:  
Amending the joint rules of the Senate and House.  
Referred to Committee on Rules and Joint Rules.

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"I would like to announce that the cigars being passed out this morning are through the courtesy of Mr. Peter Brudevold, who recently won the State Elks' Ritualistic Contest and will soon be competing for the National awards in Miami, Florida."

The President:

"Thank you very much Senator Knoblauch, and thank you, Mr. Brudevold."

**PERSONAL PRIVILEGE**

Senator Herrmann:

"Mr. President, I would like to announce that the cigars which are being passed out are through the courtesy of our distinguished Secretary of State, the Honorable Victor Aloysius Meyers."

The President:

"Thank you Senator Herrmann, and thank you Secretary of State Meyers."

**SECOND READING OF BILLS**

**Senate Joint Memorial No. 8**, by Senators Hallauer, Washington and Hanna:  
Memorial to congress urging building of Oroville-Tonasket Unit, Chief Joseph Dam project.

On motion of Senator Hallauer, the rules were suspended, Senate Joint Memorial No. 8 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8, and the memorial passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—48.

Those absent or not voting were: Senator Bargreen—1.

Senate Joint Memorial No. 8, having received the constitutional majority, was declared passed.

#### MOTION

At 12:12 o'clock p. m., on motion of Senator Greive, the Senate recessed until 1:15 o'clock p.m.

#### AFTERNOON SESSION

The Senate was called to order at 1:15 o'clock p. m. by President Cherberg. Senator Greive demanded a Call of the Senate and the demand was sustained by Senators Sandison, Knoblauch, Hofmeister and Bargreen.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Petrich.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate, subject to roll call.

#### SECOND READING OF BILLS

**Senate Bill No. 191**, by Senators Riley, Connor and Happy:

Relating to the regulation of certain sales of spirituous, vinous and malt liquors.

The bill was read the second time by sections.

On motion of Senator Riley, the following amendment was adopted:

In new section 1, page 1, line 8, after "vinous" and before "malt" strike "or" and insert "and"

Senator Lennart moved the following amendment be adopted:

In section 1, page 1, line 14, after the word "held." add: "*NEW SECTION*. This act shall be submitted to the people for their adoption and ratification or rejection at the next general election."

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Lennart yield to a question?"

Senator Lennart:

"Yes, I will."

Senator Riley:

"As I listened to the amendment being read I got the impression that what you are trying to do is to demand of the people that they must vote on this bill."

Senator Lennart:

"The purport of my amendment is, if we are to pass the buck to anyone, it shouldn't be to the liquor board, it must be to the people."

Debate ensued.

**MOTION**

Senator Gallagher moved that the amendment by Senator Lennart be laid on the table.

Senator Lennart demanded a roll call and the demand was sustained by Senators Hanna, Shannon, Raugust, Lennart, Greive, Hallauer, Washington, McCormack and McCutcheon.

The Secretary called the roll and the amendment by Senator Lennart was laid on the table by the following vote: Yeas, 32; nays, 17; absent or not voting, 0.

Those voting yea were: Senators Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Talley, Woodall—32.

Those voting nay were: Senators Angevine, Chytil, Greive, Hallauer, Hanna, Herrmann, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Rasmussen, Raugust, Shannon, Thompson, Jr., Washington—17.

**RULING OF THE PRESIDENT**

The President:

"The members of the Senate and the President are happy that there are so many people present today, but the President feels duty-bound to remind our guests they must observe quiet at all times."

It was moved by Senator Hess that the following amendment to Senate Bill No. 191 be adopted.

Add a new section following section 1 as follows:

**NEW SECTION.** Sec. 2. Notwithstanding the provisions of section 1 of this act, any local option unit as defined in RCW 66.40.010 may, for the purpose of fixing the hours of the day between 12:00 p. m. Saturday night and until 6:00 a. m. on the following Monday during which spirituous, vinous and malt liquors may be sold in such unit by the various licensees of the liquor control board, submit such proposition to the voters within such local option unit in the manner hereinafter prescribed. If the vote on such proposition is favorable the hours therein established shall control and supersede in whole or in part any statutes, or rules or regulations of the Washington liquor control board.

For the purpose of establishing and enacting the proposition hereinbefore referred to a petition containing the signatures of ten percent of the registered voters within the local option unit shall be presented to the legislative authority within such unit

accompanied by an obligation sufficient to pay the costs of publishing the notice herein provided for. Such petition shall describe the hours of the day if any, between 12:00 p. m. Saturday night and until 6:00 a. m. on the following Monday during which spirituous, vinous and malt liquors may be sold in such local option unit.

The chief election official shall within thirty days of the date of filing examine the signatures and certify to the sufficiency or insufficiency thereof and in so doing shall have access to any registration books or records. No person shall be allowed to withdraw his name after the petition has been filed. If the petition is sufficient it shall be certified to the legislative authority in the unit who shall receive the same and proceed to publish a notice of that fact in a newspaper of general circulation in the unit for at least three times not more than sixty nor less than fifteen days prior to the election called. The notice shall contain a statement containing the essential features of the plan. The prosecuting attorney shall prepare a concise statement containing the essential features expressed in such a manner as to clearly identify the proposition to be voted upon, and shall also prepare a caption so that the voters may readily distinguish it from other propositions on the ballot. Such statement and title shall be certified to the appropriate election officer for placement on the election ballot.

If the vote is favorable on the proposition the regulations established thereby shall control within the local unit and shall supersede in whole or in part as the case may be any statute or rule or regulation of the Washington state liquor control board.

A special election on any petition filed pursuant to this act shall be held within ninety days after the certification of the validity of such petition by the election official: *Provided*, That if the date of the next succeeding general election in the unit falls within such ninety day period such petition shall be voted on at such election: *Provided further*, That after such election no other election under this act shall be held prior to the next succeeding general election in the unit.

For the purposes of any election held on a petition filed pursuant to this act the provisions of RCW 66.40.150 prohibiting concurrent liquor elections shall control.

Any petition initially filed in a local option unit pursuant to this act shall be filed within 90 days of the effective date of this act. Any petition filed thereafter shall be filed at least 90 days prior to the next succeeding general election.

Debate ensued.

#### POINT OF INQUIRY

Senator Greive:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Greive:

"Senator Hess, using the city of Seattle as an example, approximately how many signatures would it take to refer this matter to the people?"

Senator Hess:

"I don't know the population of Seattle, but I can tell you this, initiatives for referendum have worked very well in this state."

Further debate ensued.

#### POINT OF INQUIRY

Senator Hallauer:

"Will Senator Hess yield to a question?"

Senator Hess:

"I will."

Senator Hallauer:

"In reading your proposed amendment, I am unable to determine whether the voting is to occur immediately or if there would be liquor on Sunday prior to the time of the voting. It would appear from the draft that this could be possible."

Senator Hess:

"The original act, as I understand it, would provide that if adopted, the local community would still have to pass on it. This amendment would provide further; if ten percent of the registered voters of such a community were to petition within ninety days, the county commissioners would be required to call an election within ninety days."

Senator Hallauer:

"Could liquor be served on Sunday prior to such an election?"

Senator Hess:

"In Seattle, if the city council were to make a ruling on this, liquor could be served prior to the election."

Senator Hallauer:

"Would you have any objection to certifying that until the people had voted on the subject there could be no liquor served on Sunday?"

Senator Hess:

"I don't think that goes to the heart of what is intended here. What is intended by this amendment is to give the people a chance to oppose the measure if they do not want it."

Debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Riley yield to a question?"

Senator Riley:

"I will."

Senator Rasmussen:

"It is not easy to hear clearly back where I am sitting. Did I understand you to say that you were perfectly willing at all times for the people to vote on these measures?"

Senator Riley:

"I say that I would support the amendment if the people expect us to make the decisions."

#### POINT OF INQUIRY

Senator Rasmussen:

"In the section at the end of this amendment where it states: 'Any petition initially filed in a local option unit pursuant to this act shall be filed within ninety days of the effective date of this act'. Will you tell me the reason for this?"

Senator Hess:

"The purpose of that language, Senator Rasmussen, is to provide within ninety days after the effective date of this act, any petition that is filed will call for an election, so that we would not have a series of elections within any given area."

Senator Rasmussen:

"This provision, Senator Hess, if it were to be successful, would result in a delay for the next two years until the general election."

#### POINT OF INQUIRY

Senator Martin:

"Senator Hess, will you yield to a question?"

Senator Hess:

"I will."

Senator Martin:

"Do you have an estimate of what it would cost to provide for such an election, as provided in this amendment, in the city of Seattle, for example?"

Senator Hess:

"No, I don't have any idea; however, I think this type of procedure should be available and I don't think it is too prohibitive."

Debate ensued.

#### POINT OF INQUIRY

Senator Raugust:

"Will you yield to a question, Senator Bargreen?"

Senator Bargreen:

"I will."

Senator Raugust:

"Did I understand you, Senator Bargreen, to say that this bill was discussed in committee?"

Senator Bargreen:

"Yes."

Senator Raugust:

"When?"

Senator Bargreen:

"We had a discussion lasting around fifteen or twenty minutes."

Senator Raugust:

"The bill was never brought up for discussion as far as I know."

Senator Bargreen:

"I think everyone will admit that we discussed over fifteen amendments."

#### MOTION

Senator Hallauer moved that the following amendment to Senator Hess's amendment to Senate Bill No. 191 be adopted:

Add to the amendment the following paragraph:

"No such local option unit shall permit the sale of liquor on Sundays until approval shall be given by the electors of such unit following the steps hereinbefore set forth."

Debate ensued.

#### MOTION

Senator Gallagher moved that the amendment to the amendment as proposed by Senator Hallauer be tabled.

A division was called for and the amendment to the amendment was tabled on a rising vote.

#### MOTION

It was moved by Senator Rasmussen that the following amendment to Senator Hess's amendment be adopted:

Strike the last paragraph of the amendment.

Debate ensued.

**MOTION**

It was moved by Senator Lennart that Senate Bill No. 191 be referred to the Committee on Liquor Control.

Senator Rasmussen:

"Thank you, Senator Lennart. I was just going to suggest to Senator Hess the same motion but give him the privilege of making it.

"It would appear to me, especially in the Senate, that this bill requires a considerable amount of work. I don't think that we can properly consider rewording it on the floor.

"When I was a Representative in the House I was told that the Senate was a deliberate body. It would seem to me that the Senate is not deserving of the title of 'deliberative' from the manner in which it has handled this bill. I think the bill should go back to committee and after a reasonable length of deliberation and consideration, the bill should come back to the Senate."

Further debate ensued.

Senator Gallagher demanded the previous question, and the demand was sustained by Senators Riley, Bargreen and Connor.

The President stated the question before the Senate to be the referral of Senate Bill No. 191 to the Committee on Liquor Control.

Senator Rasmussen demanded a roll call, and the demand was sustained by Senators Raugust, Lennart, Shannon, Chytil, Greive, Hallauer and Morgan.

The demand for a roll call was not sustained, and the motion was lost.

Debate ensued.

**POINT OF INQUIRY**

Senator Rasmussen:

"Did Senator Hess offer an amendment in place of my amendment?"

Senator Hess:

"There is another one, but not necessarily in place of yours."

Senator Rasmussen:

"First let me say that Rule 40 has been suspended with penalties. I know you are all worrying about it."

**POINT OF ORDER**

Senator Gallagher:

"State it please, Senator Rasmussen, to what purpose is the Senator addressing the Senate? To his amendment, or in personal privilege?"

Senator Rasmussen:

"I wanted to make it clear that I have complied with the rules of the Senate, but I was primarily talking on my amendment to the Hess amendment that I have before the Senate."

**RULING OF THE PRESIDENT**

The President:

"Senator Rasmussen, would you please confine your remarks to the question of the amendment to the amendment."

Further debate ensued.

**POINT OF INQUIRY**

Senator Riley:

"Do you, Senator Rasmussen, yield to a question?"

Senator Rasmussen:

"Yes, I do."

Senator Riley:

"As you have stated, I have always known the amendment was crystal clear. I want you, Senator Rasmussen, to make it crystal clear to me, one place in the amendment, or in the printed bill where it says Sunday liquor."

Senator Rasmussen:

"I am sure that you didn't make it crystal clear. Senator Riley, do you have your glasses? Will you please put them on. Will you please refer to the bill where it states: 'between Saturday night and Monday morning'. Would you say that the intervening day could be Sunday?"

#### MOTION

Senator Gallagher moved that the amendment by Senator Rasmussen to the amendment by Senator Hess be laid on the table.

A roll call was demanded by Senator Rasmussen and was sustained by Senators Raugust, Moriarty, Jr., Lennart, Shannon, Chytil, Donohue, Greive, Morgan and Hallauer.

The President stated the demand for a roll call was sustained.

The President stated the question before the Senate to be the motion by Senator Gallagher that the amendment by Senator Rasmussen to the amendment be laid on the table.

The Secretary called the roll, and the amendment to the amendment was laid on the table by the following vote: Yeas, 25; nays, 24; absent or not voting, 0.

Those voting yea were: Senators Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Happy, Henry, Hess, Hofmeister, Keefe, Kupka, Moriarty, Jr., Neill, Papajani, Riley, Thompson, Jr., Washington, Woodall—25.

Those voting nay were: Senators Angevine, Chytil, Cowen, Donohue, Foley, Greive, Hallauer, Hanna, Herrmann, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley—24.

Senator Greive moved the adoption of the following amendment to the Hess amendment:

After the word "date" strike the remainder of the paragraph and add the following: "or within 90 days after the adoption within such local option unit of any rule, regulation or ordinance permitting spirituous, vinous and malt liquors to be served between the hours of 12:00 p. m. on Saturday night until 6:00 a. m. on the following Monday or changing any hours theretofore established."

#### POINT OF ORDER

Senator Dore:

"I think Senator Greive has explained that the amendments were about the same and since we have lost Senator Rasmussen's, we have lost the other too."

Senator Greive:

"We have not voted on the amendment."

Senator Woodall:

"I concur in the remarks of Senator Greive."

**RULING OF THE PRESIDENT**

The President:

"The point is well taken by Senator Greive. His amendment does add additional material."

**MOTION**

On motion of Senator Greive, the amendment to the amendment by Senator Hess was adopted.

Senator Happy moved the adoption of the following amendment:

Add a new section to be known as section 3 reading as follows:

"**NEW SECTION.** Sec. 3. Nothing contained herein shall be construed as restricting the right of any governmental body of establishing the hours and days licensees may be open in said governmental unit."

**POINT OF INQUIRY**

Senator Gallagher:

"Is the amendment proposed by Senator Happy to be under a new section to be added to section 1? I notice Senator Hess also did the same thing. I suppose it is only adding a new section to the amendment."

**RULING OF THE PRESIDENT**

The President:

"The President is advised by the Secretary that you are correct. It will be necessary for a third section to be added, and the Secretary will take care of the matter."

The President stated the question before the Senate to be the adoption of the amendment by Senator Happy to Senate Bill No. 191.

The motion carried and the amendment was adopted.

Senator Raugust moved the adoption of the following amendment to Senate Bill No. 191:

In section 1, page 1, line 13, after the word "held", insert comma and add the following:

"*Provided*, That the liquor board may not authorize the selling of liquor on Sunday."

The President stated the question before the Senate to be the adoption of the amendment as proposed by Senator Raugust. The motion was lost on a rising vote and the amendment was not adopted.

On motion of Senator Elway, Jr., the following amendment to Senate Bill No. 191 was adopted:

In section 1, line 9, after "*Provided*," and before "That" insert the following:

"No distinction shall be made between classes of licensees: *Provided further*,"

Senator Talley moved that the following amendment to Senate Bill No. 191 be adopted:

Add a new section to be known as section 4 reading as follows:

"**NEW SECTION.** Sec. 4. Nothing in this act shall authorize the sale of alcoholic beverages between the hours of 6:00 a. m. and 1:00 p. m. on Sunday."

The President stated the question before the Senate to be the adoption of the amendment as proposed by Senator Talley to Senate Bill No. 191.

The motion carried and the amendment was adopted.

Senator Rasmussen moved the adoption of the following amendment to Senate Bill No. 191:

Add a new section to be known as section 5 reading as follows:

"**NEW SECTION.** Sec. 5. Any rule or regulation of the liquor control board to

permit Sunday sale of liquor shall not become effective for thirty days from date of such action."

A division was requested and the amendment was adopted on a rising vote. Senate Bill No. 191 was passed to third reading.

**Senate Bill No. 21**, by Senators McCutcheon and Dore:

Relating to construction and operation of dams on tributaries to Columbia river.

The bill was read the second time by sections.

Senator McCutcheon moved that the rules be suspended, Senate Bill No. 21 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Senator Dore demanded a roll call, sustained by the following: Senators Nunamaker, DeGarmo, Talley, Sandison, Dore, Martin, Washington, Herrmann and Papajani.

The President stated the question before the Senate to be the motion that the rules be suspended and Senate Bill No. 21 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

The Secretary called the roll and the motion having failed to receive the constitutional two-thirds majority vote of the Senate lost by the following vote: Yeas, 26; nays, 23; absent or not voting, 0.

Those voting yea were: Senators Chytil, Donohue, Dore, Durkan, Foster, Freise, Gallagher, Hallauer, Hanna, Happy, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Shannon, Washington, Woodall—26.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Elway, Jr., Foley, Gissberg, Greive, Henry, Herrmann, Keefe, Lennart, Morgan, Nunamaker, Papajani, Riley, Ryder, Sandison, Talley, Thompson, Jr.—23.

Senate Bill No. Bill No. 21 was passed to the Committee on Rules and Joint Rules for third reading.

#### MOTION

At 3:25 o'clock p. m. on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Friday, January 27, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## NINETEENTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, January 27, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President John A. Cherberg.

The President announced that the Senate would be at ease for fifteen minutes for the purpose of holding a meeting of the Committee on Rules and Joint Rules.

The President called the Senate to order at 11:15 o'clock a. m.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Charles Herrmann, Color Bearer, and Susan Hande, presented the Colors.

Reverend J. Edgar Pearson, Pastor of the United Churches—Federated of Olympia, offered prayer as follows:

"Creator and Ruler of mankind, hear us as we pray for this Senate and for the people of this state.

"We thank Thee for the genius of our system of government that brings together men and women of differing political views and knits them into a body that can make laws for all the people. Unite in mutual understanding these men and women, that the spirit of devotion to public good that caused them to seek their office may continue to be their guide.

"We thank Thee for the differences among us, that out of the tensions may come a realization of that which is best for the largest number of people; that as thoughts become words, as deeds become laws, there may be hammered out that which is good.

"In their choices let them not ask: 'Is this what I want?'—but rather let them ask 'Is this the right thing to do?' Help them to recognize the truth when it is before them, and when they see that which is wrong, prevent them from supporting it.

"We pray for the citizens of this state, that each may grow in social and political responsibility, that each may develop that moral and ethical integrity that will bring us to the new frontiers of life.

"These things we ask in the name of Him who so lived that all should have dignity and none should be afraid. Amen."

The President:

"Thank you Reverend Pearson. The members of the Senate, Secretary of the Senate and the President greatly appreciate the fact that you have been with us this week. We hope that you will see fit to return to offer the invocation on other occasions. We have enjoyed them exceedingly."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Gentlemen and Lady of the Senate, Ladies and Gentlemen:

"Present in the Senate chamber today is an eminent and respected member of our state government, Mr. William A. Bugge, Director of Highways.

"Mr. Bugge has served long and capably for the people of our state and has contributed greatly to the enjoyment of the scenery, playgrounds, recreational areas,

and availability of all portions of our beautiful state through the wonderful highways of the state of Washington."

(Applause.)

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Washington, Raugust, Bailey, Hofmeister, Freise and Henry as a special committee to escort Mr. Bugge to a seat of honor on the rostrum.

The Secretary read:

#### RESOLUTION

By Senators Washington, Sandison, Donohue, Gissberg, Freise, Rasmussen, McCormack, Talley, Foley, Kupka, Knoblauch, Bailey, Raugust:

*Be It Resolved*, By the Senate of the state of Washington in Legislative Session Assembled:

WHEREAS, William A. Bugge, Director of Highways for the Washington State Highway Commission, has been awarded the Charles S. Bartlett Award for outstanding contribution to the nation's highway development; and

WHEREAS, William A. Bugge has been elected Chairman of the Highway Research Board of the National Academy of Sciences; and

WHEREAS, William A. Bugge has served as president of the American Association of State Highway Officials and has brought great honor to the state of Washington and its citizens and its government; and

WHEREAS, William A. Bugge has served as Director of Highways for over eleven and one-half years during which time our highway system, under his able direction, has developed into one of the finest in the nation;

*Now, Therefore, Be It Resolved* By the Senate of the state of Washington, in Legislative Session assembled, that congratulations be extended to William A. Bugge for his national honors and for his years of service; and

*Be It Further Resolved*, That the Secretary of the Senate be directed to transmit a copy of this resolution to William A. Bugge so that he can keep it as an expression of gratitude of the people of the state of Washington.

On motion of Senator Washington, the Senate Resolution was adopted.

Senator Washington:

"I know that it is not necessary for me to recount to the members of the Senate the honors which have been received by Mr. Bugge, our Director of Highways. Many times we have read in the papers of these honors, but I have had the opportunity, as a member of the State Interim Committee on Highways to attend meetings where highway people were in discussion, and I have discussed highway problems with them. The state of Washington has always been greatly complimented, not only for the progressiveness of our highways, but that we in this state are so fortunate in having someone of Mr. Bugge's capabilities, knowledge and reputation.

"Our Governor and the Highway Commission have elected a top person to hold this job and we are very fortunate, indeed, to have such a man.

"It is with real pleasure that I join in this resolution. I want to point out that the most recent award, the Charles S. Bartlett Award, is one of the highest honors that a person in this field may receive, and we, in the state of Washington, should be proud."

The President:

"Members of the Senate, Ladies and Gentlemen:

"To the best of the President's memory, this is the first occasion upon which Mr. Bugge has visited the Senate chamber in this particular capacity.

"The President is sure that you join the President in extending the warmest and heartiest congratulations to Mr. Bugge."

(Applause.)

Mr. Bugge:

"Lieutenant Governor Cherberg and Members of the Senate:

"I wish to say I am deeply appreciative of the honor you and they have bestowed upon me.

"As I look back on the many activities occupying positions on the national level I want to say that those things have happened because the state of Washington has a great highway department and we have received great support from the Legislature.

"For the eleven and one-half years that I have been Director of Highways it has been my great honor and opportunity to do my part for the great state of Washington and help make it a better place in which to live.

"Thank you very much, gentlemen, for this honor today."

(Applause.)

The committee of honor escorted Mr. Bugge from the rostrum.

#### PRESIDENT'S PRIVILEGE

The President:

"Present today also in the foyer of the Senate is the Soldier of the Month, an honor given to the outstanding services performed by a man each month at Fort Lewis. This is Alfred T. Szymanski."

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators DeGarmo and Petrich together with the Sergeant-at-Arms to escort Mr. Szymanski to a seat of honor on the rostrum.

The Soldier of the Month was escorted to the rostrum.

The President:

"Members of the Senate, Ladies and Gentlemen:

"We have with us on the rostrum Alfred T. Szymanski, Sp/4 of C Battery First Howitzer Battalion, 30th Artillery, Fort Lewis. Our distinguished guest is an Assistant Gunner, 19 years of age, and is a resident of Buffalo, New York.

"Our illustrious visitor entered the Army on May 21, 1959, and will be discharged with honors in May, 1961.

"The members of the Senate and the President wish to congratulate you on the honor you have achieved, and as we viewed you from the rostrum as you walked up here with the escort committee, everyone can readily see why you have been given the honor that you have received.

"Would you like to address the Senate?"

Sp/4c Szymanski:

"I would like to thank the State Senate for this honor which is a great pleasure to me. Thank you very much."

The President:

"Very well done, and the President of the Senate has always considered those the greatest words in the English language, 'Thank You'."

The Soldier of the Month was escorted from the rostrum by the honor guard along with the Sergeant-at-Arms.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Riley, Dore and Bailey as a special committee to escort Mr. Ed Guthman to the rostrum.

The President:

"Members of the Senate; Ladies and Gentlemen:

"The members of the Senate have seen fit to prepare a tribute to Mr. Ed Guthman. The President would like to have the golden-voiced reader, Mr. Peter Brudevold, read the tribute."

Mr. Brudevold:

#### A Tribute to Ed Guthman

In recognition of his outstanding talents as an investigative journalist, as evidenced by his winning of the Pulitzer Prize for reporting, and in appreciation of his fairness and impartiality in reporting the legislative activities of the Washington State Senate and its members, we, the undersigned members of the Senate express our congratula-

tions and best wishes for success in his new position as Chief of Information Service, in the United States Department of Justice.

Wayne G. Angevine	William A. Gissberg	Frances Haddon Morgan
Robert C. Bailey	R. R. Greive	Charles P. Moriarty, Jr.
Howard S. Bargreen	Wilbur G. Hallauer	Marshall A. Neill
Joe Chytil	H. B. Hanna	Homer O. Nunamaker
Frank Connor	John H. Happy	John Papajani
John L. Cooney	Al Henry	John A. Petrich
David C. Cowen	Karl Herrmann	A. L. Rasmussen
Victor F. DeGarmo	Andy Hess	W. C. Raugust
Dewey C. Donohue	Louis E. Hofmeister	Edward F. Riley
Fred H. Dore	James E. Keefe	John N. Ryder
Martin J. Durkan	Reuben A. Knoblauch	Gordon Sandison
Harry Elway, Jr.	George W. Kupka	William D. Shannon
Frank W. Foley	Ernest W. Lennart	Don L. Talley
F. Stuart Foster	Mike McCormack	Albert C. Thompson, Jr.
Herbert H. Freise	John T. McCutcheon	Nat Washington
Michael J. Gallagher	David E. McMillan	Perry B. Woodall
	Fred J. Martin	

JOHN A. CHERBERG, *Lieutenant Governor.*      WARD BOWDEN, *Secretary of the Senate.*

The President:

"Thank you.

"Ed, it is with the greatest pleasure that I join the members of the Senate and the Secretary in presenting to you on their behalf this particular tribute. The best of everything to you."

Mr. Guthman:

"Thank you, Mr. President, and thank you for the honor you have paid me and the Seattle Times."

The Sergeant-at-Arms escorted Mr. Guthman from the rostrum.

#### PRESIDENT'S PRIVILEGES

The President:

"The President would like to indicate to the members of the Senate and Ladies and Gentlemen that Senator Victor DeGarmo was responsible for the presence of our distinguished guest, the Soldier of the Month, Alfred Szymanski. I am sure that everyone in the Senate and gallery appreciates your thoughtfulness and kindness, Senator DeGarmo.

"Senator Al Henry has as his guests today, Mr. R. C. McGrew, Legion Commander of Carson, Washington, and Jim Hutcheson, Assistant Scout Master, along with fourteen of the finest scouts of the state of Washington, if not of the whole United States of America. These young men are of Troop 553. The President would like to have these guests please stand, along with Senator Henry, in order that you may be properly recognized.

"Thank you very much."

(Applause.)

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 3:

MR. PRESIDENT:      Senate Chamber,  
Olympia, Wash., January 25, 1961.

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 3, relating to counties, providing for purchasing departments and purchasing agents, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo,

Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 4:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 4, relating to counties; and amending section 2673, Code of 1881, . . . and RCW 36.32.120, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 16:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 16, authorizing cities to initiate annexation elections have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Al Henry, James E. Keefe, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 22:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 22, relating to county cumulative reserve funds have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 24:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 24, increasing honorarium of mayor and councilmen have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

## MOTION

On motion of Senator Greive, the portion of Rule 40 pertaining to smoking was suspended, without penalties.

**Senate Bill No. 29:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 29, relating to sanitary districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 37:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 37, relating to determination of the population of territory to be annexed to cities and towns, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 38:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 38, relating to the compilation, codification and revision of city and town ordinances, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway, Jr., Andy Hess, James E. Keefe, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 51:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 51, relating to budgets of taxing districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 52:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

**MR. PRESIDENT:**

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 52, providing procedures for the abolition of townships, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 59:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

**MR. PRESIDENT:**

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 59, amending powers of third class cities with respect to leasing of municipally owned real property, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Andy Hess, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 95:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

**MR. PRESIDENT:**

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 95, creating a joint legislative committee on urban area government, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 98:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

**MR. PRESIDENT:**

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 98, authorizing merger of certain water districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Andy Hess, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 100:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

**MR. PRESIDENT:**

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 100, authorizing recreational use of certain portions of streets,

alleys and roads, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 117:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., January 25, 1961.

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 117, modifying notice provisions for franchise on county roads and bridges, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 123:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., January 25, 1961.

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 123, permitting issuance of local improvement district installment notes in cities and towns, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Andy Hess, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 125:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., January 25, 1961.

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 125, relating to budgets in certain cities and towns, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Andy Hess, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 132:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., January 25, 1961.

We, your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 132, relating to blind made products, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard S. Bargreen, Frank Connor, John L. Cooney, David C. Cowen, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 185** (reported by Committee on Constitution, Elections and Legislative Processes):

Do pass as amended.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Andy Hess, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"At the Governor's request, the President should like to call to the attention of the members of the Senate and ladies and gentlemen, the presence of two illustrious and noted visitors from Paris, France, Mr. and Mrs. LeNormand.

"Would you please stand in order that the people in attendance may properly recognize you.

"Everyone joins me in hoping that you are enjoying your trip to Washington and especially to the state Capitol in Olympia, and that you will see fit to visit us again."

(Applause.)

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 26, 1961.

MR. PRESIDENT:

The House has passed House Bill No. 18; also

House Bill No. 45; also

House Bill No. 47; also

House Bill No. 53; also

House Bill No. 56; also

House Bill No. 67; also

House Bill No. 116; also

House Joint Memorial No. 2; also

House Joint Resolution No. 6, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 255**, by Senators Rasmussen, Donohue and DeGarmo:

An Act relating to counties and providing for county service areas.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 256**, by Senators Woodall, Happy and Foster:

An Act relating to intoxicating liquors; adding six new sections to chapter 62, Laws of 1933 extraordinary session, and to chapter 66.24 RCW; and prescribing penalties.

Referred to Committee on Liquor Control.

**Senate Bill No. 257**, by Senators Herrmann, Gissberg and Cooney:

An Act relating to insurance; amending section .18.20, chapter 79, Laws of 1947 and RCW 48.18.200.

Referred to Committee on Insurance.

**Senate Bill No. 258**, by Senators Kupka, Gissberg and Bailey:

An Act relating to revenue and taxation; and amending section 82.16.010, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 82.16.010.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 259**, by Senators Cowen, Ryder and Martin (by Insurance Commissioner request):

An Act relating to health care services and agreements pertaining thereto; defining terms; setting the amount of bond or deposit required; defining certain unfair practices; requiring certain filings with the insurance commissioner; requiring certain qualifications for registration; prescribing powers and duties of the insurance commissioner relating to registration and enforcement; declaring an emergency; amending section 1, chapter 268, Laws of 1947 and RCW 48.44.010; amending section 2, chapter 268, Laws of 1947 and RCW 48.44.020; amending section 3, chapter 268, Laws of 1947 and RCW 48.44.030; and adding fifteen new sections to chapter 268, Laws of 1947 and to chapter 48.44 RCW.

Referred to Committee on Insurance.

**Senate Bill No. 260**, by Senators Cooney, Herrmann and Gallagher:

An Act relating to public accounting; amending section 1, chapter 226, Laws of 1949 and RCW 18.04.020; amending section 3, chapter 226, Laws of 1949 and RCW 18.04.040; amending section 8, chapter 226, Laws of 1949 and RCW 18.04.090; amending section 11, chapter 226, Laws of 1949 and RCW 18.04.120; amending section 12, chapter 226, Laws of 1949 and RCW 18.04.130; amending section 13, chapter 226, Laws of 1949 and RCW 18.04.140; amending section 14, chapter 226, Laws of 1949 and RCW 18.04.150; amending section 20, chapter 226, Laws of 1949 and RCW 18.04.210; amending section 29, chapter 226, Laws of 1949 and RCW 18.04.300; amending section 39, chapter 226, Laws of 1949 and RCW 18.04.400; adding four new sections to chapter 226, Laws of 1949 and to chapter 18.04 RCW; and repealing section 4, chapter 226, Laws of 1949 and RCW 18.04.050.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 261**, by Senator Hess (by Departmental request):

An Act relating to assistance to blind students; and amending section 2, chapter 175, Laws of 1955, and RCW 28.76.140.

Referred to Committee on Education.

**Senate Bill No. 262**, by Senators Bargreen and Gissberg:

An Act relating to state and local participation in flood control; and amending section 4, chapter 240, Laws of 1951 and RCW 86.26.020.

Referred to Committee on Natural Resources.

**Senate Bill No. 263**, by Senators Kupka, Cooney and Gissberg:

An Act relating to barbers; amending section 1, chapter 75, Laws of 1923, as last amended by section 1, chapter 52, Laws of 1957, and RCW 18.15.010; amending section 2, chapter 75, Laws of 1923, as last amended by section 1, chapter 16, Laws of 1951, and RCW 18.15.020; amending section 6, chapter 75, Laws of 1923, as last amended by section 4, chapter 84, Laws of 1959, and RCW 18.15.050; amending section 2, chapter 75, Laws of 1923, as amended by section 9, chapter 211, Laws of 1927, and RCW 18.15.070; amending section 13, chapter 75, Laws of 1923, as last amended by section 4, chapter 16, Laws of 1951, and RCW 18.15.080; amending section 14, chapter 75, Laws of 1923, as

last amended by section 1, chapter 102, Laws of 1947, and RCW 18.15.090; amending section 5, chapter 75, Laws of 1923, as last amended by section 5, chapter 84, Laws of 1959, and RCW 18.15.100; and amending section 7, chapter 209, Laws of 1929, as last amended by section 6, chapter 84, Laws of 1959, and RCW 18.15.110.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 264**, by Senators Thompson, Jr. and Bailey:

An Act relating to public highways; and amending section 47.20.010, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.20.010.

Referred to Committee on Highways.

**Senate Bill No. 265**, by Senators Rasmussen, Morgan and Martin:

An Act relating to vivisection; and adding a new section to chapter 146, Laws of 1901, and to chapter 16.52 RCW; and providing a penalty.

Referred to Committee on Education.

**Senate Bill No. 266**, by Senators Hallauer, Durkan and Freise:

An Act relating to the taxation, valuation, and assessment of property; prescribing powers and duties of certain officers; prescribing penalties; and adding six new sections to chapter ....., Laws of 1961 (House Bill No. 6) and to chapter 84.40 RCW.

Referred to Committee on Ways and Means.

**Senate Bill No. 267**, by Senators Petrich and Dore:

An act relating to eminent domain.

Referred to Judiciary Committee.

**Senate Bill No. 268**, by Senators Petrich and Dore:

An Act relating to personal exemptions; and amending section 253, page 178, Laws of 1854, as last amended by section 1, page 96, Laws of 1886 and RCW 6.16.020.

Referred to Judiciary Committee.

**Senate Bill No. 269**, by Senators Petrich and Dore:

An Act relating to the exemption of wages, salary or other compensation from garnishment; and amending section 23, chapter 56, Laws of 1893, as last amended by section 1, chapter 287, Laws of 1927 and RCW 7.32.280.

Referred to Judiciary Committee.

**Senate Bill No. 270**, by Senators Hallauer and Lennart:

An Act relating to changing the designation of the state colleges of education; amending section 2, chapter 147, Laws of 1957 and RCW 28.81.010; and adding a new section to chapter 28.81 RCW.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 271**, by Senators Martin, Hallauer and Hanna:

An Act relating to public highways; amending section 47.16.160, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.16.160; amending section 47.20-.020, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.20.020; amending section 47.20.030, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.20.030; repealing sections 47.16.170 and 47.20.520, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.16.170 and 47.20.520; and declaring an effective date.

Referred to Committee on Highways.

**Senate Bill No. 272**, by Senators Petrich, Elway, Jr. and Talley:

An Act relating to state and local government; authorizing the attorney general to represent municipal corporations in the conduct of civil damage suits arising under the federal antitrust laws; establishing an account in the general fund; making an appropriation; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 273**, by Senators Woodall, Hanna and Dore:

An Act relating to the giving of proof of financial responsibility and security by owners and operators of motor vehicles; and amending section 46.28.040, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.28.040.

Referred to Judiciary Committee.

**Senate Bill No. 274**, by Senators Durkan, Greive and Herrmann:

An Act relating to state government; providing per diem allowance in lieu of subsistence for state officials and employees; and amending section 1, chapter 86, Laws of 1943, as last amended by section 1, chapter 194, Laws of 1959, and RCW 43.03.050.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 275**, by Senator McCormack (by Departmental request):

An Act relating to irrigation districts assessments; amending section 24, page 684, Laws of 1890, as last amended by section 3, chapter 171, Laws of 1939, and RCW 87.32.050; amending section 22, page 683, Laws of 1890, as last amended by section 1, chapter 157, Laws of 1941 and RCW 87.32.080; and declaring an emergency.

Referred to Committee on Natural Resources.

**Senate Joint Resolution No. 17**, by Senators Talley, Elway, Jr. and Henry:

Providing that the legislature provide revenues when it causes cities and towns to make expenditures.

Referred to Committee on Cities, Towns and Counties.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**House Bill No. 18**, by Representatives Wang and Nicholson:

An Act authorizing the relocation of harbor lines in Liberty Bay in Kitsap county.

Referred to Committee on Natural Resources.

**House Bill No. 45**, by Representatives Litchman, Jr., Uhlman and Shropshire (by Judicial Council request):

An Act relating to judges of the superior court; and amending section 11, page 343, Laws of 1890 and RCW 2.08.180.

Referred to Judiciary Committee.

**House Bill No. 47**, by Representatives Siler, Marsh and Pence (by Legislative Council request):

An Act relating to weather modification and control; amending section 2, chapter 245, Laws of 1957 and RCW 43.37.020; amending section 11, chapter 245, Laws of 1957 and RCW 43.37.110; amending section 12, chapter 245, Laws of 1957 and RCW 43.37.120; and amending section 14, chapter 245, Laws of 1957 and RCW 43.37.140.

Referred to Committee on Agriculture and Horticulture.

**POINT OF INQUIRY**

Senator Henry:

"Mr. President, may I again hear the title of House Bill No. 47?"

The Secretary read the title.

**MOTION**

On motion of Senator Henry House Bill No. 47 was referred from the Committee on Agriculture and Horticulture to the Committee on Natural Resources.

**House Bill No. 53**, by Representatives Marsh, Litchman, Jr. and Campbell (by Judicial Council request):

An Act relating to the fees of clerks of the superior courts; and amending section 5, chapter 51, Laws of 1951 and RCW 36.18.020.

Referred to Judiciary Committee.

**House Bill No. 56**, by Representatives Brouillet, Litchman, Jr. and Evans:

An Act relating to conditions and contracts of employment in school districts; providing for leaves of absence; amending section 2, chapter 68, Laws of 1955, and RCW 28.58.100; and repealing section 1, chapter 195, Laws of 1959, and RCW 28.58.430.

Referred to Committee on Education.

**House Bill No. 67**, by Representatives Litchman, Jr., Marsh and Harris (by Judicial Council request):

An Act relating to court commissioners; and amending section 1, chapter 124, Laws of 1909 and RCW 2.24.010.

Referred to Judiciary Committee.

**House Bill No. 116**, by Representatives Goldsworthy, Uhlman and Folsom:

An Act relating to the powers and duties of the board of regents of Washington State University; and adding a new section to chapter 28.80 RCW.

Referred to Committee on Higher Education and Libraries.

**House Joint Memorial No. 2**, by Representatives Goldmark, Bozarth and Hurley:

Memorializing Congress to issue stamp commemorating establishment of Fort Okanogan.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**House Joint Resolution No. 6**, by Representatives Litchman, Jr., Marsh and Shropshire (by Judicial Council request):

Authorizing certain judges to perform temporary judicial duties.

Referred to Judiciary Committee.

**MOTIONS**

On motion of Senator Hess the Senate reverted to the first order of business for the purpose of making a motion.

Senator Hess:

"I move that the rules be suspended and that Senate Bill No. 145 be referred from the Committee on Education to the Committee on Higher Education and Libraries."

The President:

"Senator Hess, would you please make a motion that the Committee on Education be relieved from further consideration on Senate Bill No. 145?"

Senator Hess:

"Mr. President, from my recollection, it has not been required that the rules be suspended. Personally, I think it not advisable to go through the manner in which I made the motion, but as the Secretary of the Senate made the recommendation, I deliberately phrased this motion in this manner.

"Having made the point, if the President wishes, I will phrase the question in the other way."

The President:

"Senator Hess, you are absolutely correct, but in the interest of more orderly and proper procedure, it would be advisable to make two motions. However, the President would like to point out that in order to do two things at the same time, it would take a suspension of the rules."

The President:

"For what purpose does Senator Greive arise?"

#### POINT OF ORDER

Senator Greive:

"I would like to explain the action taken on the motions made.

"The very reason why we have the procedure to discharge a committee from further consideration of a bill and then refer the bill to another, creates the situation that while we have a suspension of rules debate is excluded. If you move to suspend the rules and transfer a bill to another committee you are in order, but you can't debate the question. If you want a discussion, it must be done in two motions."

#### RULING OF THE PRESIDENT

The President:

"With the approval of the Senate, Senate Bill No. 145 will be referred to the Committee on Higher Education and Libraries."

#### MOTION

At 12:20 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 12:00 o'clock noon on Monday, January 30, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**TWENTY-SECOND DAY**


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**NOON SESSION**


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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, January 30, 1961.

The Senate was called to order at 12:00 o'clock noon by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Woodall.

On motion of Senator Ryder, Senator Woodall was excused.

The Color Guard, consisting of Pages Susan Hande, Color Bearer, and Tom Knoblauch, presented the Colors.

Reverend Teddy E. Turner, Minister of the First Christian Church of Olympia, offered prayer as follows:

"Let us pray.

"Our Father Who art in Heaven, Center and Soul of every sphere, yet to each human heart how near, enable us this day to so surrender our conscious life to Thy divinely revealed Will in Jesus Christ that our decisions, both in private and corporate life, may show forth an ever increasing awareness of the many splendors of Thy love, justice, and power.

"Grant that these men, the Senators of our beloved State, may be guarded by a peace in the deep recesses of their hearts which will pass understanding and misunderstanding. Grant, we beseech Thee, a sense of 'being called to such an hour as this' to hover over their hearts and emotions, and decisions. Save us all from a sense of bigness that would keep us from greatness in these grand and sublime days.

"O Lord God of Hosts, help us to remember today who we are: men and women bearing in our very being the image of Thy nature—Lest we forget. In the Name of Christ, Amen."

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate:

"This is Reverend Turner's first visit to the Senate Chamber. The President knows that you join in thanking him for his very fine invocation and hoping that he will return soon again."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PRESIDENT'S PRIVILEGE**

"Members of the Senate:

"The President hopes that each of you had the opportunity this morning to hear President Kennedy's 'State of the Union Message'. As promised, the message was brief, and as expected, it was to the point, sincere and forthright.

"The President is sure that you will agree that the objects of the plan outlined by the Chief Executive are the objects of us all. Though complete harmony may not exist among our views in how to attain these objects, it is clear to all, the President is sure, that immediate action is forthcoming in regard to foreign and domestic problems with which we are all concerned.

"The President is confident that in the heart of each of us, there is a silent prayer that the Chief Executive will carry the vigor and determination that was present in his address this morning, for the duration of his term."

**MOTION**

On motion of Senator Greive 1,500 additional copies of Senate Bills Nos. 148 and 149 were ordered printed.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 50** (reported by Committee on Agriculture and Horticulture):

Do pass as amended.

*DEWEY C. DONOHUE, Chairman.*

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Fred J. Martin, David E. McMillan, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

On motion of Senator Greive, the portion of Rule 40 pertaining to smoking was suspended.

**Senate Bill No. 58:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 58, providing assistance program for parolees and discharged prisoners, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

*FRED J. MARTIN, Chairman.*

We concur in this report: Joe Chytil, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Charles P. Moriarty, Jr., Frances Haddon Morgan.

**MOTION**

On motion of Senator Martin, Senate Bill No. 58 was referred to the Committee on Ways and Means.

**Senate Bill No. 60:**

Senate Chamber,  
Olympia, Wash., January 26, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred Senate Bill No. 60, increasing and eliminating certain supreme court fees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

*JOHN A. PETRICH, Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 61** (reported by Judiciary Committee):

Do pass as amended.

*JOHN A. PETRICH, Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 62** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 63:**

Senate Chamber,

MR. PRESIDENT: Olympia, Wash., January 26, 1961.

We, your Judiciary Committee, to whom was referred Senate Bill No. 63, providing for survival of actions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 67:**

Senate Chamber,

MR. PRESIDENT: Olympia, Wash., January 30, 1961.

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 67, relating to lowering the annual license fee of egg dealers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, Reuben A. Knoblauch, Fred J. Martin, Mike McCormack, David E. McMillan, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 84** (reported by Committee on Natural Resources):

Do pass as amended.

MIKE MCCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 140:**

Senate Chamber,

MR. PRESIDENT: Olympia, Wash., January 30, 1961.

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 140, relating to operation of controlled atmosphere storage warehouses, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, William A. Gissberg, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Fred J. Martin, David E. McMillan, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 194:**

Senate Chamber,

MR. PRESIDENT: Olympia, Wash., January 26, 1961.

We, your Committee on Natural Resources, to whom was referred Senate Bill

No. 194, relating to conveying certain lands to Benton county by the state of Washington, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 230:**

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 230, relating to honey and removing the requirement of state seal, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, William A. Gissberg, Reuben A. Knoblauch, Ernest W. Lennart, David E. McMillan, Fred J. Martin, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 24; also  
House Bill No. 44; also  
Engrossed House Bill No. 78; also  
House Bill No. 151; also  
House Bill No. 162; also  
House Joint Memorial No. 8, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 11, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 276**, by Senator Hess:

An Act relating to the state board of education; and amending section 4, page 235, Laws of 1909, and RCW 43.63.130.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 277**, by Senator Hallauer:

An Act relating to state government; providing for the administration of laws pertaining to taxation; establishing the department and director of revenue; establishing the board of tax appeals; abolishing the tax commission of the state of Washington and transferring the powers and duties thereof to the director of revenue and to the board of tax appeals; establishing procedures for review and providing for appeals from the board of tax appeals;

making and transferring appropriations; and amending section 82.32.190, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 82.32.190.

Referred to Committee on Ways and Means.

**Senate Bill No. 278**, by Senators Hallauer and Greive:

An Act relating to civil rights and the law against discrimination; amending section 1, chapter 183, Laws of 1949, as last amended by section 1, chapter 37, Laws of 1957 and RCW 49.60.010; amending section 3, chapter 183, Laws of 1949, as last amended by section 4, chapter 37, Laws of 1957 and RCW 49.60.040; and adding a new section to chapter 183, Laws of 1949 and to chapter 49.60 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 279**, by Senators Connor, Elway, Jr. and Gallagher:

An Act relating to trading stamps and premiums; repealing chapter 253, Laws of 1907 and RCW 19.84.010 through 19.84.040; repealing chapter 134, Laws of 1913, as last amended by chapter 221, Laws of 1957, and RCW 36.91-.010 through 36.91.050; and providing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 280**, by Senators Gissberg, Petrich and Elway, Jr.:

An Act authorizing public officials to supplement certain legal notices by radio and television broadcast; and amending sections 1, 2 and 3, chapter 119, Laws of 1951 and RCW 65.16.130, 65.16.140 and 65.16.150.

Referred to Judiciary Committee.

**Senate Bill No. 281**, by Senators Thompson, Jr., Chytil and Hallauer:

An Act relating to trading stamps; and repealing sections 1 through 4, chapter 253, Laws of 1907 and RCW 19.84.010 through 19.84.040; and repealing sections 1 through 4, chapter 134, Laws of 1913, as amended by section 1, chapter 31, Laws of 1939, and RCW 36.91.010 through 36.91.050.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 282**, by Senators Dore, Petrich and Martin:

An Act relating to discrimination in the disposition of human remains; amending section 3, chapter 183, Laws of 1949 as amended by section 4, chapter 37, Laws of 1957, and RCW 49.60.040; amending section 3, chapter 33, Laws of 1899 and RCW 68.20.110; and amending section 84.36.020, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 84.36.020.

Referred to Judiciary Committee.

**Senate Bill No. 283**, by Senators Talley, DeGarmo and Hanna:

An Act relating to city and town government; amending section 2, chapter 228, Laws of 1907, as last amended by section 1, chapter 86, Laws of 1953, and RCW 35.23.170; and amending section 5, chapter 55, Laws of 1955, section 2, chapter 365, Laws of 1955, and RCW 35.24.020.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 284**, by Senators Talley, Dore and Sandison:

An Act relating to local improvements in cities and towns and unpaid local improvement bonds and warrants issued in relation thereto.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 285**, by Senator Gissberg:

An Act relating to liens for contributions to employee benefit plans.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 286**, by Senators Talley, Henry and Raugust:

An Act relating to certain cities and towns; amending section 32, chapter 184, Laws of 1915 as amended by section 1, chapter 57, Laws of 1941, and RCW 35.24.040 and 35.24.170; and amending section 176, page 215, Laws of 1890 as amended by section 2, chapter 57, Laws of 1941, and RCW 35.27.150.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 287**, by Senators Hofmeister, Knoblauch and Lennart (by Departmental request):

An Act relating to horticultural plants; and providing penalties; and repealing sections 15.12.010 through 15.12.110, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.12.010 through 15.12.110.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 288**, by Senators Washington, Hofmeister and Raugust (by Highway Interim Committee request):

An Act relating to highways and acquisition of property therefor; authorizing the investment of state funds; amending section 6, chapter 274, Laws of 1955, and RCW 41.32.200; amending section 8, chapter 274, Laws of 1947, as last amended by section 1, chapter 220, Laws of 1955, and RCW 41.40.070; and amending section 51.44.100, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.44.100.

Referred to Committee on Highways.

**Senate Bill No. 289**, by Senators Gissberg, Cooney, Dore, Hallauer, Herrmann, Talley, Happy and Martin (by Executive request):

An Act relating to the state highway commission; amending section 47.01.020, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.01.020; amending section 47.01.030, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.01.030; and amending section 47.01.090, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.01.090.

Referred to Committee on Highways.

#### MOTION

It was moved by Senator Gissberg that the rules be suspended in order that more than three names may be listed as sponsors of Senate Bill No. 289. The motion carried.

**Senate Bill No. 290**, by Senators Hofmeister, Knoblauch and Talley:

An Act relating to motor vehicles; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 2) and chapter 46.64 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 291**, by Senators Greive and Hallauer:

An Act relating to real estate brokers, associate real estate brokers and real estate salesmen; and amending section 19, chapter 252, Laws of 1941, as last amended by section 12, chapter 235, Laws of 1953, and RCW 18.85.230.

Referred to Judiciary Committee.

**Senate Bill No. 292**, by Senators Washington and Sandison:

An Act relating to revenue and taxation; providing for the allocation of certain tax revenues; amending section 82.44.150, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 82.44.150; and amending section 46.68.030, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.68.030.

Referred to Committee on Ways and Means.

**Senate Bill No. 293**, by Senators Kupka, Durkan and Thompson, Jr.:

An Act providing for the licensing of certain contractors; prescribing procedures; providing penalties; and making an appropriation.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 294**, by Senators Hallauer, Thompson, Jr., Ryder and Hess (by request of Interim Committee on Education):

An Act relating to education; and declaring an emergency.

Referred to Committee on Education.

**MOTION**

On motion of Senator Hess, the rules were suspended in order that the names of more than three Senators be included as sponsors to Senate Bill No. 294.

**Senate Bill No. 295**, by Senators Thompson, Jr., Ryder, Hess and Sandison (by request of Interim Committee on Education):

An Act relating to school funds and the investment and reinvestment thereof; adding a new section to Title 28 RCW; and declaring an emergency.

Referred to Committee on Education.

**MOTION**

On motion of Senator Hess, the rules were suspended in order that the names of more than three Senators be included as sponsors to Senate Bill No. 295.

**Senate Bill No. 296**, by Senators Hess and Thompson, Jr. (by request of Interim Committee on Education):

An Act relating to education; and adding nine new sections to chapter 115, Laws of 1945, and to chapter 28.84 RCW; and repealing sections 1 through 15, chapter 146, Laws of 1941, section 1, chapter 63, Laws of 1943, section 5, chapter 115, Laws of 1945 and RCW 28.01.070, 28.84.010 through 28.84.110 and 28.84.160.

Referred to Committee on Higher Education and Libraries.

**Senate Joint Resolution No. 18**, by Senators Hess, Thompson, Jr., Sandison and Hallauer (by request of Interim Committee on Education):

Amending constitution to modify voting requirements for special levies.

Referred to Committee on Constitution, Elections and Legislative Processes.

**MOTION**

On motion of Senator Hess, the rules were suspended in order that the names of more than three Senators might appear as sponsors of Senate Joint Resolution No. 18.

**Senate Joint Resolution No. 19**, by Senators Papajani, McCormack and Dore:

Eliminating forty percent requirement for school elections.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 20**, by Senators Hofmeister, Talley and Papajani:

Permitting four year excess millage levies by school districts.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 21**, by Senators Petrich, Dore, Hess, Ryder, Thompson, Jr., Moriarty, Jr., Hallauer, Lennart, Shannon, Connor, Gallagher, Knoblauch and McCormack (by Executive request):

Repealing alien land law.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### MOTION

On motion of Senator Hallauer, the rules were suspended in order that the names of the sponsors, as read, may be entered as sponsors of Senate Joint Resolution No. 21.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Bill No. 24**, by Representatives Schaefer, Klein and Wintler:

An Act relating to public sale of personal property in possession of county sheriffs.

Referred to Judiciary Committee.

**House Bill No. 44**, by Representatives Bigley, Rickdall and Nicholson (by Legislative Council request):

An Act relating to parks and recreation; and amending section 2, chapter 149, Laws of 1921 as last amended by section 1, chapter 317, Laws of 1959, and RCW 43.51.040.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Engrossed House Bill No. 78**, by Representatives Epton, Copeland and Litchman, Jr. (by Legislative Council request):

An Act relating to prison terms and paroles; and amending sections 9 and 13, chapter 133, Laws of 1955 and RCW 9.95.080 and 9.95.120.

Referred to Committee on Public Institutions.

**House Bill No. 151**, by Representatives Siler, Epton and Pence (by Legislative Council request):

An Act authorizing the state department of agriculture to control rodents injurious to agriculture.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 162**, by Representatives Ackley, Gorton and Brink:

An Act relating to county officers, deputies and employees; enacting RCW 36.17.030 and 36.28.020; validating prior acts and proceedings; and declaring an emergency.

Referred to Judiciary Committee.

**House Joint Memorial No. 8**, by Representatives Beierlein and Evans:

Petitioning U. S. Congress not to reenact one cent gasoline tax for inter-state highways.

Referred to Committee on Highways.

**House Concurrent Resolution No. 11**, by Representatives Litchman, Jr., Schafer and Brink:

Relating to memorial services commemorating deceased members of the Legislature.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 11 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 11 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

#### MOTION

At 12:30 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Tuesday, January 31, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTY-THIRD DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, January 31, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Robert Lund, Color Bearer, and Susan Harris, presented the Colors.

Reverend Teddy E. Turner, Minister of the First Christian Church of Olympia, offered prayer as follows:

"Let us pray:

"O Thou, Who in times past hast led Thy people by signs and by seers, lead us today into a deeper understanding of Thy signs in history for our time and grant unto us courage and wisdom for the living of this hour.

"Grant that we, by our attitudes and actions, may lift the world and not merely lean upon it. Grant that we may be a public asset and not a public liability. Help us to each one sense a private call to leave, as best we may, the world a better place in which to rear little children and experience the riches of family living. Stab our consciences wide awake with the agony of the world in which we are set.

"Hear us now as we wait in Thy presence. Blusteringly we have entered this day. May this moment of somber reflection before Thee make us amenable to Thy grace that in quietness and confidence, as servants of the public good, we may do our work without panic or fear.

"In the name of Jesus Christ we pray, Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

#### SENATE RESOLUTION

By Senators McCormack, Washington and Raugust:

WHEREAS, The farmers of the Columbia Basin entered into a contract with the United States Department of the Interior in October 1945 providing for repayment for their land, for construction of irrigation canals, for the irrigation water they use, and for eight million dollars for installation of drainage facilities in the Columbia Basin; and

WHEREAS, These farmers have honorably met all their obligations under the terms of this contract since its inception; and

WHEREAS, Recent studies indicate that the cost of completion of the drainage system for that portion of the Columbia Basin presently receiving water has been underestimated by thirty-six million dollars; and

WHEREAS, This gross miscalculation was not the fault of the farmers; and

WHEREAS, The Bureau of Reclamation during recent years, has proposed that the farmers of the Columbia Basin renegotiate this contract with the Department of the Interior to the end that these farmers would be required to pay the entire thirty-six million dollars for this underestimated drainage system; and

WHEREAS, These farmers are among Washington's finest citizens, laboring long hours daily and living on meager and uncertain incomes; and

WHEREAS, Governor Albert D. Rosellini, Senators Warren G. Magnuson and Henry M. Jackson, and Conservation Director Earl Coe, as Chairman of the Columbia Basin Commission, have all urged that a two year moratorium be declared on all charges against Columbia Basin farmers for drainage construction;

*Now Therefore, Be It Resolved*, By the Senate of the state of Washington, That we join in requesting that President John F. Kennedy direct that this two year moratorium be now declared on all charges for drainage against the farmers of the Columbia Basin, thus allowing time for a complete study of this problem by Secretary of the Interior Stewart L. Udall and agencies under his direction; and

*Be It Further Resolved*, That we congratulate the farmers of the Columbia Basin not only for their labors and courage in converting the Columbia Basin from a desert to healthy productive farmland, but also for their calm persistence in the face of seemingly overwhelming obstacles, and for their faith in the ultimate fairness of the legal democratic processes under which we live; and

*Be It Further Resolved*, That copies of this resolution be transmitted by the Secretary of the Senate to the Honorable John F. Kennedy, President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives, to the Secretary of the Interior Stewart L. Udall, and to each member of Congress from the state of Washington.

#### MOTION

It was moved by Senator McCormack that the resolution be adopted.

#### PERSONAL PRIVILEGE

Senator McCormack:

"Mr. President, this has been my first speech on the floor, and at this time I would like to request that the rules be suspended and the portion of Rule 40 pertaining to smoking be suspended, and the Sergeant-at-Arms be directed to provide each member with a cigar."

The President:

"Thank you. That portion of Rule 40 pertaining to smoking will be suspended, with penalties."

Debate ensued.

The President stated the question before the Senate to be the adoption of the resolution.

The motion carried and the resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"Gentlemen of the Senate and Senator Morgan:

"The President wishes to call your attention to the presence of a very attractive, talented and studious delegation of one hundred and thirty girls from Annie Wright Seminary of Tacoma, Washington. The young students are here to engage in a study of the legislation of the state of Washington, under the supervision of Josephine Fry, History Instructor.

"I would like to ask you to stand, along with Senator Petrich, in order that the members of the Senate may properly recognize you.

"Thank you for coming. The members of the Senate, the Secretarial staff and the President hope that you enjoy your visit."

(Applause.)

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 42:

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 42, relating to municipal corporations; prescribing certain additional powers of water districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., John H. Happy, Al Henry, Andy Hess, George W. Kupka, Homer O. Nunamaker, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 85:

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 85, authorizing county commissioners to transfer surplus public health funds to public hospital districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., John H. Happy, Al Henry, Andy Hess, George W. Kupka, Homer O. Nunamaker, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 89:

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 89, making uniform the law relating to yielding the right of way on left turns at intersections, have had the same under consideration, and was respectfully report the same back to the Senate with the recommendation that it do pass.

NAT W. WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 90:

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, a majority of your committee on Highways, to whom was referred Senate Bill No. 90, repealing present procedural section regarding visually defective persons

seeking motor vehicle operators licenses, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT W. WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 91:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 91, removing thirty-five mile an hour limitation at intersections when on certain arterial highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT W. WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 114:**

Senate Chamber,  
Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 114, permitting port districts to provide fire protection for airports and exempting it from tort liability while so doing, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Mike McCormick, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, Edward F. Riley, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 133:**

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 133, raising contributions to volunteer firemen's relief and pensions fund, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., John H. Happy, Al Henry, George W. Kupka, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 134:**

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 134, modifying provisions of volunteer firemen's relief and pension act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., John H. Happy, Al Henry, George W. Kupka, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 166:**

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 166, eliminating vote requirement for town park land purchase, have had the same under consideration and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., John H. Happy, Al Henry, Andy Hess, George W. Kupka, Homer O. Nunamaker, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 179:**

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 179, increasing county travel expense, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., John H. Happy, Al Henry, Andy Hess, George W. Kupka, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 210:**

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 210, relating to part time third class city engineers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., John H. Happy, Al Henry, Andy Hess, George W. Kupka, Homer O. Nunamaker, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 214:**

Senate Chamber,  
Olympia Wash., January 30, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 214, enacting drivers' license compact, have had the same under consider-

ation, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT W. WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 219:**

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 219, modifying provisions of motor vehicle excise fund relating to allotments therefrom to University of Washington bureau of governmental research, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, George W. Kupka, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, January 31, 1961.

To the Honorable,

*The Senate and the House of Representatives  
Of the State of Washington:*

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith the reprieve granted since the adjournment of the Legislature of the 1959 Extraordinary Session.

**REPRIEVE—PENITENTIARY**

John Herbert Bonner—Sentenced February 5, 1958, from King County, to be executed on November 6, 1959, for the crime of Murder in the First Degree. Thirty (30) day reprieve granted on November 4, 1959, beginning November 4, 1959, to permit further investigation of the case.

Respectfully submitted,  
ALBERT D. ROSELLINI,  
*Governor*.

State of Washington, Executive Department,  
Olympia, January 31, 1961.

To the Honorable, *The Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I have the honor to submit herewith a list of appointments, subject to your confirmation, made by me since the adjournment of the Legislature of the 1959 Extraordinary Session:

Respectfully submitted,  
ALBERT D. ROSELLINI,  
*Governor*.

**GOVERNATORIAL APPOINTMENTS**

The following appointments by the Governor were acted upon as indicated:

**WASHINGTON STATE AERONAUTICS COMMISSION**

J. DONALD SULLIVAN, Seattle, appointed June 24, 1959, effective June 24, 1959, for the term ending December 31, 1963, succeeding himself, term expired.

BENJAMIN F. SMITH, Kent, appointed January 24, 1961, effective January 24, 1961, for the term ending December 31, 1963, succeeding himself, term expired.

DEWITT C. ROWLAND, Tacoma, appointed January 24, 1961, effective January 24, 1961, for the term ending December 31, 1964, succeeding H. R. Nichols, term expired.

ROBERT L. GREENHALGH, Snohomish, appointed January 24, 1961, effective January 24, 1961, for the term ending December 31, 1965, succeeding himself, term expired.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**STATE PUBLIC ASSISTANCE ADVISORY COMMITTEE**

FRED C. ASHLEY, Colville, appointed October 1, 1959, effective October 1, 1959, for the term ending June 10, 1963, succeeding Stephen F. Bayne, Jr., resigned.

Referred to Committee on Social Security.

**STATE PARKS AND RECREATION COMMISSION**

TED R. MCTIGHE, Spokane, appointed January 26, 1961, effective January 26, 1961, for the term ending December 31, 1966, succeeding Frank Warren, term expired.

JAMES B. HOVIS, Yakima, appointed January 26, 1961, effective January 26, 1961, for the term ending December 31, 1966, succeeding Lyman J. Bunting, term expired.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**STATE PERSONNEL BOARD**

PAUL COUGHLIN, Seattle, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1963.

JOHN T. CONLIN, Tacoma, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1965.

CHESTER W. RAMAGE, Seattle, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1967.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**BOARD OF PRISON TERMS AND PAROLES**

HELEN C. SHANK, Seattle, appointed March 18, 1960, effective March 21, 1960, for the term ending April 15, 1964, succeeding James D. Skaggs, resigned.

H. J. LAWRENCE, Seattle, appointed January 26, 1961, effective February 1, 1961, for the term ending April 15, 1965, succeeding John D. Lillywhite, term expired.

Referred to Committee on Public Institutions.

**WASHINGTON PUBLIC SERVICE COMMISSION**

DAYTON A. WITTEN, Auburn, appointed December 28, 1960, effective January 1, 1961, for the term ending January 1, 1965.

PATRICK D. SUTHERLAND, Seattle, appointed December 28, 1960, effective January 1, 1961, for the term ending January 1, 1967.

**CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

It was moved by Senator Woodall that the rules be suspended and the appointments of Dayton A. Witten and Patrick D. Sutherland to the Washington Public Service Commission be now confirmed by the Senate.

**PERSONAL PRIVILEGE**

Senator Greive:

"I would like to indicate the whole-hearted approval of that non-partisan motion

of our good Senator Woodall. I want to merely point out that both of these persons have served in this body and that is the purpose of the motion."

The motion carried.

#### APPOINTMENT OF DAYTON A. WITTEN

The Secretary called the roll and the appointment of Dayton A. Witten to the Washington Public Service Commission was confirmed by the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowan, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington Woodall—48.

Those absent or not voting were: Senator Elway, Jr.—1.

Having received the unanimous approval of the Senate, the appointment of Dayton A. Witten to the Washington Public Service Commission was confirmed.

#### APPOINTMENT OF PATRICK D. SUTHERLAND

The Secretary called the roll and the appointment of Patrick D. Sutherland to the Washington Public Service Commission was confirmed by the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—48.

Those absent or not voting were: Senator Talley—1.

Having received the unanimous approval of the Senate, the appointment of Patrick D. Sutherland to the Washington Public Service Commission was confirmed.

#### PRESIDENT'S PRIVILEGE

"Members of the Senate:

"I know you would like to know that our ever-thoughtful Secretary has tried to locate the two gentlemen from the Public Service Commission to have them appear before us to receive the good news, but they both seem to be out of town. Perhaps at a later date we could have them before the body and perhaps we might even get them to suspend that portion of Rule 40 pertaining to smoking, with penalties."

#### STATE TAX COMMISSION

ALFRED E. HANKINS, Olympia, appointed November 19, 1959, effective November 19, 1959, for the term ending January 31, 1963, succeeding Charles W. Hodde resigned.

Referred to Committee on Ways and Means.

#### WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION

CHARLES E. ODEGAARD, Seattle, appointed October 6, 1959, effective October 6, 1959, for the term ending June 9, 1963, succeeding himself, term expired.

Referred to Committee on Higher Education and Libraries.

BOARD OF TRUSTEES  
CENTRAL WASHINGTON COLLEGE OF EDUCATION

SELMA THERRIAULT, Ephrata, appointed July 1, 1959, effective July 1, 1959, for the term ending June 26, 1960, succeeding Bernardines K. Frick, deceased. Reappointed January 17, 1961, effective January 17, 1961, for the term ending June 26, 1966.

MARY ELLEN DAVIS, Kirkland, appointed February 26, 1960, effective February 26, 1960, for the term ending June 26, 1962, succeeding Herbert Legg, resigned.

Referred to Committee on Higher Education and Libraries.

BOARD OF TRUSTEES OF  
EASTERN WASHINGTON COLLEGE OF EDUCATION

MARJORIE TANKE, Harrington, appointed August 17, 1960, effective August 17, 1960, for the term ending July 29, 1966, succeeding Hazel Laughbon, term expired.

Referred to Committee on Higher Education and Libraries.

BOARD OF TRUSTEES OF  
WESTERN WASHINGTON COLLEGE OF EDUCATION

STEPHEN L. CHASE, Everett, appointed June 15, 1959, effective June 15, 1959, for the term ending June 12, 1965, succeeding Donald D. Eldridge, term expired.

Referred to Committee on Higher Education and Libraries.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 12; also  
House Bill No. 17; also  
House Bill No. 39; also  
Engrossed House Bill No. 71; also  
Engrossed House Bill No. 85; also  
House Bill No. 87; also  
House Bill No. 128; also  
House Bill No. 155; also  
House Bill No. 156; also  
House Bill No. 173; also  
House Bill No. 190 and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 297**, by Senators Henry, Greive and Chytill:

An Act relating to and regulating the conduct and discipline of optometrists; repealing section 12, chapter 144, Laws of 1919 and RCW 18.53.110; and providing penalties.

Referred to Committee on Medicine and Dentistry.

**Senate Bill No. 298**, by Senators McCutcheon and Talley:

An Act relating to cities and towns; establishing municipal courts; and providing rules of practice and procedure therein.

Referred to Judiciary Committee.

**Senate Bill No. 299**, by Senators Henry, Foley and Raugust:

An Act relating to fourth class cities and towns; and amending section 5, chapter 319, Laws of 1955 and RCW 35.01.040.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 300**, by Senators Henry, Foley and Talley:

An Act relating to highways; and amending section 47.20.090, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.20.090.

Referred to Committee on Highways.

**Senate Bill No. 301**, by Senators Greive, Foster and Rasmussen (by Executive request):

An Act relating to state government; amending section 1, chapter 340, Laws of 1955, and RCW 43.03.028; amending section 1, chapter 224, Laws of 1937, as last amended by section 2, chapter 340, Laws of 1955, and RCW 43.03.040; amending section 3, chapter 340, Laws of 1955, and RCW 43.41.010; amending section 80.01.010, chapter ....., Laws of 1961 (House Bill No. 5), and RCW 80.01.010; amending section 3, chapter 97, Laws of 1933, as last amended by section 12, chapter 340, Laws of 1955, and RCW 43.78.070; amending section 3, chapter 215, Laws of 1957, and RCW 43.31.030; amending section 63, chapter 62, Laws of 1933, extraordinary session, as last amended by section 8, chapter 5, Laws of 1949, and RCW 43.66.010; amending section 51.52.010, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.52.010; amending section 77.04.060, chapter 36, Laws of 1955, as amended by section 1, chapter 352, Laws of 1955, and RCW 77.04.060; amending section 12, chapter 247, Laws of 1951, as amended by section 31, chapter 172, Laws of 1957, and RCW 43.27.180; amending section 4, chapter 165, Laws of 1947, and RCW 14.04.040; amending section 5, chapter 271, Laws of 1947, as amended by section 3, chapter 391, Laws of 1955, and RCW 43.51.060; and amending section 2, chapter 110, Laws of 1947, and RCW 43.61.020.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 302**, by Senators Thompson, Jr. and Dore:

An Act relating to water districts and the use of fluorides in the water supplies; and adding two new sections to chapter 57.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**POINT OF INQUIRY**

Senator Thompson:

"Mr. President, perhaps this bill should be referred to Committee on Medicine and Dentistry. It does deal with the Department of Health."

Senator Talley:

"I am very much in accord with Senator Thompson. I don't want anything to do with the chlorination of water in my committee."

With the approval of the Senate, Senate Bill No. 302 was referred to the Committee on Medicine and Dentistry.

**Senate Bill No. 303**, by Senators Henry, Foley and Ryder (by Departmental request):

An Act relating to industrial insurance, and adding a new section to chapter ....., Laws of 1961 (House Bill No. 4), and to chapter 51.36 RCW.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 304**, by Senators Cooney, Happy and McMillan:

An Act relating to highways; and amending section 47.20.220, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.20.220.

Referred to Committee on Highways.

**Senate Bill No. 305**, by Senators Donohue, Raugust and Henry:

An Act establishing the state wheat commission; providing for an assessment to be laid upon wheat; prescribing penalties; specifying circumstances of taking effect; and declaring an emergency.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 306**, by Senators Dore, Gallagher and Durkan:

An Act relating to firearms; amending section 1, chapter 172, Laws of 1935 and RCW 9.41.010; amending section 2, chapter 172, Laws of 1935 and RCW 9.41.020; amending section 4, chapter 172, Laws of 1935 and RCW 9.41.040; amending section 5, chapter 172, Laws of 1935 and RCW 9.41.050; amending section 6, chapter 172, Laws of 1935 and RCW 9.41.060; amending section 7, chapter 172, Laws of 1935 and RCW 9.41.070; amending section 9, chapter 172, Laws of 1935 and RCW 9.41.090; amending section 11, chapter 172, Laws of 1935 and RCW 9.41.110; amending section 12, chapter 172, Laws of 1935 and RCW 9.41.120; amending section 14, chapter 172, Laws of 1935 and RCW 9.41.140; amending section 15, chapter 172, Laws of 1935 and RCW 9.41.150; amending section 16, chapter 172, Laws of 1935 and RCW 9.41.160; and defining crimes and prescribing penalties.

Referred to Judiciary Committee.

**MOTION**

On motion of Senator Dore, 600 additional copies of Senate Bill No. 306 were ordered printed.

**Senate Bill No. 307**, by Senators McCormack and Henry:

An Act relating to civil service in certain local governmental departments; amending section 7, chapter 13, Laws of 1937 and RCW 41.12.070; and amending section 7, chapter 31, Laws of 1935 and RCW 41.08.070.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 308**, by Senators Bargreen and Lennart:

An Act relating to vehicles and the operation thereof upon public highways; granting the blind and partially blind the right of way under certain conditions; making it unlawful for the misuse of certain canes and walking sticks; amending section 46.60.260, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.60.260; and amending section 46.60.270, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.60.270.

Referred to Committee on Highways.

**Senate Bill No. 309**, by Senators Martin and Nunamaker:

An Act relating to food fish and shellfish; and amending section 75.12.010, chapter 12, Laws of 1955 and RCW 75.12.010.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 310**, by Senators Durkan, Ryder and Riley:

An Act relating to revenue and taxation; amending section 82.12.020, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 82.12.020; and amending section 82.12.030, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 82.12.030.

Referred to Committee on Ways and Means.

**Senate Bill No. 311**, by Senators Hallauer, Gissberg and Foster (by Departmental request):

An Act relating to agricultural products; amending section 1, chapter 139,

Laws of 1959 and RCW 20.01.010; amending section 17, chapter 139, Laws of 1959 and RCW 20.01.170; amending section 33, chapter 139, Laws of 1959 and RCW 20.01.330; amending section 37, chapter 139, Laws of 1959 and RCW 20.01.370; amending section 38, chapter 139, Laws of 1959 and RCW 20.01.380; and repealing and reenacting section 21, chapter 139, Laws of 1959 and RCW 20.01.210; and adding one new section to chapter 139, Laws of 1959 and to chapter 20.01 RCW.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 312**, by Senators McMillan, Raugust and Chytil (by Departmental request):

An Act relating to public livestock markets; amending section 1, chapter 107, Laws of 1959 and RCW 16.65.010; amending section 3, chapter 107, Laws of 1959 and RCW 16.65.030; amending section 8, chapter 107, Laws of 1959 and RCW 16.65.080; repealing and reenacting section 20, chapter 107, Laws of 1959 and RCW 16.65.200; amending section 40, chapter 107, Laws of 1959 and RCW 16.65.400; repealing and reenacting section 42, chapter 107, Laws of 1959 and RCW 16.65.420; adding two new sections to chapter 16.65 RCW; and declaring an emergency.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 313**, by Senators Henry, Washington, Sandison and Raugust (by Highway Interim Committee request):

An Act relating to motor vehicles; amending section 46.56.010, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.56.010; and providing an effective date.

Referred to Committee on Highways.

#### MOTION

On motion of Senator Henry, the rules were suspended and more than three sponsors were permitted on Senate Bill No. 313.

**Senate Bill No. 314**, by Senators Hanna, Knoblauch and Neill:

An Act relating to the Washington state teachers' retirement system; providing for the investment of funds; amending section 20, chapter 80, Laws of 1947 as amended by section 6, chapter 274, Laws of 1955 and RCW 41.32.200; adding three new sections to chapter 80, Laws of 1947 and to chapter 41.32 RCW; and repealing section 1, chapter 91, Laws of 1959 and RCW 41.32.205.

Referred to Committee on Education.

**Senate Bill No. 315**, by Senators Papajani, Bailey and Riley (by Insurance Commissioner request):

An Act relating to insurance rates; amending section .19.05, chapter 79, Laws of 1947, as amended by section 13, chapter 193, Laws of 1957, and RCW 48.19.050; amending section .19.14, chapter 79, Laws of 1947 and RCW 48.19.140; amending section .19.21, chapter 79, Laws of 1947 and RCW 48.19.210; amending section .19.28, chapter 79, Laws of 1947, as amended by section 14, chapter 193, Laws of 1957, and RCW 48.19.280; amending section .19.29, chapter 79, Laws of 1947 and RCW 48.19.290; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.19 RCW.

Referred to Committee on Insurance.

**Senate Bill No. 316**, by Senator Gissberg:

An Act relating to the sale of water by any city or town outside of its

boundaries; amending section 1, chapter 12, Laws of 1917, as last amended by section 8, chapter 288, Laws of 1957 and RCW 80.40.200.

Referred to Committee on Cities, Towns and Counties.

**MOTION**

On motion of Senator Gissberg, the name of Senator Bargreen was added as a sponsor of Senate Bill No. 316.

**Senate Joint Memorial No. 12**, by Senator Hanna:

Relating to navigation channel from McNary Pool to Rock Island Dam.

Referred to Committee on Natural Resources.

**Senate Joint Memorial No. 13**, by Senators Sandison and Gissberg:

Relating to a new highway from LaPush to Neah Bay.

Referred to Committee on Highways.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**House Bill No. 12**, by Representatives Litchman, Jr., Bergh and Pritchard:

An Act relating to minors and parents thereof.

Referred to Judiciary Committee.

**House Bill No. 17**, by Representatives Campbell, Uhlman and England:

An Act relating to sexual psychopaths and psychopathic delinquents; defining terms; defining a crime and prescribing a penalty; amending section 71.06.010, chapter 25, Laws of 1959 and RCW 71.06.010; and adding a new section to chapter 249, Laws of 1909 and to chapter 9.79 RCW.

Referred to Judiciary Committee.

**House Bill No. 39**, by Representatives Bigley, Rickdall and Adams (by Legislative Council request):

An Act relating to the assignment of concessions, franchises, leases and easements granted by the parks and recreation commission; and adding a new section to chapter 43.51 RCW.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Engrossed House Bill No. 71**, by Representatives Hurley, Swayze and Holmes:

An Act relating to the registration of voters; and amending section 20, chapter 1, Laws of 1933 and RCW 29.10.090; and amending section 21, chapter 1, Laws of 1933, as last amended by section 5, chapter 68, Laws of 1947, and RCW 29.10.110.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Engrossed House Bill No. 85**, by Representatives Taylor, Juelling and Henry:

An Act relating to city ordinances and the posting and publication thereof; providing for the adoption by reference in ordinances of printed codes and compilations, rules and regulations; and amending section 1, chapter 32, Laws of 1935 as amended by section 1, chapter 213, Laws of 1943, and RCW 35.21.180.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 87**, by Representatives Bernethy, King and Wintler (by Departmental request):

An Act relating to access to public and state forest lands; authorizing the

acquisition of access; providing for means of facilitating acquisition and for disposal of access; authorizing use of access by specified persons subject to reasonable conditions; authorizing the department of natural resources to create, maintain and administer an access road revolving fund; providing for reimbursement of costs for acquisition of access; and declaring an emergency.

Referred to Committee on Natural Resources.

**House Bill No. 128**, by Representatives Rickdall, Marsh and Backstrom (by Legislative Council request):

An Act relating to safe deposit boxes; and repealing chapter 274, Laws of 1957 and RCW 22.28.100 through 22.28.150.

Referred to Committee on Ways and Means.

**House Bill No. 155**, by Representatives Shropshire, Johnston and Marsh:

An Act relating to probate law and procedure; and amending section 103, chapter 156, Laws of 1917, as last amended by section 4, chapter 264, Laws of 1951 and RCW 11.52.014; amending section 63, chapter 156, Laws of 1917 and RCW 11.28.130; amending section 129, chapter 156, Laws of 1917 and RCW 11.56.080; amending section 127, chapter 156, Laws of 1917 and RCW 11.56.060.

Referred to Judiciary Committee.

**House Bill No. 156**, by Representatives Moos and Bozarth:

An Act relating to cooperative associations; amending section 2, chapter 19, Laws of 1913 and RCW 23.86.050; and amending section 6, chapter 19, Laws of 1913 and RCW 23.86.090.

Referred to Judiciary Committee.

**House Bill No. 173**, by Representatives Olsen, Smith and Gorton:

An Act relating to the militia; and providing for the use of certain state armories; and declaring an emergency.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**House Bill No. 190**, by Representatives Olsen, Testu and Mahaffey:

An Act relating to world fairs or expositions and the participation of the political subdivisions and municipal corporations of the state therein; authorizing the acquisition and disposal of real or personal property by purchase, lease, or otherwise; authorizing the construction, improvement, maintenance, equipping, and disposal of buildings or other structures; declaring a purpose; authorizing appropriations be made; providing financing procedure; and declaring an emergency.

Referred to Committee on State Government, Military Affairs and Civil Defense.

#### SECOND READING OF BILLS

**Senate Bill No. 18**, by Senators Gallagher and McCutcheon:

Relating to election recount procedure.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 18 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 18, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—48.

Those absent or not voting were: Senator Cooney—1.

Senate Bill No. 18, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 173**, by Senators Rasmussen, Kupka, Hallauer and Gissberg: Removing state auditor from agencies he is required to audit.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 173 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The Secretary called the roll on the final passage of Senate Bill No. 173, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—49.

Senate Bill No. 173, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 95**, by Senators Hess, Elway, Jr., and Greive:

Creating a joint legislative committee on urban area government.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended and the Senate did not resolve itself into a Committee of the Whole.

On motion of Senator Greive the following amendment was adopted:

In new section 2, page 1, lines 17 and 18, after "during" delete the following: "regular or extraordinary sessions of the legislature, or during any recess thereof, or during"

On motion of Senator Hess, the following amendment was adopted:

In new section 7, page 2, line 29, after "create" strike the remainder of lines 29 and 30 and insert the following: "citizen advisory subcommittees, the members of which shall include residents of"

#### POINT OF INQUIRY

Senator Elway:

"Senator Hess, will you yield to a question?"

Senator Hess:

"I will."

Senator Elway:

"Senator Hess, with reference to the proposals as described here, is it not the intention of this amendment to form a subcommittee which will disallow cities of less than 50,000 population from having an equal voice?"

Senator Hess:

"The purpose of the amendment is to allow sufficient flexibility so that small cities might be represented."

On motion of Senator Greive, the following amendment was adopted:

Beginning on line 28, page 4, strike all of new section 17, and renumber remaining new section 18 to read new section 17.

On motion of Senator Greive, the following amendment was adopted:

In new section 18, renumbered new section 17, page 5, line 2, strike "immediately." and insert the following: "on April 1, 1961: *Provided*, That the members of the committee shall be appointed or elected as provided in section 3 of this act prior to the end of the thirty-seventh regular session of the legislature."

On motion of Senator Riley, the following amendment was adopted:

In new section 15, page 4, line 16, after "by" and before ", 1962" strike "July" and insert "September"

On motion of Senator Greive, the following amendment to the title was adopted:

In line 6 of the title, strike "making an appropriation;"

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 95 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Bargreen:

"Will you yield to a question, Senator Hess?"

Senator Hess:

"Yes, I will."

Senator Bargreen:

"What would be the advantage of creating this special committee, which would mean additional staff members and expense, over having the same study undertaken by the Legislative Council who have the facilities and staff available?"

Senator Hess:

"The main advantage in having a separate committee created to make this study is that the sponsors of this legislation feel that it allows these legislators to concentrate solely on this study. It allows the staff to be picked because of their particular background for this type of study. It would give the opportunity to involve many interested citizens to be part of the citizens advisory committee. I think this structure is more advisable."

#### POINT OF INQUIRY

Senator Bargreen:

"I would like to ask an additional question.

"Senator Hess, we have a subcommittee of the Legislative Council which is set up to do this work. Is it your thinking that our Legislative Council during this next interim will more or less release their responsibilities and there will not be a duplication of effort?"

Senator Hess:

"I think that the provisions of this bill call for close coordination and cooperation. On pages 12 and 13, it calls for very close liaison with the Legislative Council, and I would rather imagine that the work of this Legislative Council would involve many other areas that this special committee would not want to go into."

Senator Bargreen:

"Further question.

"Senator Hess, having headed a special interim committee on education which before that time was handled by a subcommittee, is it not a fact that you more or less took over the duties which were previously handled by the Subcommittee on Education of the Legislative Council?"

Senator Hess:

"I think the Legislative Council still had a great deal to do. Our study was in much more detail and involved a specific type of study. Their duties continued in the more or less normal and regular way."

Debate ensued.

#### POINT OF INQUIRY

Senator Hanna:

"Will Senator Hess yield to a question?"

Senator Hess:

"I will."

Senator Hanna:

"There have been some comments made by Senators Bargreen and Durkan about the possibility of duplication by this committee. Will this committee promote a duplication of study with the Bureau of Governmental Research?"

Senator Hess:

"I question duplication in this agency."

Senator Hanna:

"The reason I am interested, a number of days ago I introduced Senate Bill No. 219 asking for more money. Cannot this Bureau take up many of these questions?"

Senator Hess:

"Again, I think the Bureau of Governmental Research has an important role to play, but I think we are proposing as a legislative body, a study of these matters and the Legislature should be primarily responsible to study these facts. I think it is proper that the Legislature not abdicate its authority and responsibility to some other agency. It is their responsibility to study these laws and make recommendations.

"I think we have not given enough thought to the working relationships of outsiders. The real solution should be of our own making and I think we have only to look to the past to see the results of handing these responsibilities to outside committees. What has been done in the last ten years on these problems? I think it is our only recourse, to make a more concentrated, undivided study of these types of problems. I believe the Legislative Council has too many subjects to make a concentrated study."

Senator Hanna:

"Do you feel that this advisory committee would make a coordinated effort and would they have any contact through the two agencies, Association of Washington Cities and Bureau of Governmental Research, in arriving at some solution?"

Senator Hess:

"It would be quite certain that the contact would be close and there would be many areas in which they would coordinate."

Debate ensued.

Senator Greive demanded the previous question, and the demand was sustained by Senators Freise, Riley and Elway.

The President stated the question before the Senate to be, shall the main question be now put, and the previous question was ordered.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 95, and the bill passed the Senate by the following vote: Yeas, 36; nays, 12; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Moriarty, Jr., Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—36.

Those voting nay were: Senators Bargreen, Donohue, Durkan, Foley, Happy, Lennart, McMillan, Neill, Nunamaker, Papajani, Petrich, Rasmussen—12.

Those absent or not voting were: Senator McCutcheon—1.

Engrossed Senate Bill No. 95, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Gallagher:

"I would like to explain my vote. I am hoping that the committee will see fit to study the Justice Courts system during the next two years."

Senator Woodall:

"Once again, on a rare occasion I have to concur with Senator Gallagher!"

#### PRESIDENT'S PRIVILEGE

The President announced the presence in the gallery of a group of students from St. Joseph's School in Vancouver, and asked Senator Foley to please stand and be recognized with the group. Sister Eileen and Sister Theresa Frances accompanied the group.

#### MOTION

At 12:40 o'clock p. m., on motion of Senator Greive, the Senate recessed until 1:40 o'clock p. m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:40 o'clock p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Ryder and Talley.

On motion of Senator Happy, Senator Ryder was excused.

#### MOTION

Senator Knoblauch:

"I would like to make a motion before the Senate at this time. I think a new Senator always has to suspend the portion of Rule 40 pertaining to smoking, and I think this one can afford to do it." (Joe Gluck was seated in Senator Cowen's chair.)

The President:

"I think 'Senator' Gluck should be asked to do that."

"Senator" Gluck:

"I shall give 100 cigars to the Senate. That will be two each instead of one."

The President:

"Thank-you, Mr. Double-Day."

Senator Papajani:

"I don't smoke. Would you just pass the diamonds, instead!"

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 11, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

**The President signed: House Concurrent Resolution No. 11.**

**SECOND READING OF BILLS**

**Senate Joint Resolution No. 1**, by Senators Gissberg and Dore:

Joint resolution to ratify proposed amendment to U. S. Constitution regarding elections in the District of Columbia.

The resolution was read the second time in full.

On motion of Senator Gissberg, the rules were suspended, Senate Joint Resolution No. 1 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 1, and the resolution passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Raugust, Riley, Sandison, Shannon, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Nunamaker, Rasmussen, Ryder, Talley—4.

Senate Joint Resolution No. 1, having received the constitutional majority, was declared passed.

**Senate Bill No. 37**, by Senators Talley, Chytil and Knoblauch:

Amending procedure for determination of population of territory annexed to cities and towns.

The bill was read the second time by sections.

On motion of Senator Chytil, the rules were suspended, Senate Bill No. 37 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 37, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley,

Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Thompson, Jr., Washington, Woodall—47.

Those absent or not voting were: Senators Ryder, Talley—2.

Senate Bill No. 37, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Senator Chytil:

"I think this was a calendar measure for Senator Talley. As he is off the floor, if you will allow me to suspend the portion of Rule 40 pertaining to smoking, I would like to do this, for him, with penalties."

In the absence of Senator Talley, Rule 40 was suspended with penalties by Senator Chytil in his favor.

#### PERSONAL PRIVILEGE

Senator Henry announced the cigars being passed were through the courtesy of Joe Gluck.

**Senate Bill No. 67**, by Senator Hallauer:

Relating to lowering the annual license fee of egg dealers.

The bill was read the second time by sections.

Senator Hanna moved the following amendment be adopted:

In section 1, page 1, line 8, after "dollars" strike the remainder of the bill and insert "all proceeds derived herefrom shall be deposited to the general fund."

The amendment was not adopted.

On motion of Senator Hallauer, the rules were suspended, Senate Bill No. 67 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Dore:

"Would Senator Hanna yield to a question?"

Senator Hanna:

"I will."

Senator Dore:

"Senator Hanna, how do you cut the fee of \$10.00 and still say that the Department of Agriculture states that they will not lose any money?"

Senator Hanna:

"In reply to you, Senator Dore, this is a situation that I wish would prevail more widely in state departments. The Department can set the stamping fee placed on their eggs. By adjusting the fee, they can make up the amount lost in license. This would be absorbed with the stamps by large companies. They have a greater amount of capacity in bulk."

#### POINT OF INQUIRY

Senator Thompson:

"Would Senator Hanna yield to a question?"

Senator Hanna:

"I will."

Senator Thompson:

"Senator Hanna, I was intrigued with your talk about stamps. Were those green stamps?"

Senator Hanna:

"No, this has nothing to do with 'egg hatching'."

Further debate ensued.

Senator Greive demanded the previous question and the demand was sustained by Senators Greive, Hess and Hanna.

The President stated the question before the Senate to be, shall the main question be now put.

The previous question was ordered by voice vote.

The Secretary called the roll on the final passage of Senate Bill No. 67, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senators Bargreen, Dore, Riley—3.

Those absent or not voting were: Senators Gissberg, Petrich, Ryder—3.

Senate Bill No. 67, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

It was announced by Senator Woodall that the cigars being distributed were through the courtesy of Senator Talley and Senator Chytil, who had made his first speech and had his first bill pass the Senate.

**Senate Bill No. 132**, by Senators Gissberg and Durkan:

Relating to blind made products.

On motion of Senator Gallagher, Senate Bill No. 132 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 98**, by Senators Thompson, Jr. and Durkan:

Authorizing merger of certain water districts.

The bill was read the second time by sections.

On motion of Senator Thompson, the rules were suspended, Senate Bill No. 98 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The Secretary called the roll on the final passage of Senate Bill No. 98, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise,

Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Cooney, Elway, Jr., Gissberg, Herrmann, Petrich, Ryder—6.

Senate Bill No. 98, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 52**, by Senators Sandison, Talley and Elway, Jr. (by Legislative Council request):

Permitting counties to abolish townships throughout the county by means of a single election.

#### MOTIONS

On motion of Senator Greive, Senate Bill No. 52 was ordered to retain its place on the second reading calendar for tomorrow.

At 2:30 o'clock p. m., on motion of Senator Greive, the Senate recessed until 7:55 o'clock p. m., for the purpose of a joint session with the House of Representatives, to receive a report on Education from the office of the Superintendent of Public Instruction.

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#### EVENING SESSION

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The Senate was called to order at 7:55 o'clock p. m. by President Cherberg. The President announced that the members of the Senate would retire to the House of Representatives for the Joint Session.

**Note:** See House Journal for proceedings of the Joint Session.

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#### SECOND EVENING SESSION

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President Cherberg called the Senate to order at 10:20 o'clock, p. m.

#### MOTION

At 10:21 o'clock p. m. on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. Wednesday, February 1, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**TWENTY-FOURTH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, February 1, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Petrich and Lennart.

On motion of Senator Freise, Senator Lennart was excused.

On motion of Senator Greive, Senator Petrich was excused.

The Color Guard, consisting of Pages Tom Knoblauch, Color Bearer, and Susan Harris, presented the Colors.

Reverend Teddy E. Turner, Minister of the First Christian Church of Olympia, offered prayer as follows:

"Let us join in prayer—

"Out of the stillness of the night into the staggering challenges of a new day we come, our Father. We thank Thee for rest by which our energies are restored. We bless Thee for islands of solitude where we may withdraw and allow our souls to catch up with our bodies.

"We thank Thee for the variety of talent and insight represented among these men of the Senate. Out of the combined strength of character and wisdom which they bring to their tasks, may there be woven a tapestry of sound administration and responsible citizenship for all of us. And, as they labor together, may they exemplify the fine art of disagreeing agreeably, of rejecting ideas without rejecting each other. Help them to always keep rendezvous with the hero in their souls. And, when necessary, in moments of confusion and bewilderment, grant them courage to keep time to the beat of a far distant drummer.

"O God, Father, Son, and Holy Spirit, speak peace to troubled hearts, save us from unauthentic anxiety, help us all to think on the things that are true, honorable, just, lovely, and of good report. And, may we so live today that we may fulfill life's unenforceable obligations.

"In the name of Christ. Amen."

**MOTION**

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

**SENATE RESOLUTION**

By Senators Thompson, Jr., Happy and Morgan:

*Be It Resolved By the Senate of the State of Washington in Legislative Session Assembled:*

WHEREAS, Heart and blood vessel diseases are this nation's and this state's number one health enemy, accounting for more deaths than all other causes combined; and

WHEREAS, These diseases are responsible for widespread suffering and often create serious economic hardship in homes and businesses in our state; and

WHEREAS, The Governor of the state of Washington has proclaimed that the month of February be observed as Heart Month in this state;

Now Therefore, *Be It Resolved*, That the Senate of the state of Washington, herewith joins with the Governor in urging that the citizens of our state observe February as Heart Month.

On motion of Senator Thompson, the resolution was adopted.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 25** (reported by Committee on Public Institutions):  
Do pass as amended.

FRED J. MARTIN, *Chairman.*

We concur in this report: Joe Chytil, Herbert H. Freise, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, John A. Petrich, Perry B. Woodall.

On motion of Senator Martin, Senate Bill No. 25 was referred to Committee on Ways and Means.

**Senate Bill No. 50:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules to whom was referred Senate Bill No. 50, exempting some poultry, sales/use tax, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

JOHN A. CHERBERG, *Chairman.*

We concur in this report: Robert C. Bailey, Howard S. Bargreen, John L. Cooney, David C. Cowen, Michael J. Gallagher, Reuben A. Knoblauch, Edward F. Riley, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, John H. Happy, Louis E. Hofmeister, James E. Keefe, W. C. Raugust, William D. Shannon.

On motion of Senator Gissberg, the committee report was adopted and the bill was referred to the Committee on Ways and Means.

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"Senator Gissberg has this coming He cost me \$8.00. He's getting so now that he reminds me of Senator Cowen. Rule 40 has not been suspended."

The President:

"Senator Gissberg, are you trying to become a spender like Senator Cowen?"

**Senate Bill No. 65:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 65, abolishing discriminatory wage rates based on sex, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 139:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 139, repealing certain electrical construction rules, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 203:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 203, relating to insurance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN PAPAANI, *Chairman.*

We concur in this report: Joe Chytil, John H. Happy, John A. Petrich, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 204:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 204, providing for reimbursements for examination of welfare trust fund records not maintained in this state, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN PAPAANI, *Chairman.*

We concur in this report: Joe Chytil, John H. Happy, John A. Petrich, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 238:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 238, regulating issuance of credit life insurance and credit accident and health insurance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN PAPAANI, *Chairman.*

We concur in this report: Joe Chytil, John H. Happy, John A. Petrich, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 240:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 240, repealing earlier law dealing with sanitary and working conditions in bakeries, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 241:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 241, amending bakery and bakery products law as to health permits and sanitary inspection, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 242:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 242, amending law relating to health permits of confectionery workers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 254:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 254, amending law relating to health permits for macaroni workers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 9:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Joint Memorial No. 9, memorializing Congress re Taft-Hartley Act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Louis E. Hofmeister, Homer O. Nunamaker.

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Labor and Industrial Insurance to whom was referred Senate Joint Memorial No. 9, memorializing Congress re Taft-Hartley Act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

I concur in this report: F. Stuart Foster.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 1:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred House Bill No. 1, enacting Title 15 RCW relating to agriculture and marketing, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 2:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred House Bill No. 2, enacting Title 46 of RCW relating to motor vehicles, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 3:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred House Bill No. 3, enacting Title 47 of RCW relating to state highways and toll bridges, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkin, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 4:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred House Bill No. 4, enacting Title 51 RCW relating to industrial insurance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 5:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred House Bill No. 5, enacting Titles 80 and 81 of RCW relating to public utilities and transportation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 6:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred House Bill No. 6, enacting Titles 82, 83 and 84 of RCW relating to excise, inheritance, gift, and property taxes.

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 7:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred House Bill No. 7, relating to diking and drainage and making corrections in Title 85 RCW to restore to session law language, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 8:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 8, relating to reclamation, conservation and land settlement, and making corrections in Title 89 RCW to restore to session law language, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 9:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 9, relating to irrigation and making corrections in Title 87 of RCW to restore to session law language, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 10:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred House Bill No. 10, relating to water rights and making corrections in Title 90 of RCW required to restore to session

law language, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 11:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred House Bill No. 11, relating to foreign banking corporations and correcting a clerical error in RCW 30.04.290, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 14:**

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 14, relating to intoxicating liquors and making certain corrections in Title 66 RCW to restore to session law language, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 13; also  
House Bill No. 19; also  
Engrossed House Bill No. 25; also  
Engrossed House Bill No. 34; also  
House Bill No. 49; also  
House Bill No. 52; also  
Engrossed House Bill No. 62; also  
House Bill No. 84; also  
House Bill No. 176; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 317**, by Senators Talley and Henry:

An Act relating to fireworks; and amending section 3, chapter 174, Laws of

1951, as amended by section 1, chapter 34, Laws of 1953, and RCW 70.77.030; and providing an effective date.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 318**, by Senators Bargreen and Henry:

An Act relating to motor vehicles; providing for exhaust pipes to extend to top of certain vehicles; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 2), and to chapter 46.37 RCW.

Referred to Committee on Highways.

**Senate Bill No. 319**, by Senators Cooney and Cowen:

An Act relating to the sale of alcoholic beverages; defining a crime; and providing penalties.

Referred to Judiciary Committee.

**Senate Bill No. 320**, by Senators Hallauer, Cooney, Hanna, Gissberg, Woodall, Freise and Foley:

An Act relating to intoxicating liquor, providing for the control and regulation thereof; providing for enforcement, administrative and judicial review procedures; providing for the disposition of funds; amending section 77, chapter 62, Laws of 1933 extraordinary session, as last amended by section 10, chapter 5, Laws of 1949, and RCW 43.66.080; amending section 66, chapter 62, Laws of 1933 extraordinary session, and RCW 43.66.140; amending section 71, chapter 62, Laws of 1933 extraordinary session, as last amended by section 1, chapter 138, Laws of 1937, and RCW 43.66.150; amending section 15, chapter 234, Laws of 1959 and RCW 34.04.150; adding two new sections to chapter 62, Laws of 1933 extraordinary session and to chapter 43.66 RCW; repealing section 74, chapter 62, Laws of 1933 extraordinary session, and RCW 43.66.160; making an appropriation; and declaring an emergency.

Referred to Committee on Ways and Means.

#### MOTION

On motion of Senator Hallauer, the rules were suspended and the names of additional sponsors were approved on Senate Bill No. 320.

**Senate Bill No. 321**, by Senators Rasmussen, Riley and Shannon (by Departmental request):

An Act relating to state government; amending sections 1, 2, 4, 11 and 12, chapter 255, Laws of 1959 and RCW 43.82.010, 43.82.020, 43.82.040, 43.82.110, and 43.82.120; adding two new sections to chapter 43.82 RCW; repealing sections 1 through 3, chapter 210, Laws of 1957 and RCW 43.19.126 through 43.19.128, and repealing sections 15, 16 and 17, chapter 178, Laws of 1959 and RCW 43.19.1929 through 43.19.1933.

Referred to Committee on State Government, Military Affairs and Civil Defense.

#### MOTION

On motion of Senator Rasmussen, the rules were suspended and the names of Senators DeGarmo and Cowen were added as sponsors of Senate Bill No. 321.

**Senate Bill No. 322**, by Senators Bargreen and Washington:

An Act relating to motor vehicles; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 2), and to chapter 46.60 RCW.

Referred to Committee on Highways.

**Senate Bill No. 323**, by Senators Petrich and Moriarty, Jr.:

An Act relating to the support of abandoned wives and children; amending the Uniform Reciprocal Enforcement of Support Act; amending section 2, chapter 196, Laws of 1951 and RCW 26.21.010; amending section 4, chapter 196, Laws of 1951 and RCW 26.21.030; amending section 5, chapter 196, Laws of 1951 and RCW 26.21.040; amending section 6, chapter 196, Laws of 1951 and RCW 26.21.050; amending section 7, chapter 196, Laws of 1951 and RCW 26.21.060; amending section 8, chapter 196, Laws of 1951 and RCW 26.21.070; amending section 9, chapter 196, Laws of 1951 and RCW 26.21.080; amending section 10, chapter 196, Laws of 1951 and RCW 26.21.090; amending section 11, chapter 196, Laws of 1951 and RCW 26.21.100; amending section 12, chapter 196, Laws of 1951 and RCW 26.21.110; amending section 13, chapter 196, Laws of 1951 and RCW 26.21.120; amending section 14, chapter 196, Laws of 1951 and RCW 26.21.130; amending section 15, chapter 196, Laws of 1951 and RCW 26.21.140; amending section 16, chapter 196, Laws of 1951 and RCW 26.21.150; amending section 17, chapter 196, Laws of 1951 and RCW 26.21.160; and adding new sections to chapter 196, Laws of 1951 and chapter 26.21 RCW.

Referred to Committee on Social Security.

**Senate Bill No. 324**, by Senator Moriarty, Jr.:

An Act relating to obscene printed or written matter or material; providing penalties; and repealing certain acts and parts of acts.

Referred to Judiciary Committee.

**Senate Bill No. 325**, by Senators Bailey and DeGarmo:

An Act relating to leasing and renewal leasing of certain lands of the state for oyster culture; amending section 146, chapter 255, Laws of 1927 and RCW 79.01.584; amending section 142, chapter 255, Laws of 1927 as amended by section 39, chapter 271, Laws of 1951 and RCW 79.01.568; amending section 41, chapter 271, Laws of 1951 and RCW 79.01.580; and amending section 144, chapter 255, Laws of 1927 as amended by section 40, chapter 271, Laws of 1951 and RCW 79.01.576.

Referred to Committee on Natural Resources.

**Senate Bill No. 326**, by Senators Connor and Dore:

An Act relating to motor vehicles; and amending section 46.44.030, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.44.030.

Referred to Committee on Public Utilities.

**Senate Bill No. 327**, by Senators Gallagher and Bailey:

An Act relating to county officers; and amending section 2, chapter 219, Laws of 1957, as last amended by section 3, chapter 216, Laws of 1959, and RCW 36.16.070.

Referred to Committee on Cities, Towns and Counties.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**House Bill No. 13**, by Representatives Testu, Gorton and Goldmark (by Departmental request):

An Act relating to securities; defining terms; defining powers and duties; establishing fees; amending sections 60, 5, 9, 18, 19, 23, 27, 32 and 34 of chapter 282, Laws of 1959 and RCW 21.20.005, 21.20.050, 21.20.090, 21.20.180,

21.20.190, 21.20.230, 21.20.270, 21.20.320 and 21.20.340; and adding a new section to chapter 282, Laws of 1959 and to chapter 21.20 RCW.

Referred to Judiciary Committee.

**House Bill No. 19**, by Representatives Leland, Garrett and Braun:

An Act relating to the execution of executory conditional sales contracts; authority, limitations and procedures for cities and towns and counties for public parks and public libraries and for library districts for public libraries.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Engrossed House Bill No. 25**, by Representatives Campbell, Gorton and Henry (by Legislative Council request):

An Act relating to domestic relations and to prevent and punish family desertion or non-support; and adding a new section to chapter 26.20 RCW.

Referred to Judiciary Committee.

**Engrossed House Bill No. 34**, by Representatives Lybecker, Campbell and Huntley:

An Act relating to revenue and taxation and adding a new section to chapter ....., Laws of 1961 (House Bill No. 6), and chapter 82.08 RCW.

Referred to Committee on Ways and Means.

**House Bill No. 49**, by Representatives Bigley, Rickdall and Ritner (by Legislative Council request):

An Act relating to port districts and adding a new section to chapter 53.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 52**, by Representatives Bigley, Rickdall and Adams (by Legislative Council request):

An Act relating to port districts; providing for the improvement and coordination of port district administrative procedures and operations.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 62**, by Representatives DeJarnatt, Bigley and Mahaffey:

An Act relating to education, and the discharge of teachers, principals, supervisors, or superintendents, and adding a new section to chapter 28.58 RCW.

Referred to Committee on Education.

**House Bill No. 84**, by Representatives Bigley, Ritner and Nicholson (by Legislative Council request):

An Act relating to port districts; and authorizing the consolidation thereof.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 176**, by Representatives Ackley, Witherbee and Meyers, Jr.:

An Act relating to county park and recreation programs; amending section 1, chapter 94, Laws of 1949 and RCW 36.68.010; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

#### SECOND READING OF BILLS

**Senate Bill No. 132**, by Senators Gissberg and Durkan:

Relating to blind made products.

The bill was read the second time by sections.

On motion of Senator Gissberg, the following amendment was adopted:  
 In section 1, page 1, line 9, after "made" and before "bear" strike "shall" and insert "may"

**PERSONAL PRIVILEGE**

Senator Herrmann:

"Mr. President, we have a distinguished visitor in the foyer who should be escorted to the rostrum, Senator Dixon."

The President:

"Thank you, Senator Herrmann, for calling our attention to this distinguished visitor."

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed Senators Herrmann, Cowen, Happy and Rasmussen as a special committee to escort former Senator Dixon to a seat upon the rostrum.

(Applause.)

**PRESIDENT'S PRIVILEGE**

The President:

"Ladies and Gentlemen of the Senate:

"It is a privilege for the President to have the opportunity to present a person who is remembered with such great respect and affection.

"The members of the Senate have enjoyed many years of association with our esteemed visitor. It certainly will be a pleasure and a privilege at this time to hear from Senator Dixon."

Senator Dixon:

"Mr. President, Members of the . . .

"Senator Rasmussen, I have the floor."

Senator Rasmussen:

"I wish to suspend Rule 40 in honor of Senator Dixon."

Senator Dixon:

"Thank you, Senator Rasmussen!"

"Mr. President, Members of the Senate:

"I have been watching the proceedings in this chamber for the last three weeks and sometimes I wish I were sitting right back there in the front row again.

"There are some things that I do not agree with, of course, and some things that I do agree with, but you have a job to do, and after serving for eighteen years in this chamber, I know a little about the problems that you and all of us face at the present time.

"You people—members of the Senate and members of the House—are the Board of Directors for the entire state of Washington, and it is your job to see that the state of Washington goes ahead progressively, adopts wise legislation, such as will enable all of the people of the state of Washington to have a fair and square deal.

"There are a lot of things I could reminisce about, but I just want to say . . .

"I see so many faces; there are some I really love with affection on both sides of the aisle—Republicans as well as Democrats. I have worked with them as a Senator and Legislator and I know we have some mighty good material here. So do a good job, boys. The entire state of Washington is watching you so when you do something, do it right!

"Thank you very much."

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"I would like to ask Senator Dixon to yield to a question."

Senator Dixon:

"I will."

Senator Knoblauch:

"Senator Dixon, if you could hear your successor make that statement that he wishes he were back in the House, would you reconsider coming back into the Senate?"

Senator Dixon:

"That is a matter for the future."

#### PERSONAL PRIVILEGE

Senator Rasmussen:

"Would the President direct the Sergeant-at-Arms to my desk so I may suspend Rule 40 in honor of Senator Dixon?"

"Mr. President, it is apparently clear to me that Senator Knoblauch was not listening to all of my speech. I said, 'I would only consider going back to the House if the Senate refused to deliberate!' Thank God, we deliberated!"

The President:

"Thank you, Senator Rasmussen."

"Senator Dixon, the sincere and forthright remarks that you just delivered certainly will be an inspiration to all of us to try and do a better job.

"Thank you so much for coming today."

Senator Cowen:

"I would like to refer my remarks to Senator Rasmussen.

"The reason, Senator Rasmussen, why you are sitting there, is my fault. Or, it might be your good fortune.

"Senator and Mrs. Dixon have been my friends for twenty-seven years, and Mrs. Dixon's love has been so great for me that I know she would be happy to grant anything I asked her to do.

"As we all know, Mrs. Dixon hasn't been well for the last few years, and she did not want her husband to run again. Because of this, and my great admiration for both Senator and Mrs. Dixon, I did not ask Mrs. Dixon to allow her husband to run again. I am sure that had I asked her, she would have allowed him to, and I am sure you would never have opposed him.

"We will miss him for many years to come. His faith in the innocent and faith in his fellow man has made him beloved to all of us. And if you, Senator Rasmussen, ever come up to the standards set by Senator Dixon, we will all love and respect you and we will praise you as much as we have Senator Dixon.

"Senator Dixon, I want you to know that we all miss you and we love you dearly. We wish you and Mrs. Dixon a long life, health and happiness."

The President:

"Thank you, Senator Cowen. You have, as usual, expressed so well the feelings of all of us."

#### PRESIDENT'S PRIVILEGE

The President announced the presence of a group of ninth grade students with their Washington History teacher, Miss Coon, from W. A. Anderson Junior High School in Bothell. They were asked to stand and be recognized, along with Senator Thompson, of their district.

The President:

"You are, indeed, fortunate to be present on a day when we have a great and distinguished visitor, former Senator Dixon of this body."

(Applause.)

Senator Rasmussen:

"I just desire to remark that what Senator Cowen says is true. Jerry would be with us today if his wife had not decided he should stay home. I might also say that when he told me of his decision I said that perhaps she would change her mind and suggested that he wait and see. He said there was no chance of that but I did not decide to run for election until I was certain that he meant it. I regret his decision

because I think Jerry Dixon has done an excellent job and never would I have run against him."

The President:

"Thank you Senator Rasmussen."

On motion of Senator Gissberg, the following amendments were adopted:

In section 1, page 1, lines 10 and 11 after "show the" and before "manufacturer's" insert "distributor's or"

In section 1, page 1, line 13, after the period following "manufacture" add a new sentence as follows:

*"No other label, trade name or sales device tending to create the impression that a product is made by blind persons shall be used in connection with the sale or distribution of such product unless the product shall have been made by blind people to the extent of at least seventy-five percent of the man hours required for its manufacture."*

In section 4, page 2, line 5, after "manufacturers" and before "blind" insert "or distributes"

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 132 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 132, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those absent or not voting were: Senators Lennart, Petrich—2.

Engrossed Senate Bill No. 132, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 52**, by Senators Sandison, Talley and Elway, Jr. (by Legislative Council request):

Permitting counties to abolish townships throughout the county by means of a single election.

On motion of Senator Happy, Senate Bill No. 52 was ordered to retain its place on the second reading calendar for Thursday, February 2, 1961.

**Senate Bill No. 214**, by Senators Henry, Shannon and Washington (by Executive request):

Enacting drivers' license compact.

The bill was read the second time by sections.

Senator Woodall moved that Senate Bill No. 214 be referred to Judiciary Committee.

Debate ensued.

It was moved by Senator Greive that Senator Woodall's motion be amended to read "with instructions to the Judiciary Committee to consider the bill", and Senate Bill No. 214 be referred to the Judiciary Committee.

The motion carried.

**POINT OF ORDER**

Senator Gallagher:

"Would you state what is before the Senate now?"

The President:

"The question is: It has been moved by Senator Woodall that Senate Bill No. 214 be referred to the Judiciary Committee with instructions, which opens up discussion."

Debate ensued.

The motion carried and Senate Bill No. 214 was referred to the Judiciary Committee with instructions.

**PRESIDENT'S PRIVILEGE**

The President announced the presence of the student body officers of Enumclaw High School in the gallery, along with their Principal, Fred Gramann. The President congratulated them as student body officers and asked them to stand and be recognized, along with Senator Hofmeister, of their district.

(Applause.)

**Senate Bill No. 84**, by Senators Bailey, Hallauer and Elway, Jr.:  
Publishing notice for control of forest insects and diseases.

Senate Chamber,

Olympia, Wash., January 26, 1961.

**MR. PRESIDENT:**

We, your Committee on Natural Resources, to whom was referred Senate Bill No. 84, publishing notices for control of forest insects and diseases, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 1, section 1, line 27, after "*newspaper*" and before "*a general*" strike "*with*" and insert "*or in two consecutive issues of a weekly newspaper, either paper having*"  
MIKE McCORMACK, Chairman.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendment was adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed Senate Bill No. 84 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 84 and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senator Talley—1.

Those absent or not voting were: Senators Durkan, Foster, Happy, Lennart, Martin, Petrich—6.

Engrossed Senate Bill No. 84, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 3**, by Senators Elway, Jr., Shannon and Riley (by Legislative Council request):

Providing for county purchasing departments and purchasing agents.

The bill was read the second time by sections.

Senator Riley moved that the following amendment be adopted:

In section 1, page 1, line 16, delete the comma after "county" and delete the words "exclusive of the county hospital."

Debate ensued.

The President stated the question before the Senate to be the adoption of the amendment by Senator Riley.

The amendment was not adopted.

On motion of Senator Dore, Senate Bill No. 3 was referred to the Committee on Cities, Towns and Counties.

**Senate Bill No. 185**, by Senators Hallauer, Hess and Thompson, Jr.:

Providing single elections for consolidation of school districts and insurance of bonds by new district.

Senate Chamber,

Olympia, Wash., January 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 185, providing single elections for consolidation of school districts and insurance of bonds by new district, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Add a new section following Section 1 to read as follows:

**NEW SECTION. Sec. 2.** This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Andy Hess, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr., Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Hallauer, the committee amendment was adopted.

On motion of Senator Hallauer, the following amendment to the title was adopted:

In line 2 of the title after "RCW" and before the period, insert the following: "and declaring an emergency"

#### POINT OF INQUIRY

Senator Nunamaker:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"I will."

Senator Nunamaker:

"Does this apply to school districts only?"

Senator Hallauer:

"This is general legislation and it applies to any school district that has a consolidation problem, and will apply anywhere in the state."

On motion of Senator Hallauer, the rules were suspended, Engrossed Senate Bill No. 185 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 185, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Gissberg, Happy, Lennart, Petrich—4.

Engrossed Senate Bill No. 185, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 12:25 o'clock p. m., on motion of Senator Greive, the Senate recessed until 1:25 o'clock p. m.

#### AFTERNOON SESSION

The President called the Senate to order at 1:25 o'clock p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Connor, Durkan, Gissberg, Hallauer, Happy, Hofmeister, Lennart, McCutcheon and Sandison.

On motion of Senator Happy, Senators Gissberg and Sandison were excused.

#### SECOND READING OF BILLS

**Senate Bill No. 4**, by Senators Riley, Shannon and Freise (by Legislative Council request):

Authorizing counties to adopt by reference, statutes or recognized codes. The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 4 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 4, and the bill passed the Senate by the following vote: Yeas, 39; nays, 1; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Hanna, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senator Greive—1.

Those absent or not voting were: Senators Connor, Durkan, Gissberg, Hallauer, Happy, Hofmeister, Lennart, McCutcheon, Sandison—9.

Senate Bill No. 4, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 89**, by Senators Henry, Connor and Martin (by Highway Interim Committee request):

Making uniform the law relating to yielding the right of way on left turns at intersections.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 89 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Petrich:

"Would Senator Washington yield to a question?"

Senator Washington:

"I would."

Senator Petrich:

"In view of the fact that this proposal, if adopted, may have some effect on law through the years, would you have any objections to having this bill hold its place on the calendar until tomorrow so we could take a good look at it?"

Senator Washington:

"I have no objection."

On motion of Senator Riley, Senate Bill No. 89 was ordered to retain its place on the second reading calendar for Thursday, February 2, 1961.

**Senate Bill No. 91**, by Senators Henry, Raugust and Lennart (by Highway Interim Committee request):

Removing thirty-five mile an hour limitation at intersections when on certain arterial highways.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Senate Bill No. 91 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 91, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Durkan, Gissberg, Hallauer, Hofmeister, Lennart, Sandison—6.

Senate Bill No. 91, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTION**

At 1:50 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Thursday, February 2, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**TWENTY-FIFTH DAY****MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, February 2, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Lennart.

On motion of Senator Ryder, Senator Lennart was excused.

The Color Guard, consisting of Pages Marilyn Rottle, Color Bearer, and Mike McIntyre, presented the Colors.

Reverend Teddy E. Turner, Minister of the First Christian Church of Olympia, offered prayer as follows:

"Let us pray together.

"O God, our help in ages past, our hope for years to come, our shelter from the stormy blast and our eternal home; look upon these men and women who seek to preserve the high privileges of a free people and bless them with perseverance and loyalty. Endow them with that wisdom which comes from Thy Divine Presence—a wisdom which is 'peaceable, pure, gentle, open to reason, full of mercy and good fruits, without uncertainty and insincerity.'

"Capture us, today, with ideals which exceed our grasp.

"Conquer our selfishness with the vision of Thyself giving in the Christ of the cross.

"Confirm us where we are right, convict us when we are wrong.

"Claim us in the depths of our unconscious life and let us not escape the promptings of enlightened conscience.

"Today, our Father, decisive battles for truth shall be waged around the world. Help us to remember that we, too, are caught up in the struggle. Enable us to gain the victory right now by letting down our guard and surrendering our wills to Thine.

"Make us captives, Lord

Then we shall be free

Help us to render up our swords

That we may more than conquerors be. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**MOTION**

On motion of Senator Woodall, an additional 1500 copies of Senate Bill No. 196 were ordered printed.

**PERSONAL PRIVILEGE**

Senator Greive:

"Mr. President, we have today the pleasure of the company of a very distinctive former member of this body, a very esteemed member of the Republican side, Senator William C. Goodloe. I suggest that Senator Goodloe be escorted to the rostrum with a 21-gun salute, if possible."

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed an honor committee of the following Senators to escort former Senator Goodloe to the rostrum: Senators Greive, Gallagher, Angevine and Woodall.

**PRESIDENT'S PRIVILEGE**

The President:

"Lady and Gentlemen of the Senate, Ladies and Gentlemen:

"The President would like to call the attention of the members of the Senate and those present to a group of renowned and illustrious guests, members of the Seattle Consulate from all over the world. These consuls and lovely and gracious ladies will be introduced."

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed a special honor committee of the following Senators to escort Percy R. Larke, Consul of the United Kingdom of Great Britain to the rostrum: Senators Riley, Freise, and President Pro Tempore Al Henry.

**PRESIDENT'S PRIVILEGE**

The President:

"At this time, the eminent and distinguished Senator from Olympia, Senator DeGarmo, has a group of sixth graders, under the direction of Mr. George Robbins and Mr. George McCarty, visiting in the gallery from the Michael T. Simmons School in Tumwater. These students are interested in the legislative processes and I would like to ask them to please stand, along with their sponsor, in order that the members may recognize them."

(Applause.)

The honor guard escorted former Senator Goodloe to the rostrum. Senator Goodloe was also present with the Seattle Consulate group as Consul for Ecuador.

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President takes great pride in receiving Senator Goodloe this morning inasmuch as Senator Goodloe served for many years in the Senate and is now serving as Consul for Ecuador. In the interest of the welfare of those people, and of the people of the state of Washington, it is fitting and proper that we hear from Senator Goodloe at this time."

Former Senator Goodloe:

"It is a real pleasure to be back, Gentlemen, and I see that you now have a lady in the back row, so I should refer to you as Ladies and Gentlemen.

"I am here today as a member of the diplomatic corps of the Consulate for Ecuador. Should you ever care to make the trip to Ecuador, the good Senator Riley's wife is in the travel agency business in Seattle, so just contact him and he will make all the arrangements.

"As a citizen I have been watching you, with a special interest in a different way than I have done heretofore, dispose of legal problems, tax problems, and expenditure problems. I join you prayerfully and join with you as a citizen of the state of Washington in the feeling of responsibility that you carry for sixty days. I can now look at these matters with an impartial and nonpartisan point of view.

"I assure you the citizens of the state of Washington support your wishes in the

ferent prayer that the state of Washington will continue on the high plane that you have established for them."

The President:

"Thank you very much, Senator Goodloe."

#### PERSONAL PRIVILEGE

Senator Knoblauch:

"How long was Senator Goodloe a member of the Senate?"

The President:

"Eight years."

Senator Knoblauch:

"I think he would like to make a motion that we would like to hear."

Former Senator Goodloe:

"If Rule 40 is still on the books, I would move that Rule 40 be suspended."

Senator Knoblauch:

"Does Senator Goodloe still have his five children?"

Former Senator Goodloe:

"Yes, I do."

Senator Knoblauch:

"Without penalties, then."

The President:

"That portion of Rule 40 pertaining to smoking will be suspended, without penalties."

#### APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence of another former Senator, Senator Stanton Ganders. A special committee of honor was appointed of the following Senators to escort former Senator Stanton Ganders to the rostrum: Senators Cowen, Gissberg, and Happy.

Former Senator Ganders was escorted to the rostrum.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"It is a great occasion when the Senate chambers are so graced with the presence of two such renowned former members of the Senate. Inasmuch as the members have already heard from Senator Goodloe, we should have a rebuttal from Senator Ganders. Senator Ganders, would you care to address the members?"

Former Senator Ganders:

"Mr. President, Members of the Senate:

"It is indeed a pleasure to be back today. It has been several years since I sat in this chamber but I haven't forgotten it. It is certainly a pleasure to be here. It is a pleasure to see that you people are back and working hard again.

"We are looking forward to and arriving at a new frontier, and I am sure as this new era develops you are going to be able to help us.

"I am not trying to grind any axes. I know as usual that you are not going to discriminate against any group, but, friends, I do represent a minority group—at least we think so sometimes. Don't forget the property owners!"

The President:

"Thank you, Senator Ganders."

Former Senator Ganders was escorted from the rostrum.

The President announced the arrival of Consul Percy R. Larke of Great

Britain, who was escorted to the rostrum by the honor committee of Senators Riley, Freise, and President Pro Tempore Henry.

The President:

"Members of the Senate:

"The President has already indicated Mr. Larke's position, and Mr. Larke has graciously consented to introduce the renowned visitors that are seated in the Senate gallery. The President should like to ask each of our visitors to stand when introduced."

Mr. Larke:

"Mr. President, Ladies and Gentlemen:

"It is my privilege and pleasure to introduce to you those members of the Seattle Consulate who are with us today. I propose to take the countries in alphabetical order. It is a happy coincidence that the first country on my list is Canada."

(Mr. Larke introduced the following members of the diplomatic corps of consulates):

Canada:	Consul-General and Mrs. Kenneth J. Burbridge. Consul and Mrs. Claude Chatillon. Vice-Consul Janet E. Monro.
China:	Consul-General Yun-cheng Lu.
Denmark:	Consul and Mrs. Paul O. Nielsen.
El Salvador:	Consul and Mrs. Charles R. Carey.
France:	Consul and Mrs. Roger Gotteland.
Ecuador:	Consul Captain Rafael G. Ruiz. Consul William C. Goodloe.
Germany:	Vice-Consul Max Rost.
Guatemala:	Consul and Mrs. Ford E. Smith.
Iceland:	Consul Karl F. Frederick.
Italy:	Consul and Mrs. Eugenio Mazzarini.
Japan:	Consul-General and Mrs. Masato Fujisaki. Consul and Mrs. Tetsunosuke Chaki.
Mexico:	Consul Jose I. Roman.
Peru:	Consul Edmundo Chocano.
Philippines:	Consul-General and Mrs. Benito M. Bautista. Consul and Mrs. Irinio R. Cabatit.
Switzerland:	Consul Alfred Schaublin.
United Kingdom of Great Britain:	Consul-General Geoffrey H. S. Jackson. Consul and Mrs. Percy R. Larke. Vice-Consul and Mrs. R. Featonby. Information Officer Miss M. Alison Ross.
Uruguay:	Vice-Consul and Mrs. Israel Torrico.

Mr. President:

"Thank you very much Mr. Larke. You are to be complimented on the excellent manner in which you have presented our guests.

"We are delighted at your presence and hope that you enjoy your visit and your first view of the legislative processes of the state of Washington."

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Senate Bill No. 191, have compared same with the original bill and find it correctly engrossed.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., January 26, 1961.

MARTIN J. DURKAN, *Chairman.*

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Senate Bill No. 95, have compared same with the original bill and find it correctly engrossed.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MARTIN J. DURKAN, *Chairman.*

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Senate Bill No. 84; also

Engrossed Senate Bill No. 132; also

Engrossed Senate Bill No. 185, have compared same with the original bills, and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 133:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Rules and Joint Rules to whom was referred Senate Bill No. 133, raising contributions to volunteer firemen's relief and pensions fund, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

JOHN A. CHERBERG, *Chairman*.

We concur in this report: Robert C. Bailey, Howard S. Bargreen, John L. Cooney, David C. Cowen, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, John H. Happy, Louis E. Hofmeister, James Keefe, Reuben A. Knoblauch, W. C. Raugust, Edward F. Riley.

On motion of Senator Cowen, Senate Bill No. 133 was referred to Committee on Ways and Means.

**Senate Bill No. 239:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 239, further enumerating standards for signs posted in highway construction areas, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT W. WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 243:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 243, striking mandatory twenty day limitation for successful bidders to enter into contract and furnish bond in highway construction contract, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT W. WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 251:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 251, striking provision that highway franchise hearings have to be held in the transportation building at state capitol, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT W. WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 11:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Joint Memorial No. 11, urging action to raise single axle gross weight limits on national highway system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT W. WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

The House has passed: Substitute House Bill No. 31; also House Bill No. 33; also Engrossed House Bill No. 57; also Engrossed House Bill No. 73; also House Bill No. 89; also House Bill No. 94; also House Bill No. 158; also House Bill No. 196; also House Bill No. 246, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 328**, by Senator Riley:

An Act relating to elections; amending section 3, chapter 209, Laws of 1907 and RCW 29.13.070; and amending section 4, chapter 209, Laws of 1907, as last amended by section 1, chapter 250, Laws of 1959 and RCW 29.18.030.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 329**, by Senators Cooney and Herrmann:

An Act creating county park service areas.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Senate Bill No. 330**, by Senators Kupka, Ryder and Dore:

An Act relating to accountancy; and amending section 6, chapter 226, Laws of 1949 and RCW 18.04.070, and section 29, chapter 226, Laws of 1949 and RCW 18.04.300.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 331**, by Senators Thompson, Jr., Hallauer and Connor:

An Act relating to the establishment and construction of a correctional institution for juveniles committed to the department of institutions, division of children and youth services.

Referred to Committee on Public Institutions.

**Senate Bill No. 332**, by Senators Morgan, McCutcheon and Greive:

An Act relating to elections; amending section 5, chapter 167, Laws of 1955 and RCW 29.36.040; amending section 2, chapter 50, Laws of 1955, as last amended by section 7, chapter 67, Laws of 1955, and RCW 29.36.060; amending section 3, chapter 50, Laws of 1955 and RCW 29.36.070; amending section 4, chapter 50, Laws of 1955 and RCW 29.36.095; amending section 17, chapter 14, Laws of 1950 extraordinary session and RCW 29.39.170; amending section 21, chapter 14, Laws of 1950 extraordinary session and RCW 29.39.180; adding three new sections to chapter 41, Laws of 1933 extraordinary session and to chapter 29.36 RCW; and repealing sections 18 and 20, chapter 14, Laws of 1950 extraordinary session and RCW 29.36.080 and 29.36.090.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 333**, by Senators Greive and Rasmussen:

An Act relating to criminal procedure; and amending section 96, page 117, Laws of 1854 as last amended by section 1070, code of 1881, and RCW 10.58.030.

Referred to Judiciary Committee.

**Senate Bill No. 334**, by Senator Rasmussen:

An Act relating to deaths and dead bodies; creating district coroners and medical examiners; abolishing the office of coroner as now provided by law; prescribing certain fees and procedures; prescribing powers and duties of certain officers; providing penalties; amending section 238, chapter 249, Laws of 1909 and RCW 68.08.110; repealing sections 6, 7 and 9, chapter 188, Laws of 1953 and RCW 68.08.103, 68.08.104 and 68.08.105; repealing section 3, chapter 90, Laws of 1917 as amended by section 1, chapter 188, Laws of 1953, and RCW 68.08.010; section 4, chapter 90, Laws of 1917, and RCW 68.08.020; section 6, chapter 90, Laws of 1917 and RCW 68.08.040; section 7, chapter 90, Laws of 1917, and RCW 68.08.050; section 237, chapter 249, Laws of 1909 as amended by section 2, chapter 188, Laws of 1953, and RCW 68.08.100; and section 8, chapter 188, Laws of 1953 and RCW 68.08.108; and adding a new chapter to Title 69 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 335**, by Senators Rasmussen and Donohue (by Legislative Council request):

An Act relating to state government; abolishing the civil defense council, civil defense communications coordinating committee, and the state institu-

tions advisory committee; amending section 4, chapter 178, Laws of 1951 and RCW 38.52.030; amending section 8, chapter 178, Laws of 1951 and RCW 38.52.070; amending section 7, chapter 223, Laws of 1953 and RCW 38.52.240; amending section 17, chapter 223, Laws of 1953 and RCW 38.52.330; repealing section 5, chapter 178, Laws of 1951 and RCW 38.52.040; and repealing sections 72.01.330 through 72.01.360, chapter 28, Laws of 1959 and RCW 72.01.330 through 72.01.360.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 336**, by Senators Martin, Foster and Donohue:

An Act relating to milk; enacting a state milk marketing act; levying assessments; and providing penalties.

Referred to Committee on Agriculture and Horticulture.

#### MOTION

On motion of Senator Martin, the rules were suspended and the name of Senator Chytil was added as a sponsor to Senate Bill No. 336.

**Senate Bill No. 337**, by Senators Henry, Talley and Chytil:

An Act relating to all cities of the third class, regardless of form of government; authorizing use of parking meter revenue as a base for obtaining revenue bonds for local public work improvements; and amending section 1, chapter 166, Laws of 1957, and RCW 35.24.305.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 338**, by Senators Bargreen, Gissberg and Ryder:

An Act relating to revenue and taxation; and amending section 84.52.050, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 84.52.050.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 339**, by Senators Bargreen and Petrich:

An Act relating to conditional sales of personal property; and amending section 1, chapter 106, Laws of 1893 as last amended by section 1, chapter 196, Laws of 1937 and RCW 63.12.010.

Referred to Judiciary Committee.

**Senate Bill No. 340**, by Senators Rasmussen and Morgan:

An Act relating to the humane slaughter of animals; providing penalties; declaring an emergency; and repealing chapter 101, Laws of 1959 and RCW 16.50.010, 16.50.020, 16.50.030, 16.50.040, 16.50.050, 16.50.060 and 16.50.070.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 341**, by Senators DeGarmo, Gallagher and Bargreen:

An Act relating to political campaigns; adding a new section to chapter 29.85 RCW; and providing a penalty.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 342**, by Senator Hallauer:

An Act relating to industrial insurance; and amending section 51.52.115, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.52.115.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 343**, by Senator Hallauer:

An Act relating to instruments of conveyance or transfer of personal

property; requiring the payment of certain taxes on such property prior to the filing or recording of such instrument.

Referred to Committee on Ways and Means.

**Senate Bill No. 344**, by Senators Petrich, Foster and Greive:

An Act relating to civil actions and damages.

Referred to Judiciary Committee.

**Senate Bill No. 345**, by Senators Petrich and Martin:

An Act relating to animals and fowl; adding new sections to chapter 146, Laws of 1901 and to chapter 16.52 RCW; and providing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 346**, by Senators McMillan, Morgan and Donohue:

An Act relating to education; and amending section 21, chapter 266, Laws of 1947 as last amended by section 1, chapter 296, Laws of 1957, and RCW 28.57.090.

Referred to Committee on Education.

**Senate Bill No. 347**, by Senators Herrmann, Cooney and Keefe:

An Act relating to revenue and taxation; establishing rates of levies for fire protection districts; amending section 8, chapter 24, Laws of 1951 second extraordinary session and RCW 52.16.130; amending section 9, chapter 24, Laws of 1951 second extraordinary session and RCW 52.16.140; amending section 84.52.010, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 84.52.010; and adding a new section to chapter 24, Laws of 1951 second extraordinary session and to chapter 52.16 RCW.

Referred to Committee on Ways and Means.

**Senate Bill No. 348**, by Senators Washington and Henry:

An Act relating to conservation of archaeological and historical resources in the state of Washington; establishing a board; defining duties and powers; providing penalties; and repealing section 2, chapter 216, Laws of 1941 and RCW 27.44.020.

Referred to Committee on Natural Resources.

**Senate Bill No. 349**, by Senators Washington and Bailey (by Highway Interim Committee request):

An Act relating to motor vehicles, the regulation and licensing of operators thereof; and amending section 46.20.250, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.250; amending section 46.20.260, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.260; and amending section 46.20.270, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.270.

Referred to Committee on Highways.

**Senate Joint Memorial No. 14**, by Senator Gissberg:

Memorializing Congress to issue a stamp commemorating the fiftieth anniversary of Washington's Workmen's Compensation Act.

Referred to Committee on Labor and Industrial Insurance.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Substitute House Bill No. 31**, by the Committee on Cities and Counties:

An Act relating to tuberculosis control funds and authorizing boards of county commissioners to transfer surplus funds to public hospital districts; and amending section 3, chapter 117, Laws of 1959 and RCW 70.32.090.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 33**, by Representatives Campbell, Henry and Andersen (by Legislative Council request):

An Act relating to preliminary hearings in criminal proceedings; and amending section 30, page 107, Laws of 1854 as last amended by section 1924, Code of 1881 and RCW 10.16.040.

Referred to Judiciary Committee.

**Engrossed House Bill No. 57**, by Representatives Ackley, Pritchard and Goldmark:

An Act creating the Washington state arts commission and defining its powers and duties.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Engrossed House Bill No. 73**, by Representatives Hurley, Bergh and Holmes:

An Act relating to elections; prescribing fees for election officers; and amending section 12, page 52, Laws of 1866 as last amended by section 1, chapter 67, Laws of 1951, and RCW 29.45.120.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Bill No. 89**, by Representatives Ackley, Meyers, Jr. and Witherbee:

An Act relating to acquisition of recreational and educational facilities; and amending section 1, chapter 107, Laws of 1921, as amended by section 1, chapter 97, Laws of 1949, and RCW 67.20.010.

Referred to Committee on Education.

**House Bill No. 94**, by Representatives Bernethy, King and Wintler (by Departmental request):

An Act relating to forest practices; authorizing the employment of inspectors; providing for powers of suspension of certain operations; increasing the amount of cash deposit or bond to assure compliance with forestry practices; creating a deposit fund; and amending section 8, chapter 193, Laws of 1945, as last amended by section 2, chapter 115, Laws of 1955 and RCW 76.08.080.

Referred to Committee on Natural Resources.

**House Bill No. 158**, by Representatives Olsen, Brink and Gorton:

An Act relating to local improvement district bonds and warrants; and amending sections 2, 3 and 6, chapter 244, Laws of 1943 and RCW 35.48.010, 35.48.020 and 35.48.050.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 196**, by Representatives Gorton, Ackley and Brink:

An Act relating to the codification and publication of statutes; amending section 4, chapter 257, Laws of 1953 and RCW 1.08.015, adding a new section to chapter 157, Laws of 1951 and to chapter 1.08 RCW, and declaring an emergency.

Referred to Judiciary Committee.

**House Bill No. 246**, by Representatives Brouillet, Flanagan and Goldsworthy (by Departmental request):

An Act relating to commercial feed; and repealing section 15.53.070, chapter ....., Laws of 1961 (House Bill No. 1) and RCW 15.53.070.

Referred to Committee on Agriculture and Horticulture.

## PRESIDENT'S PRIVILEGES

The President:

"Members of the Senate:

"The President at this time should like the privilege and pleasure of presenting to you and to the ladies and gentlemen present, a noted, respected and remarkable member of the state, Miss Anton of the Yakima Daily Republic. Miss Anton is a dear and beloved friend. Please stand, Miss Anton."

(Applause.)

"At the request of the distinguished Senator Donohue, I would like to direct the attention of the members to a group of gentlemen representing the Port District of Columbia County. Would these gentlemen please stand, along with Senator Donohue, in order that you may be recognized?"

(Applause.)

## SECOND READING OF BILLS

**Senate Bill No. 52**, by Senators Sandison, Talley and Elway, Jr. (by Legislative Council request):

Permitting counties to abolish townships throughout the county by means of a single election.

On motion of Senator Happy, Senate Bill No. 52 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 89**, by Senators Henry, Connor and Martin (by Highway Interim Committee request):

Making uniform the law relating to yielding the right of way on left turns at intersections.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Senate Bill No. 89 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 89, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Dore, Foley, Lennart, Raugust, Talley—5.

Senate Bill No. 89, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Concurrent Resolution No. 9**, by Committee on Rules and Order:

Amending the joint rules of the senate and house.

The resolution was read the second time in full.

Senator Woodall moved that the following amendment be adopted:

In Rule 24, page 2, line 31, after "bills" and before "and" strike "*and executive request bills,*"

The motion was lost and the amendment was not adopted.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 9 was advanced to third reading, the second reading considered the third and the resolution was adopted.

**Senate Bill No. 63**, by Senators Foley, Petrich and Woodall (by Judicial Council request):

Providing for survival of actions.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Senate Bill No. 63 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"I will."

Senator Riley:

"I want to ask this one question. The right of survival is extended. How far down the line? Could this go to friends?"

Senator Petrich:

"The cause of action would survive only to the first personal representative of the deceased."

Senator Riley:

"This personal representative could be a friend, barrister, etc.?"

Senator Petrich:

"The personal representative is the administrator who disposes of all the assets and pays off the debts, etc., of this deceased person."

The Secretary called the roll on the final passage of Senate Bill No. 63 and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senator Rasmussen—1.

Those absent or not voting were: Senators Donohue, Hallauer, Happy, Lennart, Raugust—5.

Senate Bill No. 63, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 90**, by Senators Henry, Freise and Donohue (by Highway Interim Committee request):

Repealing present procedural section regarding visually defective persons seeking motor vehicle operators licenses.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Senate Bill No. 90 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 90, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Bailey, Donohue, Happy, Lennart, Talley—5.

Senate Bill No. 90, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 204**, by Senators Petrich, Henry and Gallagher (by Insurance Commissioner request):

Providing for reimbursements for examination of welfare trust fund records not maintained in this state.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 204 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Ryder:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"I will."

Senator Ryder:

"Does this bill provide for funds to come from the general fund?"

Senator Gallagher:

"No."

Senator Ryder:

"Where is the money coming from now?"

Senator Gallagher:

"It is not now a compulsory matter."

Senator Ryder:

"Who would pay for this if the bill goes through?"

Senator Gallagher:

"The money would be paid out of the insurance welfare budget."

The Secretary called the roll on the final passage of Senate Bill No. 204, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Donohue, Happy, Lennart—3.

Senate Bill No. 204, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 254**, by Senators Woodall, McCormack and Donohue (by Departmental request):

Amending law relating to health permits for macaroni workers.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, Senate Bill No. 254 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 254, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Donohue, Hanna, Happy, Lennart, Martin—5.

Senate Bill No. 254, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 203**, by Senators Papajani, Happy and DeGarmo (by Insurance Commissioner request):

Relating to insurance.

On motion of Senator Greive, Senate Bill No. 203 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 117**, by Senators Foster and Henry:

Modifying notice provisions for franchise on county roads and bridges.

The bill was read the second time by sections.

On motion of Senator Foster, the following amendment was adopted:

In section 3, page 2, line 1, after "description" and before "by" strike the balance of the section and insert the following:

*"of the county roads by reference to section, township and range in which the county roads or [parts] portions thereof [, upon which the application for] are physically located, to be included in the franchise for which the application is made, and the time and place fixed for the hearing."*

On motion of Senator Foster, the rules were suspended, Engrossed Senate Bill No. 117 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 117, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Donohue, Dore, Hanna, Happy, Lennart, McCutcheon, Martin, Rasmussen—8.

Engrossed Senate Bill No. 117, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Knoblauch:

"Senator Foster, is this the first bill you have had passed this session?"

Senator Foster:

"I believe it is, Senator. It has been about eleven years since I have gotten one through.

"I believe the pressure is being put on me. I made my maiden speech about eleven years ago, so I move that portion of Rule 40 pertaining to smoking be suspended, with penalties."

The President:

"The Sergeant-at-Arms will wait upon Senator Foster."

**Senate Bill No. 194**, by Senators McCormack and Petrich (by Departmental request):

Relating to conveying certain lands to Benton County by the state of Washington.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Senate Bill No. 194 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 194, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Connor, Happy, Lennart, Petrich—4.

Senate Bill No. 194, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"Senator Woodall, the President notes that you are perusing the Rule Book and wonders if perhaps you are considering your action on Senate Bill No. 254 relating to macaroni workers in connection with Rule 3, that portion that says that no senator shall be allowed to vote except when within the bar of the Senate, or upon any question which he is in any way personally or directly interested . . . ?"

Senator Woodall:

"No, I was checking that part about voting at the bar. I have no direct interest in that at all!"

The President:

"Thank you, Senator."

**Senate Bill No. 51**, by Senators Elway, Jr., Sandison and Riley:

Requiring budgets for taxing districts to contain estimates of cash balances at beginning and end of budget period.

The bill was read the second time by sections.

On motion of Senator Elway, the rules were suspended, Senate Bill No. 51 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 51, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Connor, Dore, Happy, Lennart, Petrich—5.

Senate Bill No. 51, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 140**, by Senators Foster, Hanna and Hallauer (by Departmental request):

Relating to operation of controlled atmosphere storage warehouses.

The bill was read the second time by sections.

On motion of Senator Foster, the following amendment was adopted:

In section 1, subsection (4), page 1, line 17, after "any" strike all of the matter down to and including "removal" on line 18, and insert "fresh fruits or vegetables in order that, upon removal,"

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Foster yield to a question?"

Senator Foster:

"I will."

Senator Riley:

"I have an idea, myself, but I would like to ask the direct question: What is the need of the emergency clause?"

Senator Foster:

"I intended to explain that. At the present time there are a great many apples and other fruits in storage. As soon as the bill is passed, these apples are qualified as fruit being kept in controlled atmosphere storage. But, if the bill does not have that clause, the apples will be kept until later when the market is depleted, in order that the proper price may be realized from the apples. Under the 'controlled atmosphere' label, the price may be retained on the apples released."

#### POINT OF INQUIRY

Senator McCutcheon:

"Will Senator Foster yield to a question?"

Senator Foster:

"Yes, I will."

Senator McCutcheon:

"When do the members of the Senate get their apples?"

The President:

"Thank you, Senator Foster and Senator McCutcheon."

On motion of Senator Foster, the rules were suspended, Engrossed Senate Bill No. 140 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 140, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Connor, Dore, Happy, Lennart, McCormack—5.

#### MOTION

At 12:50 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Friday, February 3, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**TWENTY-SIXTH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Friday, February 3, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Hallauer and McMillan.

The Color Guard, consisting of Pages Dean Nysoe, Color Bearer, and Stephanie Craig, presented the Colors.

Reverend Teddy E. Turner, Minister of the First Christian Church of Olympia, offered prayer as follows:

"Let us pray.

"God of our fathers, Whose almighty hand leads forth in beauty all the starry band of shining worlds in splendor through the skies, our grateful prayers before Thy throne arise.

"Thy love divine hath led us in the past; in this free land by Thee our lot is cast; be Thou our Ruler, Guardian, Guide, and Stay, Thy Word our law, Thy paths our chosen way.

"From war's alarms, from deadly pestilence, be Thy strong arm our ever sure defense; Thy true religion in our hearts increase, Thy bounteous goodness nourish us in peace.

"Refresh these our Senators on their toilsome way; lead us from night to never ending day; fill all our lives with love and grace divine, and glory, laud, and praise be ever Thine.

"In the name of the Father, the Son, and the Holy Spirit. Amen."

**PRESIDENT'S PRIVILEGE**

The President:

"Reverend Turner, the President and the Members of the Senate wish to thank you for your presence with us this week, and mainly for your prayers and the manner in which you have given them."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate:

"The President wishes to call your attention to the absence of our very capable Sergeant-at-Arms, Mr. Charlie Johnson. Charlie suffered a fainting spell this morning, and was treated by his physician. He is now resting at St. Peter Hospital. I know that you all join with the President in hoping for Charlie's speedy recovery."

Senator Riley:

"I suggest, Mr. President, that the Secretary of the Senate, Mr. Bowden, be directed to send a note to St. Peter Hospital saying that all of us wish him well and hope for a speedy recovery."

The President:

"Thank you, Senator Riley, and it shall be so ordered."

## MOTION

On motion of Senator Greive the adoption of the proposed amendments to the Temporary Rules of the Senate was postponed and made a special order of business to be considered at 11:40 o'clock a. m. the same day.

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 154, have compared same with the original bill and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Senate Bill No. 117, also Engrossed Senate Bill No. 140, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 8:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, your Committee on Medicine and Dentistry to whom was referred Senate Bill No. 8, prohibiting the dealing in of certain narcotics, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Wayne G. Angevine, John L. Cooney, David C. Cowen, Harry Elway, Jr., R. R. (Bob) Greive, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 31** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 32:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred Senate Bill No. 32, providing parents with notice of traffic citations of their minor children, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 40** (reported by Committee on Capitol Grounds, Public Buildings and Parks):

Do pass as amended.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., William D. Shannon, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 55** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 68:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries to whom was referred Senate Bill No. 68, expanding courses of instruction at Washington State University to include forest management, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, John H. Happy, Andy Hess, Mike McCormack, Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 71:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes to whom was referred Senate Bill No. 71, removing requirement that names be staggered on ballots, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Andy Hess, Frances Haddon Morgan, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 81:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses to whom was referred Senate Bill No. 81, relating to civil engineers and land surveyors, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, John L. Cooney, David C. Cowen, F. Stuart Foster, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Commerce, Manufacturing and Licenses to whom was referred Senate Bill No. 81, relating to civil engineers and land surveyors. have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

I concur in this report: Fred H. Dore.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 92:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred Senate Bill No. 92, limiting juvenile court jurisdiction in traffic cases, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, R. R. (Bob) Greive, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 101:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses to whom was referred Senate Bill No. 101, exempting counties having electrical installation codes from state regulations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, David C. Cowen, Herbert H. Freise, Michael J. Gallagher, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 105** (reported by Committee on Natural Resources):  
Do pass as amended.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 115:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 115, relating to damages for death of child, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 124:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security to whom was referred Senate Bill No. 124, redefining "resource" in public assistance law, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 131:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance to whom was referred Senate Bill No. 131, providing penalties for failure of railroad companies to comply with employee sanitation and shelter regulations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Conner, Victor F. DeGarmo, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 136:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 136, prohibiting leaving parked vehicle with motor running unless licensed operator therein, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 137:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources, to whom was referred Senate Bill No. 137, regulating damage claims against irrigation districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 143:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Senate Bill No. 143, authorizing exchanges and leases of certain real

property by the board of regents of WSU, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, John H. Happy, Andy Hess, Mike McCormack, Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 153:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources to whom was referred Senate Bill No. 153, providing for director divisions in irrigation districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE MCCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 170:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 170, providing that certain absentee ballots need not be tabulated, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Andy Hess, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 175:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred Senate Bill No. 175, relating to service of justice court garnishments, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 213:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture to whom was referred Senate Bill No. 213, excluding certain agricultural and horticultural commissions from civil service act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, H. B. Hanna, Reuben A. Knoblauch, Fred J. Martin, David E. McMillan, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 217** (reported by Committee on Commerce, Manufacturing and Licenses):

Do pass as amended.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, David C. Cowen, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 226:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses to whom was referred Senate Bill No. 226, regulating wrecking yard fences, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, David C. Cowen, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, R. R. (Bob) Greive, Karl V. Herrmann, Reuben A. Knoblauch, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 231:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, your Judiciary Committee to whom was referred Senate Bill No. 231, relating to civil procedure and the filing of *lis pendens* notices where actions are in U. S. district court, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 244:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture to whom was referred Senate Bill No. 244, relating to the improvement and certification of planting stock used for propagation purposes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, H. B. Hanna, Reuben A. Knoblauch, Fred J. Martin, David E. McMillan, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 275** (reported by Committee on Natural Resources):

Do pass as amended.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 287:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 2, 1961.

We, a majority of your Committee on Agriculture and Horticulture to whom was referred Senate Bill No. 287, enacting new law relating to horticultural plants and nursery inspection, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, H. B. Hanna, Reuben A. Knoblauch, Fred J. Martin, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 6:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 2, 1961.

We, a majority of your Committee on Social Security to whom was referred Senate Joint Memorial No. 6, relating to earnings of persons receiving public assistance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, John Papajani, Edward F. Riley, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 116:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 2, 1961.

We, a majority of your Committee on Higher Education and Libraries to whom was referred House Bill No. 116, providing that training in military tactics at Washington State University be on an elective basis, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, John H. Happy, Andy Hess, Mike McCormack, Marshall A. Neill, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 8:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 2, 1961.

We, a majority of your Committee on Higher Education and Libraries to whom was referred House Concurrent Resolution No. 8, commending U. of W. on centennial, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, John H. Happy, Andy Hess, Mike McCormack, Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

MR. PRESIDENT:

House of Representatives,

Olympia, Wash., February 2, 1961.

The House has passed: House Bill No. 40; also  
Engrossed House Bill No. 55; also  
Engrossed House Bill No. 96; also  
Substitute House Bill No. 152; also  
Engrossed House Bill No. 240; also  
House Bill No. 247; also

House Joint Memorial No. 7, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

The House has passed: House Joint Memorial No. 21, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"The President would like at this time, at the request of Senator Greive of King County, to announce the presence of a group of illustrious and dedicated visitors. Seated in the gallery are members of the Sisters of Providence of Everett, Washington. I would like each to stand as the President introduces you."

The President introduced Sisters Mary Christopher, Christiana, Judith Ann, Phillip, Mary Daniel, Jean Ellen, Madeline, Charlene Marie, William Marie, Joel, Mary Lawrence, Ruth Ann, Justin, Eva Marie, Francis Xavier, and Catherine.

The President:

"The members of the Senate and the President wish to express appreciation to you for coming and the hope that you are enjoying your visit and that you will find the legislative processes of the state of Washington very interesting."

(Applause.)

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 350**, by Senator Rasmussen:

An Act providing for public defenders.

Referred to Judiciary Committee.

**Senate Bill No. 351**, by Senators Petrich and Riley:

An Act relating to motor vehicle operators' licenses; establishing a minimum age for issuance at eighteen years; providing for juvenile driving permits; amending sections 46.20.030, 46.20.070 and 46.20.080, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.20.030, 46.20.070 and 46.20.080; and adding two new sections to chapter ....., Laws of 1961 (House Bill No. 2), and to chapter 46.20 RCW.

Referred to Committee on Highways.

**Senate Bill No. 352**, by Senators Thompson, Jr. and Hess:

An Act relating to education; and amending section 4, chapter 187, Laws of 1955 as amended by section 7, chapter 297, Laws of 1957, and RCW 28.41.070. Referred to Committee on Education.

**Senate Bill No. 353**, by Senators Riley, Thompson, Jr. and Kupka:

An Act relating to materialmen's liens and amending section 60.04.020 of the Revised Code of Washington, and section 1 of chapter 45 of the Laws of 1909 as last amended by section 1 of chapter 278 of the Laws of 1959, and section 2 of chapter 279 of the Laws of 1959.

Referred to Judiciary Committee.

**Senate Bill No. 354**, by Senators Herrmann, Cooney and Ryder:

An Act relating to savings and loan associations; amending sections 34, 51, 77 and 83, chapter 235, Laws of 1945 and RCW 33.12.050, 33.12.150, 33.28.020, and 33.32.040; amending section 49, chapter 235, Laws of 1945 as amended by

section 3, chapter 71, Laws of 1953 and RCW 33.12.090; amending section 50, chapter 235, Laws of 1945 as last amended by section 4, chapter 71, Laws of 1953, and RCW 33.12.100; amending section 57, chapter 235, Laws of 1945, as last amended by section 2, chapter 280, Laws of 1959, and RCW 33.12.130; and declaring an effective date.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 355**, by Senators Herrmann, Cooney and Keefe:

An Act relating to fire protection district local improvement districts; amending section 40, chapter 34, Laws of 1939 and RCW 52.20.010, section 41, chapter 34, Laws of 1939 and RCW 52.20.020; adding a new section to chapter 52.20 RCW; and repealing sections 42 and 43, chapter 34, Laws of 1939 and RCW 52.20.030 and 52.20.040.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 356**, by Senators Herrmann, Cooney and Keefe:

An Act relating to property taxation by certain fire protection districts; and adding a new section to chapter 24, Laws of 1951 second extraordinary session and to chapter 52.16 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 357**, by Senators Durkan, Neill and Hanna:

An Act relating to elections; amending sections 10 and 13, chapter 209, Laws of 1907, section 5, chapter 82, Laws of 1909, section 2, chapter 26, Laws of 1935 and RCW 29.30.010 through 29.30.070; amending section 17, page 406, Laws of 1890, as last amended by section 1, chapter 77, Laws of 1947, and RCW 29.30.080; and adding a new section to chapter 29.21 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 358**, by Senators Hanna and Neill:

An Act relating to municipal courts in municipalities of the first, second, third and fourth classes, and amending section 6, chapter 337, Laws of 1955 and RCW 35.18.060; amending section 2, chapter 85, Laws of 1899, as amended by section 1, chapter 85, Laws of 1941, and RCW 35.22.420; amending section 3, chapter 85, Laws of 1899, as last amended by section 2, chapter 182, Laws of 1923, and section 1, chapter 79, Laws of 1937 and RCW 35.22.460 and 35.22.530; amending section 9, chapter 85, Laws of 1899 and RCW 35.22.480; amending section 62, chapter 241, Laws of 1907 and RCW 35.23.210; amending section 2, chapter 103, Laws of 1913 and RCW 35.23.600; amending section 8, chapter 103, Laws of 1913 and RCW 35.23.660; amending section 5, chapter 55, Laws of 1955, section 2, chapter 365, Laws of 1955 and RCW 35.24.020; amending section 29, chapter 184, Laws of 1915, as amended by section 2, chapter 113, Laws of 1919 and RCW 35.24.450, 35.24.460 and 35.24.470; amending section 168, page 209, Laws of 1890, as amended by section 1, chapter 24, Laws of 1921, section 173, page 214, Laws of 1890, section 143, page 198, Laws of 1890, as amended by section 4, chapter 113, Laws of 1903, section 2, chapter 87, Laws of 1939, as amended by section 2, chapter 108, Laws of 1941, section 144, page 198, Laws of 1890, as last amended by section 7, chapter 55, Laws of 1955, and section 147, page 200, Laws of 1890, as amended by section 2, chapter 115, Laws of 1941 and RCW 35.27.070, 35.27.090, 35.27.130 and 35.27.170; and amending section 174, page 214, Laws of 1890, as last amended by section 1, chapter 70, Laws of 1921 and RCW 35.27.520, 35.27.530 and 35.27.540; and adding a new section to chapter 35.27 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 359**, by Senators Elway, Jr., Sandison and Knoblauch.

An Act relating to public employment; adding a new section to chapter 41.40 RCW; and amending section 1, chapter 137, Laws of 1949 and RCW 41.44.260.

Referred to Committee on Social Security.

#### MOTION

On motion of Senator Greive, the rules were suspended and the name of Senator Thompson, Jr. was added as an additional sponsor of Senate Bill No. 359.

**Senate Bill No. 360**, by Senator Petrich:

An Act relating to narcotic drugs and providing penalties; amending section 69.33.410, chapter 27, Laws of 1959 and RCW 69.33.410; and declaring an emergency.

Referred to Committee on Medicine and Dentistry.

**Senate Bill No. 361**, by Senator Rasmussen:

An Act relating to motor vehicles and the licensing thereof; amending section 46.16.030, chapter ..... , Laws of 1961 (House Bill No. 2), and RCW 46.16.030; and adding four new sections to chapter 46.16 RCW.

Referred to Committee on Highways.

**Senate Bill No. 362**, by Senator Rasmussen:

An Act relating to school districts; and amending sections 26 and 27, chapter 266, Laws of 1947 and RCW 28.57.240 and 28.57.250.

Referred to Committee on Education.

**Senate Bill No. 363**, by Senators Washington and Hofmeister (by Highway Interim Committee request):

An Act relating to motor vehicle operators; and adding a new section to chapter ..... , Laws of 1961 (House Bill No. 2) and to chapter 46.64 RCW.

Referred to Committee on Highways.

**Senate Bill No. 364**, by Senators Sandison, Knoblauch and Lennart:

An Act relating to the Washington state patrol retirement system; amending section 11, chapter 250, Laws of 1947, as last amended by section 2, chapter 162, Laws of 1957, and RCW 43.43.220; amending section 14, chapter 250, Laws of 1947, as last amended by section 3, chapter 162, Laws of 1957, and RCW 43.43.250; amending section 15, chapter 250, Laws of 1947 as last amended by section 4, chapter 162, Laws of 1957, and RCW 43.43.260; amending section 16, chapter 250, Laws of 1947 as last amended by section 6, chapter 140, Laws of 1951, and RCW 43.43.270; amending section 17, chapter 250, Laws of 1947 as last amended by section 7, chapter 140, Laws of 1951 and RCW 43.43.280; amending section 9, chapter 250, Laws of 1947 as last amended by section 3, chapter 244, Laws of 1955, and RCW 43.43.300; and declaring an emergency.

Referred to Committee on Social Security.

**Senate Joint Memorial No. 15**, by Senators Bailey and Elway, Jr.:

Memorializing Congress to reconstruct Grays Harbor South Jetty to better water standards.

On motion of Senator Bailey, the rules were suspended, Senate Joint Memorial No. 15 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, Senate Joint Memorial No. 15 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 15, and the memorial passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Durkan, McMillan, Martin—3.

Senate Joint Memorial No. 15, having received the constitutional majority, was declared passed.

#### PRESIDENT'S PRIVILEGES

The President:

"The President should like to call your attention to the fact that there are present in the gallery 50 Senior High School Girl Scouts who are visiting the Senate today as part of an educational three-day trip to the State Legislature. These girls from all over the State are sponsored by the Girl Scouts and the American Association of University Women. We should like to have you stand in order that you may be properly recognized."

(Applause.)

The President:

"At the request of the Honorable Perry B. Woodall, I would like to announce the presence today of the Honorable Mayor of Toppenish, Mr. Hall, along with a group of business people. Please stand in order that you may be recognized."

(Applause.)

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the President declared the special order of business to be the adoption of the proposed amendments to the temporary rules of the Senate.

#### MOTION

It was moved by Senator Greive that the following proposed amendments to the Temporary Rules of the Senate be adopted, and the temporary rules, as amended, be adopted as the permanent rules of the 1961 Session of the Senate:

#### AMENDMENTS TO TEMPORARY RULES OF THE SENATE COMMITTEES—APPOINTMENT AND CONFIRMATION

Rule 2. The President shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate. *Provided, however,* That the appointment of the said conference, special, joint and hereinafter named standing committees shall be subject to the confirmation of the senate.

In the event the senate shall refuse to confirm any committee or committees, such committee or committees shall be forthwith elected by the senate.

The following standing committees shall constitute the standing committees of the senate.

- |   |    |
|---|----|
| 1. Agriculture and Horticulture .....     | 13 |
| 2. Air and Water Pollution Control .....  | 9  |
| 3. Banks and Financial Institutions ..... | 10 |

4. Capitol Grounds, Public Buildings and Parks .....	9
5. Cities, Towns and Counties .....	24
6. Claims and Auditing .....	5
7. Commerce, Manufacturing and Licenses .....	19
8. Constitution, Elections and Legislative Processes .....	17
9. Education .....	22
10. Engrossed and Enrolled Bills .....	2
11. Fisheries, Game and Game Fish .....	18
12. Higher Education and Libraries .....	12
13. Highways .....	33
14. Insurance .....	8
15. Judiciary .....	17
16. Labor and Industrial Insurance .....	8
17. Liquor Control .....	17
18. Medicine and Dentistry .....	9
19. Natural Resources .....	13
20. Public Institutions .....	13
21. Public Utilities .....	24
22. Rules and Joint Rules .....	16
23. Social Security .....	14
24. State Government, Military Affairs and Civil Defense.....	15
25. Ways and Means .....	37

ELECTION BY ROLL CALL

Rule 3. In all cases of election by the senate, the votes shall be taken by yeas and nays, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the senate, or upon any question upon which he is in any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the yeas and nays are being called, nor change his vote after the result has been announced. (See also Art. 2, Sec. 30, State Constitution)

A senator having been absent during roll call may ask to have his name called, *Provided*, He makes such request before the result of the roll call has been announced by the president.

PURCHASE OF SUPPLIES

Rule 8. All supplies for the use of the senate shall be furnished upon requisitions signed by the secretary and approved by the chairman of the committee on claims and auditing.

*The committee on claims and auditing shall carefully consider all items of expenditure ordered or contracted on the part of the senate or any of its employees, and report upon the same prior to the voucher being signed by the president and the secretary of the senate, authorizing the payment thereof.*

ORDER OF BUSINESS

Rule 12. After the roll is called and journal read and approved, business shall be disposed of in the following order:

FIRST. Presentation of petitions, memorials, resolutions and motions.

SECOND. Reports of standing committees.

THIRD. Reports of select committees.

FOURTH. Messages from the governor and other state officers.

FIFTH. Messages from the house of representatives.

SIXTH. Introduction, first reading, and reference of bills, memorials, and resolutions.

SEVENTH. Second reading of bills.

EIGHTH. Third reading of bills.

*The order of business established by this rule may be changed and any order of business already dealt with may be reverted or advanced to by a majority vote of those present. (See also Rule 46, Paragraph 4)*

UNFINISHED BUSINESS

Rule 15. The unfinished business at the preceding adjournment shall have [the] preference [on the orders of the day] *over all other matters*, excepting special orders, and no motion or any other business shall be received without special leave of the senate until the former is disposed of.

## MOTIONS—HOW PRESENTED

Rule 17. No motion shall be entertained or debated until announced by the president and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by the consent of the senate may be withdrawn before amendment or action.

## SENATE RESOLUTIONS

Senate resolutions shall be acted upon in the same manner as motions. [Strike old Rule 40 and insert the following:]

## DECORUM

Rule 40. Indecorous conduct, boisterous or unbecoming language *will not* be permitted *in the senate* at any time.

## DUTIES OF COMMITTEES

Rule 46. The several committees shall fully consider all measures referred to them. (Note stricken matter placed in Rule 8) [and the committees on claims and auditing shall carefully consider all items of expenditure ordered or contracted on the part of the senate or any of its employees, and report upon the same prior to the voucher being signed by the president and secretary of the senate authorizing the payment thereof.]

The committees shall acquaint themselves with the interest of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state.

RULES COMMITTEE  
DAILY CALENDAR

The committee on rules and joint rules shall have charge of the daily *second and third reading* calendar of the senate and shall direct the secretary *of the senate* the order in which [the business of the senate shall be transacted] *the bills shall be considered by the senate.* [: *Provided, however,* That by a vote of the majority of the senate any bill may be advanced to any place on the calendar,]

*The senate may change the order of consideration of bills on the second or third reading calendar.* [and any bill may be withdrawn from the committee by a like majority of the senate and placed upon the calendar in such position as may be ordered.]

## RECALLING BILLS FROM COMMITTEES

*Any standing committee of the senate may be relieved of further consideration of any bill by a majority vote of the members of the senate. The senate may then make such orderly disposition of the bill as they may direct by a majority vote of the members of the senate.*

## WAYS AND MEANS COMMITTEE

The committee on ways and means shall propose and recommend a method of providing sufficient revenues to meet their total recommended appropriations.

## COMMITTEE MEETINGS DURING SESSIONS

No committee shall sit during the daily session of the senate unless by special leave. (See also Rule 48)

## COMMITTEE REPORTS

[Strike old Rule 47 and insert the following:]

Rule 47. Bills which may be reported to the senate from a standing committee shall be prepared upon a printed standing committee report, shall carry one of the following recommendations, and shall be signed by those members of the committee subscribing thereto:

1. Do pass.
2. Do pass as amended.
3. Without recommendation.
4. Do not pass.
5. That the bill be referred to another committee.
6. That a substitute bill be substituted therefor, and the substitute bill do pass.
7. That the bill be indefinitely postponed.

MAJORITY REPORTS

A majority report of a committee must carry the signatures of a majority of the members of the committee.

MINORITY REPORTS

Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation, and shall be signed by those members of the committee subscribing thereto.

FILING COMMITTEE REPORTS

Prior to the 50th day all reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session.

READING OF REPORTS

The majority report, and minority report if there be one, together with the names of the signers thereof, shall be read by the secretary unless the reading be dispensed with by the senate, and all committee reports shall be spread upon the journal.

BILLS REFERRED TO RULES COMMITTEE

All bills reported by a committee to the senate shall then be referred to the committee on rules and joint rules for second reading without action on the report unless otherwise ordered by the senate.

SUBSTITUTE BILLS

When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute bill the first time and have the same ordered printed.

A motion for the substitution of the substitute bill for the original bill shall not be in order until the committee on rules and joint rules places the original bill on the second reading calendar.

ENROLLED AND ENGROSSED BILLS—REPORT ON

Rule 48. The committee on enrolled and engrossed bills may *meet and* report at any time during the sitting of the senate.

INTRODUCTION OF BILLS

Rule 58. All bills, resolutions and memorials to be introduced shall be in [quintuplicate] *quintuplet*, each shall be endorsed with a statement of the title and the name of the member introducing the same. Not more than three senators may sponsor a bill, except committee bills which shall be in accordance with the joint rules of the senate and house, . . . Etc. (Remainder of rule same)

AMENDATORY BILLS

Rule 60. Bills introduced in the senate intended to amend existing statutes, shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by setting such matter forth in full enclosed by double parentheses, *and such deleted matter shall be lined out with hyphens.* [and n] No bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

Sections added by amendatory bill to an existing act, or chapter of the official code, [shall] *need not be underlined but shall be designated "NEW SECTION."* in upper case type and such designation shall be underlined. [n] New enactments need not be underlined.

READING OF BILLS

Rule 61. Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule: *Provided, however,* That after the 49th day of every regular session this rule may be suspended by a majority vote.

The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading, bills shall be referred to an *appropriate standing committee* [S]. [unless they are committee bills in which event they shall go direct to second reading.]

Upon being reported back by committee, all bills shall [go to] *be referred to the*

*committee on rules and joint rules for second reading [,]. [unless there shall be a two-thirds majority report against a bill, in which case a vote shall be immediately called for upon the indefinite postponement of the bill.]*

*Should there be a two-thirds majority report of the committee membership against the bill, a vote shall be immediately ordered for the indefinite postponement of the bill.*

#### COMMITTEE BILLS

[When a committee reports a substitute for an original bill, with the recommendation that the substitute pass, it shall be in order to read the substitute the first time and have the same printed.]

[A motion for the substitution shall not be in order until the second reading of the original bill.]

*Committee bills introduced by a standing committee may be filed with the secretary of the senate and introduced, and the signature of each member of the committee shall be endorsed upon the cover of the original bill.*

*Committee bills shall be read the first time by title, ordered printed, and referred to the committee on rules and joint rules for second reading.*

#### SECOND READING

Upon second reading, the bill shall be read section by section, in full, and be subject to amendment.

#### AMENDMENTS

No amendment shall be considered by the senate until it shall have been sent to the desk in writing and read by the secretary, and all amendments on the desk shall be read.

All amendments adopted on the second reading shall *then* be securely [pasted] fastened to the original bill.

All amendments rejected by the senate shall be [passed to the minute clerk and] spread upon the journal and the journal shall show the disposition of [such] all amendments.

When no further amendments shall be offered, the president shall declare the bill has passed its second reading [.] , *and shall be referred to the committee on rules and joint rules for third reading.*

The bill with the amendments, if there be any attached thereto, shall be sent to the committee on engrossed and enrolled bills, which committee shall see that all amendments are properly engrossed upon the original bill, and the bill returned to the secretary before the opening of the senate on the next succeeding day.

#### THIRD READING

Bills on third reading shall be read in full by sections, and no amendment shall be entertained.

When a bill shall pass, it shall be certified to by the secretary, together with the vote upon final passage, noting the day of its passage thereon.

The vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the journal and the majority of the members elected to the senate must be recorded thereon as voting in its favor to secure its passage by the senate. (See also Rule 3.)

#### SCOPE AND OBJECT OF BILL NOT TO BE CHANGED

Rule 62. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

#### HOUSE AMENDMENTS TO SENATE BILLS

A senate bill, passed by the house with amendment or amendments which shall change the scope and object of the bill, upon being received in the senate, shall be referred to appropriate committee and shall take the same course as for original bills.

#### PRINTING OF BILLS, ETC.

Rule 66. Unless otherwise ordered, [1200] 1400 copies of all bills of general nature originating in the senate, shall be printed for the use of the senate and house of representatives: *Provided*, That upon request of [the senator introducing the bill,] *a member of the senate in writing addressed to the secretary of the senate, up to 1500 additional copies of such bill [may] shall be printed.*

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"I would like to have the privilege of taking this one last opportunity to suspend that portion of Rule 40 pertaining to smoking."

The President:

"With penalties, Senator Knoblauch?"

Senator Knoblauch:

"No."

The President:

"Do the members of the Senate understand that you are performing an act that will be recorded for posterity and that you do not want it recorded that you bought the cigars?"

The President:

"Ladies and Gentlemen of the Senate:

"The President has just been advised of an earth-shaking and momentous event that has just taken place. I would like to make an announcement: 'Senators' Hittle, Lemon and Barrett have just offered very generously to suspend that portion of Rule 40 pertaining to smoking with, believe it or not, penalties!"

Senator Greive:

"I think it should be recorded in the Journal that as the Rule dies, Senator Knoblauch was always for the suspension thereof, but never for the penalties."

**POINT OF INQUIRY**

Senator Riley:

"I would like to ask one question. Was that a penalty for the three of them, or was it a penalty for each of them?"

The President:

"The President wishes to correct the announcement made earlier. The act was engaged in by the entire press corps. In this act there is but one penalty!"

**Rule 46: Recalling bills from committees.****POINT OF INQUIRY**

Senator Hess:

"Will Senator Greive yield to a question?"

Senator Greive:

"I will."

Senator Hess:

"Senator Greive, in event that such a motion is made to either discharge a committee from the consideration of a bill, or if the bill is before the body, on a motion to refer it to a committee, would a majority vote prevail in each instance?"

Senator Greive:

"Yes."

The President:

"The record will so state."

Debate ensued.

**Rule 47: Majority reports.****POINT OF INQUIRY**

Senator Riley:

"Will Senator Greive yield to a question?"

Senator Greive:

"I will."

Senator Riley:

"Is it not true that when you say 'majority' that is a majority of the committee membership?"

Senator Greive:

"That is correct."

Debate ensued.

#### MOTION

Senator Woodall moved that further consideration of the rules be made a special order of business for 1:45 o'clock p. m.

The motion carried.

#### PRESIDENT'S PRIVILEGE

The President:

"Gentlemen and Lady of the Senate, Ladies and Gentlemen:

"The President should like to request your indulgence. We have with us a group of Indian Chiefs from the Yakima Indian Nation."

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Foster, Woodall, Bailey, Elway, Gissberg and Conner as a special committee to escort the Indian Chiefs to the rostrum.

The President:

"Gentlemen and Lady of the Senate:

"It is with great pride that the President wishes at this time to introduce Chief Joe Meninick of the Yakima Indian Nation."

Chief Joe Meninick:

"I will introduce the following members who are also members of my Tribal Council:

"Henry Beaverts, member of the Tribal Council; George Umtuch, chairman of General Council and member of Legislative Committee; Louis Sohapp, member of the Tribal Council; Alex Saluskin, chairman of Yakima Tribal Council and member of Legislative Committee; also, Governor's appointee to Governor's Indian Council (Interstate); Otis Shilo, member of Washington Delegation and Tribal Council Sergeant-at-Arms; and Robert Jim, secretary of the Yakima Tribal Council.

"We are delegated here today to appear before a committee in regard to our reservation. We are having a hearing on the entire proposals of the Indian Nations in the state of Washington. We are here to appear before the committee and also to support our proposals for better living and better roads and other things connected with our reservation.

"We are happy to be with you today, and we are also here to honor the Lieutenant Governor, John A. Cherberg."

The President:

"Thank you very much, Chief Joe. The members of the Senate are delighted to have you with us today. In fact, your presence today has added a great pleasure and enjoyment for all of us. We are sure that the people present in the gallery are also enjoying this particular episode."

Chief Joe Meninick:

"We now take this pleasure to honor Lt. Governor Cherberg, who is a leader among us today. Mr. Henry Beaverts is going to honor the Lt. Governor and make him Honorary Chief of the Yakima Nation and give him an Indian name as a leader."

Chief Henry Beaverts spoke in his native Indian tongue the following which has been translated in English:

"Today, we are gathered in this Capitol building and in these Senate Chambers where the laws of the state are considered carefully, regardless of thought to the race of people.

"We come together with one mind and one heart to discuss mutual problems for all races of people.

"Today, I am greatly honored to be welcomed by the law-makers, especially by the leader of these distinguished law-makers, Lt. Governor John A. Cherberg. He has welcomed us Yakima Indians with an open heart and mind and shown us his great ability as a leader among his people, the white man.

"I, as leader among my Indian people, feel that I should honor your great leader and adopt him as our Honorary Chief of the Yakima Nation and place upon him a headdress of eagle feathers to identify him as a blood brother of the Yakimas and bestow upon him the name of 'Chief Little Sun' (Exix Ohn)."

Chief Henry Beaverts:

"Governor Cherberg has now been made a brother leader, among his people as well as among the other people in the state of Washington. Today we are gathered here not only in assembly but also as guests and the members of the Senate of this state have welcomed us to the capitol with open hearts. We are happy today to have that kind of leadership. Today, I am going to honor the Lt. Governor with a name. A name he will always remember because it is a name that we all respect and we will always respect and honor. We will always honor 'Chief Exix Ohn Little Sun'."

The President:

"Thank you very much, Chief Beaverts.

"This is certainly a great occasion and it gives me a great deal of pride. I am sure that I will be more of a hero around my home than I have been in the past.

"These people have certainly been very generous and kind to me and I want them to know that I am deeply grateful. I hope and trust that they will extend my heart-felt thanks and warmest appreciation to the other members of the Yakima Indian Nation. The honor that you have bestowed upon me today will certainly result in a much better understanding between the people of your nation and the people of the state of Washington. The members of the Senate join with me today in the hope that you will return soon to visit us again."

#### PERSONAL PRIVILEGE

Senator Gissberg:

"Mr. President, there are a lot of us in the state of Washington who have long known you as 'Cowboy,' and I want to know what you intend to do with that portion of your name. Is it going to be 'Chief Cowboy Little Sun,' or 'Chief Little Sun Cowboy?'"

The President:

"Senator Gissberg:

"There is one little item that the President is grateful for, and that is that the Chiefs stopped the name where they did!

"The President would like to remark that, among his immediate family and brothers and sisters, he has been kidded a great deal over the past 45 years because of his tremendous fondness for Indian movies, having first witnessed them back in the early days, and there are certain acts on TV the President never misses."

Senator Gallagher:

"Mr. Chief, I wonder if you and the other chiefs would be willing to take this country back?"

The President:

"My fellow chiefs want to wait and see what you are going to do with it first!"

Senator Woodall:

"Rule 16 now says that when a member stands you have to say, 'Mr. President.' Now we will have to amend Rule 16."

Senator Kupka:

"In view of the fact that we have now abolished the suspension of Rule 40, are we now going to pass the peace pipe around?"

The President:

"At this time the President takes pride in presenting Chief Alex Saluskin."

Chief Saluskin:

"I think this is a great honor to accept 'Chief Little Sun' to our working government.

"As you know, 'Chief Little Sun,' we are about to lose our country and we are happy to have you with us. Maybe the offer made by one of the honorable senators, of whether or not we would take back our country, should be considered. I don't believe we want it back because there is too much tax burden, and unless the Honorable Governor Rosellini declares it as an emergency and waives all the taxes, we would not consider taking it back.

"Thank you."

The President:

"The President would like at this time to request the honor committee to please come forward to escort our distinguished visitors from the chamber, and the President would like to make one final remark, that he is deeply grateful and will try to live up to the best traditions of the people of the Yakima Indian Nation."

#### MOTION

At 12:40 o'clock p. m., on motion of Senator Greive, the Senate recessed until 1:40 o'clock p. m.

#### AFTERNOON SESSION

The Senate was called to order at 1:40 o'clock p. m. by President Cherberg.

The Secretary called the roll and announced to the President that all members were present except Senators Cooney, Foster, Keefe, McCormack, McMillan, Martin and Gissberg.

On motion of Senator Riley, Senator Keefe was excused.

#### AMENDMENT TO RULE 66

Senator Riley moved that the following amendment to Rule 66, of the Temporary Rules of the Senate, be adopted:

In lines 3, 4 and 5 of Rule 66 strike the proviso and add in lieu thereof the following: "Provided, That upon the request of a member of the Senate made to the President orally in open session, and with the approval of the Senate, additional copies in the amount requested by such Senator up to 1500 copies shall be printed."

Debate ensued.

The President stated the question before the Senate to be the adoption of the amendment by Senator Riley.

A division was called for and the amendment was lost on a rising vote.

On motion of Senator Greive, the following amendment to Rule 66 was adopted:

In Rule 66, page 5, after "printed" strike the period and add the following: ", but under no circumstances shall more than 2900 copies be printed without the consent of the senate."

#### MOTIONS

On motion of Senator Washington, Senator Riley was excused.

On motion of Senator Greive, the following rules, as amended, were adopted as the permanent rules of the 1961 session of the Senate:

PERMANENT RULES OF THE SENATE

DUTIES OF THE PRESIDENT

Rule 1. The president shall take the chair and call the senate to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read. He shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, shall order the sergeant-at-arms to suppress the same, and may order the arrest of any person creating any disturbance within the senate chamber. He may speak to points of order in preference to members, arising from his seat for that purpose, and shall decide all questions of order subject to an appeal to the senate by any member, on which appeal no member shall speak more than once without leave of the senate. He shall, in open session, sign all acts, addresses and joint resolutions. He shall sign all writs, warrants and subpoenas issued by order of the senate, all of which shall be attested by the secretary. In the absence of the president pro-tem, he shall have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any documents, requiring the signature of the president.

He shall have charge of and see that all officers, attaches, and clerks perform their respective duties, and he shall have general control of the senate chamber and lobby.

COMMITTEES—APPOINTMENT AND CONFIRMATION

Rule 2. The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate. *Provided, however,* That the appointment of the said conference, special, joint and hereinafter named standing committees shall be subject to the confirmation of the senate.

In the event the senate shall refuse to confirm any committee or committees, such committee or committees shall be forthwith elected by the senate.

The following standing committees shall constitute the standing committees of the senate.

1. Agriculture and Horticulture .....	13
2. Air and Water Pollution Control .....	9
3. Banks and Financial Institutions .....	10
4. Capitol Grounds, Public Buildings and Parks .....	9
5. Cities, Towns and Counties .....	24
6. Claims and Auditing .....	5
7. Commerce, Manufacturing and Licenses .....	19
8. Constitution, Elections and Legislative Processes .....	17
9. Education .....	22
10. Engrossed and Enrolled Bills .....	2
11. Fisheries, Game and Game Fish .....	18
12. Higher Education and Libraries .....	12
13. Highways .....	33
14. Insurance .....	8
15. Judiciary .....	17
16. Labor and Industrial Insurance .....	8
17. Liquor Control .....	17
18. Medicine and Dentistry .....	9
19. Natural Resources .....	13
20. Public Institutions .....	13
21. Public Utilities .....	24
22. Rules and Joint Rules .....	16
23. Social Security .....	14
24. State Government, Military Affairs and Civil Defense .....	15
25. Ways and Means .....	37

ELECTION BY ROLL CALL

Rule 3. In all cases of election by the senate, the votes shall be taken by yeas and nays, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the senate, or upon any question upon which he is any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the yeas and nays are being called, nor change his vote after the result has been announced. (See also Art. 2, Sec. 30, State Constitution)

A senator having been absent during roll call may ask to have his name called, *Provided*, He makes such request before the result of the roll call has been announced by the president.

#### SECRETARY, SERGEANT-AT-ARMS, EMPLOYEES

Rule 4. The senate shall elect a secretary, and a sergeant-at-arms, who shall perform the usual duties pertaining to their offices, and they shall hold office during the regular session and until their successor has been elected. The secretary shall appoint, subject to the approval of the senate, all other senate employees; and the hours of duty and assignments of all senate employees shall be under his directions and instructions, and they may be dismissed by him at his discretion.

#### SUBORDINATE OFFICERS

Rule 5. The subordinate officers of the senate shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the president, and such other duties as the senate may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services.

#### RESTRICTION OF EMPLOYMENT

Rule 6. No senate employee shall lobby in favor of or against any matter under consideration.

#### PRESIDENT PRO TEM

Rule 7. Upon the organization of the senate the members shall select one of their number as president pro tem, who shall have all the powers and authority, and who shall discharge all the duties of the lieutenant-governor, acting as president during his absence.

In the event that the lieutenant-governor is acting as governor the senate shall also elect one of its members temporary president, who in the absence or disability of the president elected by the senate, shall have all the power and authority and who shall discharge the duties of such president.

#### PURCHASE OF SUPPLIES

Rule 8. All supplies for the use of the senate shall be furnished upon requisition signed by the secretary and approved by the chairman of the committee on claims and auditing.

The committee on claims and auditing shall carefully consider all items of expenditure ordered or contracted on the part of the senate or any of its employees, and report upon the same prior to the voucher being signed by the president and the secretary of the senate, authorizing the payment thereof.

#### DAILY CONVENING TIME

Rule 9. The president shall call the senate to order each day of sitting at 10 o'clock a. m., unless the senate shall have adjourned to some other hour.

#### QUORUM

Rule 10. A majority of all members elected to the senate shall be necessary to constitute a quorum to do business: *Provided*, That less than a quorum may adjourn from day to day until a quorum can be had.

#### CALL OF THE SENATE

Rule 11. Although a roll call be in progress, a call of the senate may be moved by three senators, whose names shall be entered upon the journal, and if carried by a majority of all present the secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called. The doors shall then be closed and the sergeant-at-arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the senate for such action as the senate may deem proper.

#### ORDER OF BUSINESS

Rule 12. After the roll is called and journal read and approved, business shall be disposed of in the following order:

FIRST. Presentation of petitions, memorials, resolutions and motions.

SECOND. Reports of standing committees.

THIRD. Reports of select committees.

FOURTH. Messages from the governor and other state officers.

FIFTH. Messages from the house of representatives.

SIXTH. Introduction, first reading, and reference of bills, memorials, and resolutions.

SEVENTH. Second reading of bills.

EIGHTH. Third reading of bills.

The order of business established by this rule may be changed and any order of business already dealt with may be reverted or advanced to by a majority vote of those present. (See also Rule 46, Paragraph 4)

#### BUSINESS TO BE ANNOUNCED

Rule 13. The president shall, on each day, announce to the senate the business in order, agreeable to the preceding rule, and no business shall be taken up or considered, until the class to which it belongs shall be declared in order.

#### SPECIAL ORDER

Rule 14. The president shall call the senate to order at the hour fixed for the consideration of a special order, and announce that the special order is before the senate, which shall then be considered unless it is postponed by a majority vote, and any business before the senate at the time of the announcement of the special order shall take its regular position in the order of business.

#### UNFINISHED BUSINESS

Rule 15. The unfinished business at the preceding adjournment shall have preference over all other matters, excepting special orders, and no motion or any other business shall be received without special leave of the senate until the former is disposed of.

#### RULES OF DEBATE

Rule 16. When any senator is about to speak in debate, or submit any matter to the senate, he shall rise from his seat, and, standing in his place, respectfully address himself to "Mr. President," and when recognized shall in a courteous manner, confine himself to the question under debate, avoiding personalities, and when finished shall resume his seat. No senator shall impeach the motives of any other member or speak more than twice (except for explanation) during the consideration of any one question, on the same day or a second time without leave, when others who have not spoken desire the floor, but incidental and subsidiary questions arising during the debate shall not be considered the same question.

#### MOTIONS—HOW PRESENTED

Rule 17. No motion shall be entertained or debated until announced by the president and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by the consent of the senate may be withdrawn before amendment or action.

#### SENATE RESOLUTIONS

Senate resolutions shall be acted upon in the same manner as motions.

#### RECOGNITION BY THE PRESIDENT

Rule 18. When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration.

#### PRIORITY OF BUSINESS

Rule 19. All questions relating to the priority of business shall be decided without debate.

#### MESSAGES

Rule 20. Messages from the governor, other state officers, and from the house of representatives may be considered at any time by consent of the senate.

#### PRECEDENCE OF MOTIONS

Rule 21. When a motion has been made and seconded and stated by the chair the following motions are in order, in the rank named:

## PRIVILEGED MOTIONS

Adjourn or recess  
 Reconsider  
 Demand for call of the senate  
 Demand for roll call  
 Demand for division  
 Question of privilege  
 Orders of the day

## INCIDENTAL MOTIONS

Points of order and appeal  
 Method of consideration  
 Suspend the rules  
 Reading papers  
 Withdraw a motion  
 Division of a question

## SUBSIDIARY MOTIONS

1st Rank: Question of consideration  
 2nd Rank: To lay on the table  
 3rd Rank: For the previous question  
 4th Rank: To postpone to a day certain  
           To commit or recommit  
           To postpone indefinitely  
 5th Rank: To amend

No motion to postpone to a day certain, to commit, to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session.

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.

## OPENING AND CLOSING DEBATE

Rule 22. The author of a bill, motion or resolution shall have the privilege of opening and closing debate upon the same, unless the previous question has been moved and sustained.

## CALL FOR DIVISION OF A QUESTION

Rule 23. Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the senate; but a motion to strike out and insert shall not be divided.

## POINT OF ORDER—DECISION APPEALABLE

Rule 24. Every decision of points of order by the president shall be subject to appeal by any senator, and discussion of a question of order shall be allowed. In all cases of appeal the question shall be: "Shall the decision of the chair stand as the judgment of the senate?"

## QUESTION OF PRIVILEGE

Rule 25. Any senator may rise to a question of privilege and explain a matter personal to himself by leave of the president, but he shall not discuss any pending question in such explanations, nor shall any question of personal privilege permit any senator to introduce any person or persons in the galleries. *Provided*, The president upon notice received may acknowledge the presence of any group without applause from the senate.

## PROTESTS

Rule 26. Any senator or senators may protest against the action of the senate upon any question and have such protest entered upon the journal: *Provided*, That such protest does not exceed 200 words. The senator protesting shall file his protest with the secretary of the senate within 48 hours following the action protested.

## READING OF PAPERS

Rule 27. When the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the senate, without debate.

**SUSPENSION OF RULES**

Rule 28. No standing rule or order of this senate shall be rescinded or changed without a vote of two-thirds of the members, and one day's notice of the motion thereof: *Provided*, Adoption of permanent rules may be by simple majority without notice, but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the senate may proceed accordingly.

Rule 29. A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of his motion.

**PREVIOUS QUESTION**

Rule 30. The previous question shall not be put unless demanded by three senators, whose names shall be entered upon the journal, and it shall then be in this form: "Shall the main question be now put?" When sustained by a majority of senators present it shall preclude all debate, and the roll shall be immediately called on the question or questions, pending before the senate, and all incidental question or questions of order arising after the motion is made shall be decided whether on appeal or otherwise without debate.

**RECONSIDERATION, HOW TAKEN**

Rule 31. After the final vote on any resolution or bill, before the adjournment of that day's session, and at such time only, any member who voted with the prevailing side may give notice of reconsideration. Such motion to reconsider shall be in order only under the order of motions of the day immediately following the day upon which such notice of reconsideration is given, and may be made by any member who voted with the prevailing side.

A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting. On and after the fiftieth day of the session a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

**YEAS AND NAYS—WHEN MUST BE TAKEN**

Rule 32. The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the senate, and the votes shall be entered upon the journal, and the names of senators demanding the yeas and nays shall also be entered upon the journal.

**TIE VOTE**

Rule 33. The passage of a bill or action on a question is lost by a tie vote, but when a vote of the senate is equally divided, the lieutenant-governor, when presiding, shall have the deciding vote on questions other than the final passage of a bill. (See also Art. 2, Sec. 22, State Constitution)

**ANNOUNCEMENT OF VOTE**

Rule 34. The announcement of all votes shall be made by the president, and the announcement of the result of any vote shall not be postponed.

**MOTION TO ADJOURN**

Rule 35. Except when under call of the senate, a motion to adjourn shall always be in order. The name of the senator moving to adjourn, and the time when the motion was made shall be entered on the journal.

**REED'S PARLIAMENTARY RULES**

Rule 36. The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this senate and the joint rules of this senate and the house of representatives.

**BREACH OF DECORUM**

Rule 37. In cases of breach of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the senate may deem proper,

and if any senator be called to order for offensive or indecorous language or conduct, the person calling him to order shall report the language excepted to which shall be taken down or noted at the secretary's desk, and no member shall be held to answer for any language used upon the floor of the senate if business has intervened before exception to the language was thus taken and noted.

#### TRANSGRESSION OF RULES

Rule 38. If any senator in speaking, or otherwise, transgresses the rules of the senate, the president shall, or any senator may, call him to order, and when a senator shall be so called to order he shall resume his seat and not proceed without leave of the senate, which leave, if granted, shall be upon motion "that he be allowed to proceed in order," when, if carried, he shall confine himself to the question under consideration.

#### ABSENCE OF SENATOR WITHOUT LEAVE

Rule 39. No senator shall absent himself from the senate without leave, except in case of accident or sickness, and if any senator or officer shall absent himself his per diem shall not be allowed or paid him, and no senator, officer or attache shall obtain leave of absence or be excused from attendance without the consent of a majority of the members present.

#### DECORUM

Rule 40. Indecorous conduct, boisterous or unbecoming language will not be permitted in the senate at any time.

#### WITNESSES BEFORE THE SENATE

Rule 41. Witnesses summoned by or on behalf of the senate to appear before the senate, or any of its committees, shall be paid for each day's attendance five dollars, and shall be paid five dollars for maintenance for each day's attendance; for each mile traveled in coming to the place of examination, ten cents: *Provided, however,* No mileage shall be paid except where the witness actually traveled for the purpose of giving testimony.

#### USE OF SENATE CHAMBERS

Rule 42. The senate chamber and its facilities shall not be used for any but legislative business, except by permission of the senate.

#### ADMISSION TO SENATE

Rule 43. The sergeant-at-arms and door keepers shall not admit to the floor of the senate during the time the senate is not in session, any person other than one requested by a senator, the president or secretary of the senate, in writing.

#### SENATE GALLERY

Rule 44. The east section of the south gallery is reserved for the use of the governor and state officers and their families, for the families of senators, and for members of the house of representatives and their families.

#### ADMISSION TO FLOOR OF SENATE

Rule 45. The sergeant-at-arms and doorkeepers shall not admit to the floor of the senate during the session any person other than a member of the senate, except:

The governor.

Members of the house of representatives.

State elective officers.

Former members of the senate and state chairmen of the two major political parties.

Officers and employees of the senate.

Representatives of the press or other persons designated by name and holding cards of admission authorized by the rules committee and signed by the president.

*Provided,* That these courtesies shall be rescinded if the privilege is used for the purpose of lobbying when the senate is in session.

#### DUTIES OF COMMITTEES

Rule 46. The several committees shall fully consider all measures referred to them. The committees shall acquaint themselves with the interest of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state.

RULES COMMITTEE  
DAILY CALENDAR

The committee on rules and joint rules shall have charge of the daily second and third reading calendar of the senate and shall direct the secretary of the senate the order in which the bills shall be considered by the senate.

The senate may change the order of consideration of bills on the second or third reading calendar.

RECALLING BILLS FROM COMMITTEES

Any standing committee of the senate may be relieved of further consideration of any bill by a majority vote of the members of the senate. The senate may then make such orderly disposition of the bill as they may direct by a majority vote of the members of the senate.

WAYS AND MEANS COMMITTEE

The committee on ways and means shall propose and recommend a method of providing sufficient revenues to meet their total recommended appropriations.

COMMITTEE MEETINGS DURING SESSIONS

No committee shall sit during the daily session of the senate unless by special leave. (See also Rule 48)

COMMITTEE REPORTS

Rule 47. Bills which may be reported to the senate from a standing committee shall be prepared upon a printed standing committee report, shall carry one of the following recommendations, and shall be signed by those members of the committee subscribing thereto:

1. Do pass.
2. Do pass as amended.
3. Without recommendation.
4. Do not pass.
5. That the bill be referred to another committee.
6. That a substitute bill be substituted therefor, and the substitute bill do pass.
7. That the bill be indefinitely postponed.

MAJORITY REPORTS

A majority report of a committee must carry the signatures of a majority of the members of the committee.

MINORITY REPORTS

Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation, and shall be signed by those members of the committee subscribing thereto.

FILING COMMITTEE REPORTS

Prior to the 50th day all reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session.

READING OF REPORTS

The majority report, and minority report if there be one, together with the names of the signers thereof, shall be read by the secretary unless the reading be dispensed with by the senate, and all committee reports shall be spread upon the journal.

BILLS REFERRED TO RULES COMMITTEE

All bills reported by a committee to the senate shall then be referred to the committee on rules and joint rules for second reading without action on the report unless otherwise ordered by the senate.

SUBSTITUTE BILLS

When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute bill the first time and have the same ordered printed.

A motion for the substitution of the substitute bill for the original bill shall not be in order until the committee on rules and joint rules places the original bill on the second reading calendar.

## ENROLLED AND ENGROSSED BILLS—REPORT ON

Rule 48. The committee on enrolled and engrossed bills may meet and report at any time during the sitting of the senate.

## COMMITTEE REFERENCE

Rule 49. When a motion is made to refer a subject, and different committees are proposed, the question shall be taken in the following order:

FIRST: The committee of the whole senate

SECOND: A standing committee

THIRD: A select committee

## COMPARING ENROLLED AND ENGROSSED BILLS

Rule 50. Any senator shall have the right to compare an enrolled bill with the engrossed bill before the president signs the same.

## RULES IN THE COMMITTEE OF THE WHOLE

Rule 51. The rules of the senate shall apply to proceedings in committee of the whole, except that the previous question or the motion to lay on the table, shall not be ordered nor the yeas and nays demanded, but the committee may limit the number of times that any member may speak at any stage of the proceedings during the sitting.

## SUSPEND RULES FOR COMMITTEE OF THE WHOLE

Rule 52. The senate may at any time, by a vote of the majority of the members present, suspend the rules and orders of the senate for the purpose of going into the committee of the whole for the consideration of any bill, memorial or resolution before the senate.

## FORMATION OF COMMITTEE OF THE WHOLE

Rule 53. In forming the committee of the whole, the president shall name a chairman to preside, and all bills considered shall be read by sections and the chairman shall call for amendments and debates thereon at the conclusion of the reading of each section. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the secretary on a separate paper as the same shall be agreed to by the committee, and so reported to the senate for action.

## REPORT OF COMMITTEE OF THE WHOLE

Rule 54. A motion that the committee of the whole rise shall always be in order, and shall be decided without debate.

## MESSAGES RECEIVED WHILE COMMITTEE OF THE WHOLE SITS

Rule 55. Messages may be received by the president while the committee of the whole is sitting; in which case the president shall resume the chair; receive the message, and vacate the chair, in favor of the chairman of the committee.

## JOINT RESOLUTIONS AND MEMORIALS

Rule 56. Joint resolutions and joint memorials, up to the signing thereof by the president of the senate, shall be subject to the rules governing the course of bills.

## SENATE CONCURRENT RESOLUTIONS

Rule 57. Concurrent resolutions shall be subject to the rules governing the course of bills and may be adopted without a roll call: *Provided, however,* That concurrent resolutions authorizing investigations and authorizing the expenditure or allocation of any money must be adopted by roll call and the yeas and nays recorded in the journal.

## INTRODUCTION OF BILLS

Rule 58. All bills, resolutions and memorials to be introduced shall be in quintuplet, each shall be endorsed with a statement of the title and the name of the member introducing the same. Not more than three senators may sponsor a bill, except committee bills which shall be in accordance with the joint rules of the senate and house, *Provided, however,* That any member desiring to introduce a bill, joint resolution or memorial shall file the same with the secretary of the senate by five o'clock on the evening of the day before the convening of the session at which said bill, resolution or memorial

is to be introduced; and that no bill, resolution or memorial is to be introduced which has not been in the hands of the secretary at the time above stated.

The original bill is for the use of the Senate, one copy for the printer, two for the secretary and the other for use by the members of the press.

After the fortieth day of the session no bill shall be introduced, except as the legislature shall direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session: *Provided*, That the time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees, and general appropriation and revenue bills.

#### ONE SUBJECT IN A BILL

Rule 59. No bill shall embrace more than one subject, and that shall be expressed in the title.

#### AMENDATORY BILLS

Rule 60. Bills introduced in the senate intended to amend existing statutes, shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by setting such matter forth in full enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. No bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

Sections added by amendatory bill to an existing act, or chapter of the official code, need not be underlined but shall be designated "*NEW SECTION.*" in upper case type and such designation shall be underlined. New enactments need not be underlined.

#### READING OF BILLS

Rule 61. Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule: *Provided, however*, That after the 49th day of every regular session this rule may be suspended by a majority vote.

The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading, bills shall be referred to an appropriate standing committee.

Upon being reported back by committee, all bills shall be referred to the committee on rules and joint rules for second reading.

Should there be a two-thirds majority report of the committee membership against the bill, a vote shall be immediately ordered for the indefinite postponement of the bill.

#### COMMITTEE BILLS

Committee bills introduced by a standing committee may be filed with the secretary of the senate and introduced, and the signature of each member of the committee shall be endorsed upon the cover of the original bill.

Committee bills shall be read the first time by title, ordered printed, and referred to the committee on rules and joint rules for second reading.

#### SECOND READING

Upon second reading, the bill shall be read section by section, in full, and be subject to amendment.

#### AMENDMENTS

No amendment shall be considered by the senate until it shall have been sent to the desk in writing and read by the secretary, and all amendments on the desk shall be read.

All amendments adopted on the second reading shall then be securely fastened to the original bill.

All amendments rejected by the senate shall be spread upon the journal and the journal shall show the disposition of all amendments.

When no further amendments shall be offered, the president shall declare the bill has passed its second reading, and shall be referred to the committee on rules and joint rules for third reading.

The bill with the amendments, if there be any attached thereto, shall be sent to

the committee on engrossed and enrolled bills, which committee shall see that all amendments are properly engrossed upon the original bill, and the bill returned to the secretary before the opening of the senate on the next succeeding day.

#### THIRD READING

Bills on third reading shall be read in full by sections, and no amendment shall be entertained.

When a bill shall pass, it shall be certified to by the secretary, together with the vote upon final passage, noting the day of its passage thereon.

The vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the journal and the majority of the members elected to the senate must be recorded thereon as voting in its favor to secure its passage by the senate. (See also Rule 3.)

#### SCOPE AND OBJECT OF BILL NOT TO BE CHANGED

Rule 62. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

#### HOUSE AMENDMENTS TO SENATE BILLS

A senate bill, passed by the house with amendment or amendments which shall change the scope and object of the bill, upon being received in the senate, shall be referred to appropriate committee and shall take the same course as for original bills.

#### NO AMENDMENT BY MERE REFERENCE TO TITLE OF ACT

Rule 63. No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

#### BILL COMMITTED FOR SPECIAL AMENDMENT

Rule 64. A bill may be committed with special instructions to amend at any time before taking the final vote.

#### APPROPRIATION BILLS BUDGET

Rule 65. Bills appropriating money shall be considered in committee of the whole senate, and no change in the amount appropriated shall be made outside of the committee of the whole.

No amendment to the general appropriation bill, commonly known as the budget, adding any new item, or items, thereto not incorporated in the bill as reported by the ways and means committee, shall be adopted except by the affirmative vote of two-thirds of the senators elected.

#### PRINTING OF BILLS, ETC.

Rule 66. Unless otherwise ordered, 1400 copies of all bills of general nature originating in the senate, shall be printed for the use of the senate and house of representatives: *Provided*, That upon request of a member of the senate in writing addressed to the secretary of the senate, up to 1500 additional copies of such bill shall be printed, but under no circumstances shall more than 2900 copies be printed without consent of the senate.

#### FURNISHING FULL FILE OF BILLS

Rule 67. Persons, firms, corporations and organizations within the state, desirous of receiving copies of all printed senate bills, shall make application therefor to the secretary of the senate, who shall refer all such requests to the committee on rules and joint rules.

The bill clerk shall send copies of all printed senate bills to such persons, firms, corporations and organizations as may be ordered by the committee on rules and joint rules.

#### QUESTION OF CONSIDERATION

Rule 68. When the question of consideration has been raised as to any motion, resolution or amendment, it shall not be put until said motion, resolution or amendment has been read. The question of consideration shall be carried by a majority vote of the senators present.

## NAMES ON ROLL CALL

Rule 69. The order of names, on roll call, shall be determined by the committee on rules and joint rules.

## CONFIRMATION OF GUBERNATORIAL APPOINTEES

Rule 70. When the names of appointees to state offices are transmitted to the senate for confirmation, the communication from the governor shall be read in full and entered upon the journal.

The president of the senate shall after the reading refer the names of such appointees to the appropriate standing committees of the senate.

The committee shall report to the senate their findings and recommendations within ten days. The committee report will then be referred to the committee on rules and joint rules.

When the committee on rules and joint rules presents the report of the standing committee before the senate, the question shall be the confirmation of the name proposed, and the roll shall then be called and the yeas and nays entered upon the journal. (Article XIII State Constitution.)

The President announced the following appointments to the several standing committees of the Senate to bring their membership into conformity with the newly adopted permanent rules of the Senate:

## ADDITIONAL APPOINTMENTS TO STANDING COMMITTEES

**Banks and Financial Institutions**—Senator Moriarty, Jr.

**Cities, Towns and Counties**—Senator Raugust.

**Claims and Auditing**—Senator Gallagher.

**Commerce, Manufacturing and Licenses**—Senator Elway, Jr.

**Constitution, Elections and Legislative Processes**—Senator Bargreen.

**Education**—Senator Moriarty, Jr.

**Fisheries, Game and Game Fish**—Senator Elway, Jr.

**Insurance**—Senators Cooney, Durkan and Herrmann.

**Medicine and Dentistry**—Senator Ryder.

**Public Institutions**—Senator Freise.

**Rules and Joint Rules**—Senator Lennart.

**Social Security**—Senator Papajani.

## MOTION

Senator Greive moved the appointments of the additional committee members be confirmed.

The President stated the question before the Senate to be the confirmation of the standing committee appointments as read.

The motion carried.

Senator Lennart:

"I wish to say a few words in regard to the change in rules which have just now been approved.

"It is the right of the minority and its protection. Our form of government is a compromise between the concepts of struggle and the concepts of unity natural to all individuals. Parliamentary government is a state in which the minority agrees for a definite time after each election to collaborate with the majority in all things essential to national existence. Those essentials are codified in the constitution in all free countries that guarantee the minority against the abuse of power.

"If the minority should lose confidence in the good intentions of the majority, as far as fundamental principles are concerned, the change from one party to another, which is the essence of democracy, would no longer be possible. This principle is dear to all of us, and as the change in rules and the rights of the minority have now been complied with, I should like to have this recorded in the Journal to be followed for later times."

The President:

"Senator Lennart, your remarks will be recorded as requested. Of course, Senator Lennart's remarks pertain to his appointment as an additional member of the Committee on Rules and Joint Rules."

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read the first time by title and acted upon as indicated:

**Senate Joint Resolution No. 22**, by Senators McCutcheon, Gallagher and Gissberg (by Executive request):

Amending the Constitution to relax residence requirements for voters. Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 23**, by Senator Riley:

Providing annual legislative sessions.

Referred to Committee on Constitution, Elections and Legislative Processes.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**House Bill No. 40**, by Representatives Bigley, Rickdall and Adams (by Legislative Council request):

An Act relating to port districts; and providing for the promulgation and enforcement of police regulations governing public use of port district properties and facilities.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 55**, by Representatives Shropshire and Marsh:

An Act relating to the disqualification of judges of the superior courts, and providing for change of venue or change of judges on account thereof; and amending section 1, chapter 121, Laws of 1911 as amended by section 1, chapter 145, Laws of 1927 and RCW 4.12.040.

Referred to Judiciary Committee.

**Engrossed House Bill No. 96**, by Representatives Bernethy, King and Wintler (by Departmental request):

An Act relating to life insurance; authorizing the departments of state government to procure life insurance at state expense, for the benefit of employees of said departments while passengers on certain aircraft flights.

Referred to Committee on Natural Resources.

**Substitute House Bill No. 152**, by Committee on Highways:

An Act relating to state government; establishing a department of motor vehicles; providing for succession of powers and duties relating to motor vehicles from the director of licenses to the department of motor vehicles; providing for succession of powers and duties relating to securities and professional and business licensing from the director of licenses to the director of general administration; defining powers and duties; amending section 1, chapter 301, Laws of 1959 and RCW 43.19.010; amending section 1, chapter 174, Laws of 1953, as last amended by section 19, chapter 215, Laws of 1957, and RCW 43.17.010; amending section 2, chapter 174, Laws of 1953, as last amended by section 20, chapter 215, Laws of 1957, and RCW 43.17.020; and providing an effective date.

Referred to Committee on Highways.

**Engrossed House Bill No. 240**, by Representatives Epton, Adams and Day: An Act relating to the department of institutions and the administration of state residential schools; amending section 72.33.110, chapter 28, Laws of 1959 and RCW 72.33.110.

Referred to Committee on Public Institutions.

**House Bill No. 247**, by Representatives Hood, Siler, and Leibold (by Departmental request):

An Act relating to milk and milk products used for animal food; providing penalties; and making an effective date.

Referred to Committee on Agriculture and Horticulture.

**House Joint Memorial No. 7**, by Representatives Brink, O'Donnell and Garrett (by Executive request):

Memorializing congress to repeal section 14-b of the Taft-Hartley Act.

Referred to Committee on Labor and Industrial Insurance.

**House Joint Memorial No. 21**, by Representatives Wedekind, Witherbee and King:

Petitioning retention of six percent construction bid differential for Pacific Coast shipbuilders.

Referred to Committee on Commerce, Manufacturing and Licenses.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 154, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 9, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

The Speaker has appointed, under the provisions of House Concurrent Resolution No. 11, providing a memorial service for deceased members, Representatives Kirk, Gallagher and Leibold.  
S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 154; also House Concurrent Resolution No. 9.**

**APPOINTMENT OF MEMORIAL COMMITTEE**

Under the provisions of House Concurrent Resolution No. 11, the President appointed:

Senators Rasmussen, Moriarty, Jr., and Connor.

**MOTION**

On motion of Senator Knoblauch, the appointments made by the President under the provisions of House Concurrent Resolution No. 11, were confirmed.

## SECOND READING OF BILLS

**Senate Bill No. 52**, by Senators Sandison, Talley and Elway, Jr., (by Legislative Council request):

Permitting counties to abolish townships throughout the county by means of a single election.

The bill was read the second time by sections.

On motion of Senator Herrmann, the following amendment by Senators Lennart and Herrmann was adopted:

On page 3 add a new section following section 8 to read as follows:

"**NEW SECTION.** Sec. 9. There is added to chapter 24, Laws of 1951 second extraordinary session and to chapter 52.16 RCW a new section to read as follows:

"Not withstanding the limitation of millage contained in RCW 52.16.130, and in addition to any levy for the payment of the principal and interest of any outstanding general obligation bonds and levies necessary to pay the principal and interest of any coupon warrants heretofore issued and outstanding and in addition to any levy authorized by RCW 52.16.130, 52.16.140 or any other statute, if in any county where there are one or more townships in existence making annual tax levies and such township or townships are disorganized as a result of a county-wide disorganization procedure prescribed by statute and is no longer making any tax levy, the board of fire commissioners of any fire protection district within such county is hereby authorized to levy each year an ad valorem tax on all taxable property within such district of not to exceed two mills, which levy may be made only if it will not cause the combined levies to exceed the forty mill limitation."

Renumber new section 9 to read new section 10.

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 52 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 52, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Cowen, Durkan, Freise, Gallagher, Keefe, McMillan, Riley—7.

Engrossed Senate Bill No. 52, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was order to stand as the title of the act.

## MOTIONS

On motion of Senator Happy, Senator Freise was excused.

On motion of Senator Greive, Senators Keefe and McMillan were excused.

On motion of Senator Rasmussen, Senator Cowen was excused.

**House Bill No. 1**, by Representatives Gorton, Brink and Ackley:

Enacting Title 15 RCW relating to agriculture and marketing.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, House Bill No. 1 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINTS OF INQUIRY**

Senator Kupka:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"I will."

Senator Kupka:

"Senator Petrich, will you tell us whether or not you read these bills and digested them completely?"

Senator Petrich:

"These bills were carefully read by the committee and I am sure that if there were any bugs in them they would have brought them forward for debate. These bills were drawn to correct technical errors."

Senator Moriarty:

"Now that Rule 40 has disappeared, what rule do I suspend in order to smoke?"

Senator Greive:

"We still have on the books the mythical Rule 40 which can be suspended."

The President:

"It has been moved that the mythical and mystical Rule 40 be suspended, subject to penalty."

Senator Moriarty:

"Mr. President, are those mythical penalties?"

**PERSONAL PRIVILEGE**

Senator Kupka:

"Mr. President, Ladies and Gentlemen:

"I think this is probably the biggest package that was passed with the shortest speech in the history of the state of Washington."

The Secretary called the roll on the final passage of House Bill No. 1, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Cowen, Freise, Keefe, McMillan, Rile—5.

House Bill No. 1, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 2**, by Representatives Brink, Ackley and Gorton:

Enacting Title 46 of RCW relating to motor vehicles.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill No. 2 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 2, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Cowen, Donohue, Freise, Keefe, McMillan, Riley, Shannon—7.

House Bill No. 2, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Woodall, Senator Foster was excused.

**House Bill No. 3**, by Representatives Gorton, Brink and Ackley:  
Enacting Title 47 of RCW relating to state highways and toll bridges.  
The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill No. 3 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 3, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Dore, Durkan, Foley, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Talley, Washington, Woodall—38.

Those absent or not voting were: Senators Cowen, Donohue, Elway, Jr., Foster, Gissberg, Hallauer, Keefe, McMillan, Riley, Shannon, Thompson, Jr.—11.

House Bill No. 3, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 4**, by Representatives Ackley, Gorton and Brink:  
Enacting Title 51 RCW relating to industrial insurance.

On motion of Senator Moriarty, House Bill No. 4 was ordered to retain its place on the second reading calendar for Monday, February 6, 1961.

**House Bill No. 5**, by Representatives Ackley, Gorton and Brink:  
Enacting Titles 80 and 81 of RCW relating to public utilities and transportation.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill

No. 5 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 5, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Greive, Hallauer, Hanna, Happy, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Cooney, Cowen, Elway, Jr., Foster, Freise, Gissberg, Henry, Herrmann, Keefe, McMillan, Riley—11.

House Bill No. 5, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 6**, by Representatives Brink, Ackley and Gorton:

Enacting Titles 82, 83 and 84 of RCW relating to excise, inheritance, gift and property taxes.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill No. 6 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 6, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Happy, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr.—37.

Those absent or not voting were: Senators Cowen, Foster, Freise, Hanna, Henry, Herrmann, Keefe, McMillan, Martin, Riley, Washington, Woodall—12.

House Bill No. 6, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President announced the presence of a group of students from Bothell in the North Gallery. He asked that they please stand, along with Senator Thompson, Jr., in order that they may be properly recognized.

**House Bill No. 7**, by Representatives Brink, Gorton and Ackley:

Relating to diking and drainage and making corrections in Title 85 RCW to restore to session law language.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill No. 7 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 7, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Bailey, Connor, Cowen, Durkan, Foster, Freise, Henry, Keefe, McMillan, Martin, Riley—11.

House Bill No. 7, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 8**, by Representatives Brink, Gorton and Ackley:

Relating to reclamation, conservation and land settlement and making corrections in Title 89 RCW to restore to session law language.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill No. 8 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 8, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Cowen, Foster, Freise, Henry, Keefe, McCormack, McMillan, Martin, Riley—9.

House Bill No. 8, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"Senator Henry wishes to make an announcement."

Senator Henry:

"I just thought you might be interested in a report I just received of Charlie Johnson, our Sergeant-at-Arms. He is feeling pretty good and is in no danger whatsoever. We will just let nature do the rest."

**House Bill No. 9**, by Representatives Ackley, Brink and Gorton:

Relating to irrigation and making corrections in Title 87 of RCW to restore to session law language.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill

No. 9 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 9, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hanna, Happy, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Cowen, Foster, Freise, Hallauer, Henry, Keefe, McCormack, McMillan, Martin, Riley—10.

House Bill No. 9, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 10**, by Representatives Ackley, Gorton and Brink:

Relating to water rights and making corrections in Title 90 of RCW required to restore to session law language.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill No. 10 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 10, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Cowen, Dore, Foster, Freise, Gissberg, Hallauer, Keefe, McCormack, McMillan, Martin, Riley—11.

House Bill No. 10, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 11**, by Representatives Ackley, Brink and Gorton:

Relating to foreign banking corporations and correcting a clerical error in RCW 30.04.290.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill No. 11 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 11, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil,

Connor, Cooney, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Knoblauch, Kupka, Lennart, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Cowen, Durkan, Foster, Freise, Hess, Keefe, McCormack, McMillan, Martin, Riley—10.

House Bill No. 11, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 2:55 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 12:00 o'clock noon on Monday, February 6, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTY-NINTH DAY

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### NOON SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Monday, February 6, 1961.

The Senate was called to order at 12:00 o'clock noon by President Pro Tempore Al Henry.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Tom Knoblauch, Color Bearer, and Susan Harris, presented the Colors.

Reverend Charles Loyer, Pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Let us pray . . .

"Most gracious God and Father, Who would that all men should receive justice and enjoy freedom; bless with Thy favor this day the legislators assembled here.

"Give them vision to anticipate the problems of our state and boldness to strike out in new directions, if necessary, to solve them.

"Grant that out of the hours given to study, consultation, and debate, there may come great legislation that will cut the Gordian knot of political impasse; best preserve the rights of the individual; and secure the greatest good for the greatest number of people, thereby implementing Thy will on earth, to Whom belongs the honor and the glory. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 46** (reported by Committee on Air and Water Pollution Control):

Do pass as amended.

DAVID E. McMILLAN, *Chairman.*

We concur in this report: Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Ernest W. Lennart, Frances Haddon Morgan, Edward F. Riley, William D. Shannon, Don L. Talley.

On motion of Senator McMillan, Senate Bill No. 46 was referred to the Committee on Ways and Means.

**Senate Bill No. 86** (reported by Committee on Natural Resources):

Do pass as amended.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 156:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources, to whom was referred Senate Bill No. 156, relating to log patrols, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 157:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 157, relating to exchanges of land, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 206** (reported by Committee on Banks and Financial Institutions):

Do pass as amended.

KARL HERRMANN, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, George W. Kupka, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 4:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT: We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred Senate Joint Memorial No. 4, memorializing Congress for fishermen's tax benefits, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Victor F. DeGarmo, Fred H. Dore, Herbert H. Freise, Karl V. Herrmann, Ernest W. Lennart, Fred J. Martin, John Papajani, John A. Petrich, A. L. Rasmussen, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 18:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT: We, your Committee on Natural Resources, to whom was referred House Bill No. 18, relocating harbor lines in Liberty Bay, Kitsap County, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 190** (reported by Committee on State Government, Military Affairs and Civil Defense):

Do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**PERSONAL PRIVILEGE**

Senator Thompson:

"Inasmuch as we are now almost one-half way through this session and we are all in need of great strength and vitality for the remaining half, through the courtesy of the Washington State Pharmaceutical Association, you will find real good vitamin pills on your desks. We will try to keep you supplied with the vitamin pills in order that you may have the strength and vitality to supply good legislation."

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"With the passing of Senate Rule No. 40, Senator Papajani felt that you would need something to take the place of the cigars, so he has provided the lovely pastry which is being passed around."

President Pro Tempore Al Henry in the Chair:

"I am sure that the Senators will appreciate both the pastry and the vitamin pills."

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 6, 1961.

MR. PRESIDENT: The Speaker has signed: House Bill No. 1; also  
House Bill No. 2; also  
House Bill No. 3; also

House Bill No. 5; also  
 House Bill No. 6; also  
 House Bill No. 7; also  
 House Bill No. 8; also  
 House Bill No. 9; also  
 House Bill No. 10; also  
 House Bill No. 11, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill 154, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 46; also  
 House Bill No. 72; also  
 House Bill No. 86; also  
 House Bill No. 161; also  
 Engrossed House Bill No. 216; also  
 Engrossed House Bill No. 248; also  
 House Bill No. 249, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

The President (President Pro Tempore Al Henry in the Chair) signed:

House Bill No. 1; also  
 House Bill No. 2; also  
 House Bill No. 3; also  
 House Bill No. 5; also  
 House Bill No. 6; also  
 House Bill No. 7; also  
 House Bill No. 8; also  
 House Bill No. 9; also  
 House Bill No. 10; also  
 House Bill No. 11.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 365**, by Senator Gallagher:

An Act relating to civil service for city police; and amending section 7, chapter 13, Laws of 1937 and RCW 41.12.070.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 366**, by Senators Gallagher, Hofmeister and Talley:

An Act relating to cities and towns; adding a new section to chapter 35.02 RCW; and adding a new section to chapter 35.13 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 367**, by Senators Dore, Petrich and Moriarty, Jr.:

An Act relating to appeals from justice court in criminal actions; and adding a new section to chapter 29, Laws of 1891 and to chapter 10.10 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 368**, by Senators Dore and Petrich:

An Act relating to certain claims against decedents' estates; amending section 107, chapter 156, Laws of 1917 as amended by section 3, chapter 142, Laws of 1923 and RCW 11.40.010; and amending section 116, chapter 156, Laws of 1917 and RCW 11.40.100.

Referred to Judiciary Committee.

**Senate Bill No. 369**, by Senators Papajani, Shannon and Greive:

An Act relating to scenic protection districts; and declaring an emergency. Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 370**, by Senators Riley, Thompson, Jr. and Kupka:

An Act relating to public construction contracts.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 371**, by Senators Thompson Jr. and Riley:

An Act relating to motor vehicles and the issuance of motor vehicle license plates; and providing for special license plates for consuls and other official representatives of foreign government.

Referred to Committee on Highways.

**Senate Bill No. 372**, by Senator Bargreen:

An Act relating to motor vehicles and the licensing thereof, and amending section 46.16.080, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.16.080.

Referred to Committee on Highways.

**Senate Bill No. 373**, by Senators Thompson, Jr., Riley and Papajani:

An Act relating to intoxicating liquor; and adding a new section to chapter 62, Laws of 1933 extraordinary session and to Title 66 RCW.

Referred to Committee on Liquor Control.

**Senate Bill No. 374**, by Senators Hallauer and Foley:

An Act relating to the session laws of the state of Washington; amending section 3, chapter 136, Laws of 1907, as last amended by section 1, chapter 31, Laws of 1933 extraordinary session, and RCW 44.20.030; appropriating the sum of thirty thousand dollars, or so much thereof as may be necessary, for the temporary publication of session laws of the thirty-seventh session of the Washington state legislature; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 375**, by Senator Riley:

An Act relating to public assistance and creating a new program of medical assistance for the aged and adding four new sections to chapter 26, Laws of 1959 and chapter 74.08 RCW.

Referred to Committee on Social Security.

**Senate Bill No. 376**, by Senators Sandison and Riley:

An Act relating to actuarial service for the insurance commissioner and other state agencies.

Referred to Committee on Insurance.

**Senate Bill No. 377**, by Senators Petrich and Durkan:

An Act relating to industrial loan companies; and repealing chapter 172, Laws of 1923, chapter 186, Laws of 1925 extraordinary session, chapter 71,

Laws of 1929, chapter 95, Laws of 1939 and chapter 19, Laws of 1941 and RCW 31.04.010 through 31.04.270.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 378**, by Senators Durkan, Herrmann and Cooney:

An Act relating to bail; providing for the licensing of bail bondsmen, agents and solicitors; providing for the administration and regulation thereof; establishing examination and license fees; prescribing penalties; and adding twenty-four new sections to chapter 79, Laws of 1947 and to Title 48 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 379**, by Senators Durkan, Herrmann and Elway, Jr.:

An Act relating to the sale and conveyance of certain real property to the city of Seattle and the proceeds therefrom; and repealing sections 1, 2 and 3, chapter 252, Laws of 1957 (uncodified).

Referred to Committee on Natural Resources.

**Senate Bill No. 380**, by Senators Hanna, Foster and Herrmann:

An Act relating to outdoor advertising; providing for the preservation of natural beauty along public highways; providing for a reasonable freedom to advertise along public highways; and prescribing a penalty.

Referred to Committee on Highways.

**Senate Bill No. 381**, by Senators Durkan, Herrmann and Thompson, Jr.:

An Act relating to intoxicating liquors; and adding a new section to chapter 62, Laws of 1933 extraordinary session and to chapter 66.24 RCW.

Referred to Committee on Liquor Control.

**Senate Bill No. 382**, by Senators Herrmann, Connor, DeGarmo and Thompson, Jr.:

An Act relating to the Washington state liquor control board; amending section 64, chapter 62, Laws of 1933 extraordinary session, as last amended by section 9, chapter 5, Laws of 1949, and RCW 43.66.020.

Referred to Committee on Liquor Control.

#### MOTION

On motion of Senator Greive, the rules were suspended and more than three sponsors were permitted on Senate Bill No. 382.

**Senate Bill No. 383**, by Senators McCutcheon and McCormack:

An Act relating to legal publications; and amending section 1, chapter 99, Laws of 1921, as amended by section 3, chapter 213, Laws of 1941, and RCW 65.16.020.

Referred to Judiciary Committee.

#### MOTION

On motion of Senator McCutcheon, Senate Bill No. 383 was referred to the Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 384**, by Senators McCutcheon and McCormack:

An Act relating to constitutional amendments.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 24**, by Senator Riley:

Providing off-year election for governor and lieutenant governor.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 25**, by Senators McCormack and McCutcheon: Relating to publication of notice of proposed constitutional amendments. Referred to Committee on Constitution, Elections and Legislative Processes.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 46**, by Representatives Burns, Litchman, Jr. and Shropshire:

An Act relating to small claims in justice courts; amending section 1, chapter 187, Laws of 1919 and RCW 12.40.010; amending section 2, chapter 187, Laws of 1919 and RCW 12.40.020; amending section 3, chapter 187, Laws of 1919 and RCW 12.40.030; amending section 8, chapter 187, Laws of 1919 and RCW 12.40.080.

Referred to Judiciary Committee.

**House Bill No. 72**, by Representatives Garrett, Witherbee and Gorton:

An Act relating to cities and towns; and amending section 1, chapter 85, Laws of 1951, as amended by section 4, chapter 355, Laws of 1955, and RCW 35.23.220.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 86**, by Representatives Jueling, Newschwander and Lewis:

An Act relating to towns; amending section 143, page 198, Laws of 1890, section 144, page 198, Laws of 1890, section 147, page 200, Laws of 1890, section 168, page 209, Laws of 1890, section 173, page 214, Laws of 1890, sections 4 and 5, chapter 113, Laws of 1903, section 1, chapter 33, Laws of 1911, section 1, chapter 24, Laws of 1921, section 2, chapter 87, Laws of 1939, section 1, chapter 91, Laws of 1941, section 2, chapter 108, Laws of 1941, section 2, chapter 115, Laws of 1941, section 1, chapter 183, Laws of 1943, section 7, chapter 55, Laws of 1955, and RCW 35.27.070, 35.27.090, 35.27.130 and 35.27.170.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 161**, by Representatives Beierlein, McDougall and Bernethy:

An Act relating to motor vehicles and the licensing of operators thereof, and amending section 46.20.020, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.020.

Referred to Committee on Highways.

**Engrossed House Bill No. 216**, by Representatives Marsh, DeJarnatt and Henry:

An Act relating to judges in superior courts of certain counties; and amending section 6, chapter 125, Laws of 1951, as amended by section 2, chapter 19, Laws of 1955, and RCW 2.08.064, and declaring an emergency.

Referred to Judiciary Committee.

**Engrossed House Bill No. 248**, by Representatives Johnston, Schaefer and Marsh:

An Act relating to the retirement system for supreme and superior court judges; amending section 3, chapter 229, Laws of 1937, as last amended by section 1, chapter 243, Laws of 1957, and RCW 2.12.030; and adding two new sections to chapter 229, Laws of 1937 and to chapter 2.12 RCW.

Referred to Judiciary Committee.

**House Bill No. 249**, by Representatives McCormick, Clark and Pence (by Departmental request):

An Act relating to fertilizers, agricultural minerals and lime; providing penalties; and repealing sections 15.54.010 through 15.54.260, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.54.010 through 15.54.260; and making an effective date.

Referred to Committee on Agriculture and Horticulture.

#### PERSONAL PRIVILEGE

Senator Foster:

"The members of the Senate were very helpful to me last week and passed a couple of my bills, so in appreciation I am supplying you with apples which are being distributed.

"Senator McCutcheon requested yellow apples, but I will have to bring them at another time. These are very good delicious apples."

The President (President Pro Tempore Al Henry in the Chair):

"I am sure the members of the Senate appreciate that, and with the advent of vitamin pills, I am sure the Senators will be full of pep."

#### MOTION

It was moved by Senator Greive that the Senate recess until 2:00 o'clock p. m. for the purpose of lunch and a Rules Committee meeting.

#### POINT OF INQUIRY

Senator Rasmussen:

"Could we be advised as to what we will be doing after lunch? Are we going to have a calendar this afternoon? I have a committee meeting at 1:30."

Senator Greive:

"It is my understanding that we will have a short calendar this afternoon, since a Rules Committee meeting was called by Governor Cherberg. I imagine the session this afternoon will probably last until at least 3:00 o'clock p. m."

#### MOTIONS

On motion of Senator Foster, the Senate reverted to the First Order of Business in order to place a motion.

On motion of Senator Foster, Senate Bill No. 380 was referred to Committee on Highways.

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Greive yield to a question?"

Senator Greive:

"I will."

Senator Woodall:

"Senator Greive, where is the Governor?"

Senator Greive:

"Governor Rosellini is attending a meeting with several Republican governors in Idaho."

Senator Woodall:

"Just checking."

The motion by Senator Greive was carried and at 12:30 o'clock p. m., the Senate recessed until 2:00 o'clock p. m.

### AFTERNOON SESSION

President Pro Tempore Al Henry called the Senate to order at 2:00 o'clock p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Connor and Kupka.

#### MOTIONS

On motion of Senator McCutcheon, Senate Joint Resolutions Nos. 18, 19 and 20 were referred to the Committee on Education.

On motion of Senator Washington, the Senate Chamber was made available for a joint hearing on Tuesday night, February 7, on billboard advertising.

#### SECOND READING OF BILLS

**Senate Bill No. 203**, by Senators Papajani, Happy and DeGarmo (by Insurance Commissioner request):

Relating to insurance.

On motion of Senator Petrich, Senate Bill No. 203 was ordered to retain its place on the second reading calendar for Wednesday, February 8.

**House Bill No. 4**, by Representatives Ackley, Gorton and Brink:

Enacting Title 51 RCW relating to industrial insurance.

On motion of Senator Moriarty, House Bill No. 4 was ordered to retain its place on the second reading calendar for Wednesday, February 8.

**Senate Bill No. 71**, by Senators Gallagher, Greive and Gissberg:

Removing requirement that names be staggered on ballots.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 71 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Ryder:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"I will."

Senator Ryder:

"In what way will this tighten up the ballot?"

Senator Gallagher:

"Actually, it will permit more space at the end of the voting machine where new vacancies might occur. I can see no reason for vacancies now, in order that the staggering might permit candidates for each office appearing directly opposite each other."

Senator Ryder:

"Does this eliminate the so-called staggering system on the ballot?"

Senator Gallagher:

"Yes, as it is now, they are staggered. This takes too many spaces on the voting machine. This process merely moves the names closer together in order that more space may be left at the bottom, which is often desirable."

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"I will."

Senator McCutcheon:

"Under this provision of the act, the legislative candidates will no longer be staggered?"

Senator Gallagher:

"No, they are not."

Senator McCutcheon:

"Under these conditions is it not possible for the voter to assume that one Democratic candidate can be running against another?"

Senator Gallagher:

"I don't think this would make any difference in that way, any more than it does now. It would just place the names of the candidates closer together on the ballot."

Senator McCutcheon:

"Would it be possible to indicate on the ballot, in some way so that one candidate could always be distinguished from another?"

Senator Gallagher:

"In the primary election the name of a candidate is always placed in the order in which it is filed."

Senator McCutcheon:

"In a general election would it be possible, or is there any provision to be made, whereby the same two candidates might appear opposite each other throughout the ballot, and it would appear that they were running against each other?"

Senator Gallagher:

"There is a no change in that provision. Actually, they don't change the position of the names of the candidates, they stay in the same order."

Senator Ryder:

"Senator Gallagher, would you mind explaining the lawsuit that came up recently in King County?"

Senator Gallagher:

"I would be happy to. The Auditor's Office decided to do exactly what this bill provides. In order to save space they put the names of the candidates together on the ballot. The law says they must be staggered. The case was taken to court in order to keep the candidates names staggered on the ballot as they are now. That is the reason for this bill."

Debate ensued.

The Secretary called the roll on the final passage of Senate Bill No. 71, and the bill passed the Senate by the following vote: Yeas, 35; nays, 13; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Sandison, Talley, Washington—35.

Those voting nay were: Senators Chytil, Cowen, Elway, Jr., Foster, Happy,

Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—13.

Those absent or not voting were: Senator Freise—1.

Senate Bill No. 71, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 170**, by Senators Gallagher, Gissberg and Durkan:

Providing that certain absentee ballots need not be tabulated.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 170 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Dore:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Dore:

"Senator Gallagher, I wonder if in some instances where there were quite a number of precincts having absentee ballots out, if it would change the result of the election?"

Senator Gallagher:

"I can't see how it would. I imagine that situation would be handled the same as it is now. It couldn't make any difference."

Senator Dore:

"You said, if one candidate wanted to know the actual count he could petition to have the votes counted. Wouldn't it be an extra expense, rather than cutting expense, to have a counting for just one candidate?"

Senator Gallagher:

"No, that would speed it up immensely."

Senator Dore:

"Would you recommend this bill?"

Senator Gallagher:

"I do, very highly."

Debate ensued.

The Secretary called the roll on the final passage of Senate Bill No. 170, and the bill failed to pass the Senate by the following vote: Yeas, 23; nays, 25; absent or not voting, 1.

Those voting yea were: Senator Angevine, Bailey, Bargreen, Cooney, DeGarmo, Durkan, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, Martin, Nunamaker, Papajani, Petrich, Sandison—23.

Those voting nay were: Senators Chytil, Connor, Cowen, Donohue, Dore, Elway, Jr., Foley, Foster, Gallagher, Happy, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—25.

Those absent or not voting were: Senator Freise—1.

Senate Bill No. 170, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Senator Gallagher, having voted on the prevailing side, gave notice that on the next legislative day he would move for reconsideration of the vote by which Senate Bill No. 170 failed to pass the Senate.

**Senate Bill No. 131**, by Senators Cooney, Rasmussen, McCormack, Keefe and Herrmann:

Providing penalties for failure of railroad companies to comply with employees sanitation and shelter regulations.

On motion of Senator Raugust, Senate Bill No. 131 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 115**, by Senators Cooney, Herrmann and Woodall:

Relating to damages for death of child.

On motion of Senator Greive, Substitute Senate Bill No. 115 was substituted for Senate Bill No. 115, and the substitute bill was read the second time by sections.

On motion of Senator Herrmann, the rules were suspended, Substitute Senate Bill No. 115 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 115, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Riley, Ryder, Shannon, Talley, Washington, Woodall—42.

Those voting nay were: Senators Papajani, Rasmussen, Sandison—3.

Those absent or not voting were: Senators Freise, Happy, Martin, Thompson, Jr.—4.

Substitute Senate Bill No. 115, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 134**, by Senators Gissberg and Bailey:

Modifying provisions of volunteer firemen's relief and pension act.

On motion of Senator McMillan, Senate Bill No. 134 was ordered to retain its place on the second reading calendar for tomorrow.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Joint Memorial No. 15, have compared same with the original bill and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 6, 1961.

**MR. PRESIDENT:**

The House has passed: Senate Joint Memorial No. 15, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President (President Pro Tempore Al Henry in the Chair) signed: Senate Joint Memorial No. 15.**

**MOTION**

At 2:45 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on February 7, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**THIRTIETH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, February 7, 1961.

The Senate was called to order at 11:00 a. m. by President John A. Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Devere Duby, Color Bearer, and Vicki Papajani, presented the Colors.

Reverend Charles Loyer, Pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Let us pray:

"Eternal God and Father Who doth use human agencies to bring to pass Thy Will on earth;

"Bless the legislators in their work this day.

"Give to them such a sense of serving a higher Power that they may successfully resist the temptation to become enslaved by a lesser one. Deliver them from the fear of political reprisal and from the sharp tongue of those constituents who would have their cake and eat it too.

"Grant to them a pride of office and a sense of mission that will disdain political pettifogging, that will ignore the clamor of selfish interests, and that will give this day a good account of their stewardship over the natural and social resources of our state. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PRESIDENT'S PRIVILEGE**

The President:

"Now, hear this, Members of the Senate, hear this!

"That valiant group of young pages from the Senate scored a tremendous triumph over the House pages in a basketball game last night, to the tune of a score of 39 for the Senate pages to 28 for the House pages.

"Now, hear this further triumph!

"Those stalwart hearts of the Senate bill room, the bill room clerks, scored 33 points to 29 for the House bill clerks.

"It may be of interest to the members of the Senate to know that these two stalwart and valiant teams were coached by our eminent and esteemed doorman, the Honorable Ulyssus Stevens."

The Secretary read:

**SENATE RESOLUTION**

By Senators Riley, Ryder and Bargreen:

WHEREAS, The members of the Senate have learned to their sorrow of the death of Paul Pigott, eminent business executive and civic leader; and

WHEREAS, The members of the Senate are deeply conscious of the debt of gratitude owed by the state of Washington to Paul Pigott, whose generosity made possible the education of thousands of young men and women and whose humility and modesty makes it impossible for the exact amount to be known; and

WHEREAS, As a civilian aid to the Secretary of the Army, Paul Pigott brought honor to himself and the state of Washington, by giving valuable advice on matters concerning the national defense of our country; and

WHEREAS, It is through the efforts of Paul Pigott that the state of Washington is fortunate to have the Children's Orthopedic Hospital at Seattle; and

WHEREAS, Paul Pigott once said in response to a question asking for a formula for success: "Work, work so hard that one day you will happily notice that most difficult things come easy." And it was from this formula his life was patterned; and

WHEREAS, Paul Pigott has aided his fellowman in all facets of life and was a founder and supporter of United Good Neighbors, and also an organizer of boys clubs of Seattle and Junior Achievement organizations; and

WHEREAS, Paul Pigott was a man whose leadership ability and personnel perfection were directed entirely for the betterment of his fellowman, and his accomplishments are of such magnitude it would be impossible to recall them herein; and

WHEREAS, Paul Pigott, devoted husband and father, was honored by the Catholic Church as an outstanding lay leader, and in 1958 was named a Knight Commander of the Order of Knights of St. Gregory by Pope Pius XII; and

WHEREAS, Mere words cannot express the admiration of the members of the Senate nor the feeling which we have for his family during this hour of bereavement;

Now, Therefore, Be It Resolved by the Senate of the state of Washington, that the members of the Senate do hereby express their deepest sympathy to the Pigott Family in their great loss; and

Be It Further Resolved, That a copy of this resolution be suitably inscribed and forwarded to the members of the Pigott Family.

On motion of Senator Bargreen, the resolution was adopted.

**APPOINTMENT OF A SPECIAL COMMITTEE**

The President of the Senate appointed Senators Foley, Neill, Keefe, Gissberg, and Henry together with the Sergeant-at-Arms, as a committee to escort the Senate pages to the bar of the Senate.

The President instructed the Sergeant-at-Arms to escort Senator David C. Cowen to the rostrum.

The Secretary read:

**SENATE RESOLUTION**

By Senators Rasmussen, Herrmann and Freise:

WHEREAS, It has come to the attention of the members of the Senate that Senator

David C. Cowen has recently presented to each page a beautiful precision wrist watch; and

WHEREAS, The Senate pages desire to express their appreciation for the thoughtfulness of Senator Cowen and let him know that they all appreciate the gift and are especially proud to wear the watches because they represent an award from the distinguished senior Senator of the state of Washington; and

WHEREAS, The Senate pages want Senator Cowen to know that his gift to them has bestowed upon the pages a sense of humility and pride which they will cherish and which will inspire them to continue their duties in an orderly and efficient manner;

Now, Therefore, Be It Resolved, That members of the Senate of the state of Washington, on behalf of the Senate pages do hereby express their warmest appreciation to Senator David C. Cowen for his generosity and thoughtfulness in making this gift to the Senate pages.

On motion of Senator Rasmussen the resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"Senator Cowen, the Members of the Senate and the President do not know a finer and more gracious way in which to express the appreciation of this body to you for the generous and thoughtful act of presenting the pages with lovely watches."

Senator Cowen:

"I was really taken by surprise this morning. In my many years of service in the Legislature I have never before had this honor bestowed upon me, and to each and every one of you I wish to say 'thank you from the bottom of my heart'.

"I was sitting in the Davenport Hotel a few months ago when a young man came over to me. He asked me if I knew him, and, of course, I didn't. He told me that twenty-five years ago when I was a member of the House of Representatives I had given him a watch when he served as a page and he had never forgotten me and my generosity. Not so long before that a young fellow in the City of Los Angeles said the same thing when a similar incident had happened there.

"For the past twenty-five years I have always given watches to the pages in the House, just as I now give watches to the pages in the Senate.

"I would like also to pay tribute to a very fine little Bill Clerk that we have in the Bill Room. I don't know his name. We know him as 'Hi'. But to you pages, I want to say that every young boy and every young girl would like to have this job that you are now holding. You will never forget your job and you will never forget the proceedings of the Senate of the state of Washington. The education you are getting here is greater than ever possible in grade or in high school.

"You see the way the wheels of government are turning. I can assure you that every one of you will have the same opportunity that the men and women behind you have. And I can assure you that this little fellow 'Hi', to me is one of the most wonderful young men or young boys that I ever met in my life. He has a great character and pride and everything that goes with a young man that age. It is my wholesome desire and my greatest pleasure, if at any time Hi needs assistance in obtaining an education, I, members of the Senate, would like to educate him.

"Pages, do your jobs well and be good citizens. If you are good citizens, you have nothing to regret. Each and every one of you has the opportunity of becoming a Senator or a member of the House of Representatives, and by being good, kind, honest and true to your convictions you can do anything you want to do. Keep that in mind. Maybe some day when you grow up, you, too, can be a Senator.

"It is a great honor and a great pleasure to serve the people of the state of Washington. If you do the right thing they will never forget, and they will keep you in office as long as you are true to your convictions.

"You, too, can make this great honor come true that the members of the Senate and House have achieved. I wish you all well and I sincerely hope that for the remaining portion of the session you will be the kind of page that the Senate wants you to be, honest, clean and good pages.

"Thank you."

The President:

"Thank you, Senator Cowen, for your warm and kind remarks. You have delivered a message of great inspiration to the pages and to all of us."

**PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS****MOTION FOR RECONSIDERATION**

Senator Gallagher:

"Having voted on the prevailing side, I move that the Senate do now reconsider the vote by which Senate Bill No. 170 failed to pass the Senate."

**MOTION**

Senator Greive:

"I move that Senator Gallagher's motion be in order, without a further motion, as soon as the business at hand is completed."

The motion carried.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed Senators Riley, Bargreen, and Shannon to act as a committee of honor to escort the distinguished former Senator Frank Jackson to a place upon the rostrum.

Former Senator Jackson was escorted to the rostrum.

The President appointed Senators Greive and Woodall to act as a committee of honor to escort President Pro Tempore Al Henry to the rostrum.

President Pro Tempore Al Henry was escorted to the rostrum.

The President:

"The Members of the Senate and the President are proud to join with our associates on the Secretarial staff to welcome the former Senator Jackson. Senator Jackson has made many generous gestures toward the members of the Senate, and today I am advised is another occasion on which we can rely to have respected honor paid to one member of the Senate."

Former Senator Jackson:

"Members of the Senate; Ladies and Gentlemen:

"It is a great honor for me to come before you today. I will take as little time as possible.

"I think the greatest experience I have ever had has been my experience with the Washington State Legislature. My first experience was in 1911 Session when I was the youngest member of the House. I shouldn't reveal that as it will give away my age.

"It is difficult to follow such a remarkable and generous gentleman as Senator Cowen. I want to congratulate him upon his wonderful generosity.

"As you all know, I used to make gavels and have on occasion presented them to some worthy member. It is my pleasure again this morning to present a gavel to Senator Al Henry.

"Your Lieutenant Governor has supplied service to tens of thousands, as can be verified by the alumni of the University of Washington.

"Your President Pro Tempore has rendered excellent services too. He has been a member, I believe, of some twelve sessions, and has contributed much to the state of Washington.

"I would like to present to him this morning, a gavel which is a symbol of office and a symbol of the service he has performed. It gives me great pleasure, and I feel a great honor in being able to present to him this gavel which your Secretary has ready for me. Senator Henry, I wouldn't mind bringing you another next session, and it should have engraved upon it the fact that you served for two sessions in the office of President Pro Tempore of the Senate."

Senator Henry:

"Governor Cherberg and fellow Senators, Ladies and Gentlemen:

"I have had many honors bestowed upon me in my twenty years of public life and with them the bruises that one also collects along the rocky road. I believe this is one of the highlights, and I am greatly honored to 'backstop' someone like Governor Cherberg because he is a tremendous presiding officer. I can only thank you again, Senator Jackson."

**The President:**

"President Pro Tempore Henry, Senator Jackson and Members of the Senate:

"The Members of the Senate and the President wish to congratulate President Pro Tempore Al Henry for the outstanding work he has done as President Pro Tempore. And to you, Senator Jackson, the members wish to extend warm gratitude for the honor you have bestowed upon Senator Henry. Thank you very much."

**PRESIDENT'S PRIVILEGE****The President:**

"Senator Jackson has requested that he be able to suspend that portion of Rule 40 pertaining to smoking. The President feels that on this occasion the rule should be reinstated in order for Senator Jackson to suspend it. The President feels that the members would agree."

**PERSONAL PRIVILEGE****Senator Gallagher:**

"If the motion before the Senate prevails and Senate Bill No. 170 is reconsidered, it is my intention to ask that the rules be suspended and the Senate revert back to Second Reading for the purpose of amendments, for although the bill has merit, there is a lot of room for improvement."

Debate ensued.

Senators Greive, Gallagher, McCutcheon and Talley demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Riley, the Senate proceeded under the Call of the Senate.

Debate ensued.

**RECONSIDERATION**

The President stated the question before the Senate to be that the Senate do now reconsider the vote by which Senate Bill No. 170 failed to pass the Senate.

A division was called for, and the motion carried on a rising vote.

**MOTIONS**

Senator Gallagher moved that the rules be suspended and Senate Bill No. 170 be returned to second reading for amendment and the bill be placed on the Second Reading Calendar.

The motion carried.

On motion of Senator Gallagher Senate Bill No. 170 was ordered to retain its place on the Second Reading Calendar for tomorrow.

On motion of Senator Greive the Senate reverted to the first order of business.

On motion of Senator Greive Senate Bill No. 21 was considered immediately as a special order of business.

**SPECIAL ORDER OF BUSINESS****THIRD READING OF BILLS**

**Senate Bill No. 21**, by Senators McCutcheon and Dore:

Relating to construction and operation of dams on tributaries to Columbia River.

Senator Talley moved that Senate Bill No. 21 be referred to the Committee on Fisheries, Game and Game Fish for further consideration.

#### PARLIAMENTARY INQUIRY

Senator McCutcheon:

"On what order of business are we now?"

The President:

"Senator McCutcheon, we are presently on Third Reading of Bills."

Senator McCutcheon:

"Will that take a two-thirds majority?"

#### RULING OF THE PRESIDENT

The President:

"No, Senator McCutcheon, the motion to refer a bill to a committee takes a majority vote of those present."

Senator McCutcheon moved that the motion as presented by Senator Talley be tabled.

Senator Talley demanded a roll call, and the demand was sustained by Senators Nunamaker, Talley, Sandison, Elway, Jr., Petrich, Papajani, Herrmann, Greive, and Morgan.

The President stated the question before the Senate to be:

"It has been moved that the motion as presented by Senator Talley be tabled."

The Secretary called the roll and the motion by Senator Talley to refer Senate Bill No. 21 to the Committee on Fisheries, Game and Game Fish was laid on the table by the following vote: Yeas, 35; Nays, 14.

Those voting yea were: Senators Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Washington, Woodall—35.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Durkan, Elway, Jr., Foley, Gissberg, Henry, Keefe, Nunamaker, Papajani, Sandison, Talley, Thompson, Jr.—14.

Debate ensued.

#### POINT OF ORDER

Senator Greive:

"Mr. President, I have waited for some time for an interruption to state that this bill has never been read a third time."

The President:

"The President is aware of that, Senator Greive, and is waiting to do so."

#### MOTION

Senator Greive moved that the rules be suspended, the second reading be considered the third, and Senate Bill No. 21 be placed on final passage.

Debate ensued.

#### RULING OF THE PRESIDENT

The President:

"The President believes that the discussion has been ended."

The President stated the motion to be that the rules be suspended, the second reading considered the third, and Senate Bill No. 21 be placed on final passage.

The motion carried and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 21, and the bill failed to pass the Senate by the following vote: Yeas, 30; nays, 19; absent or not voting, 0.

Those voting yea were; Senators Chytil, Cooney, Cowen, Donohue, Durkan, Foster, Freise, Gallagher, Hallauer, Hanna, Happy, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Petrich, Rasmussen, Raugust, Riley, Shannon, Washington, Woodall—30.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, DeGarmo, Dore, Elway, Jr., Foley, Gissberg, Greive, Henry, Hofmeister, Moriarty, Jr., Nunamaker, Papajani, Ryder, Sandison, Talley, Thompson, Jr.—19.

Senate Bill No. 21, having failed to receive the constitutional two-thirds majority, was declared lost.

#### MOTION

On motion of Senator Greive, the Call of the Senate was dispensed with.

#### NOTICE OF RECONSIDERATION

Senator Dore, having voted on the prevailing side, gave notice that on the next legislative day he would move for reconsideration of the vote by which Senate Bill No. 21 failed to pass the Senate.

#### PRESIDENT'S PRIVILEGE

The President called the attention of the Senate to the fact that the Honorable Anthony G. Meneses, Consul General of India, was visiting the state of Washington to pay his respects to the State Government and to develop a program for Century 21 to take back to his country.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators McMillan, Durkan and McCormack to act as a committee of honor to escort Mr. Meneses to the rostrum.

The President:

"Lady and Gentlemen of the Senate, Ladies and Gentlemen:

"The President is proud to present the Honorable Anthony Meneses, Consul General of India."

Consul Meneses:

"I consider it a privilege to be amongst you all this evening and am thankful for the opportunity it gives me to acquaint you with my country's progress since becoming politically independent on August 15, 1947. These last thirteen years India's main endeavour and major preoccupation has been with the task of developing itself economically. Our Prime Minister on that historic day of August 15, 1947, pledged himself, his Party, and indeed, the whole country, to work for that future in which there would be no room for poverty and hunger. This pledge has not been an easy one to keep. For India, as you all know, is a vast sub-continent with more than 400 million people, that is, more than the entire population of the whole American continent. For centuries India has been one of the leading centers of human civilization, the birthplace of many religions, and the shelter of many more. In the matter of material progress India, unfortunately, has been left far behind. The Industrial Revolution that transformed the face of Europe, North America, and Japan during these last two hundred years has largely passed us by. The result has been grinding poverty

for our people, and this can be better gauged when you realize that, today, the average Indian has an income of only 70 U. S. dollars per year as against the average American's income of about 2,700 U. S. dollars per year.

"It is not possible to spur a giant of the size of India to new initiatives and new actions by piecemeal, isolated, or scattered effort. To get a move on in India requires a vast effort which, when translated into the welfare of 400 millions, would represent only a small gain. India's approach to every problem is pragmatic. For it will be recalled that India is not a new country, but an ancient sub-continent where many of the world's currents of culture have sprung up or flowed into and intermingled. This adds to our difficulties.

"For the long history of India carries with it a certain ruggedness, a certain store of values and traditions, traditions of faith and peace, of tolerance and give and take, which are the very foundations to us of a democratic order. Besides, the struggle for independence, under our revered leader, Mahatma Gandhi, had rekindled in us this age-old spirit of our country, and added to it a new dimension of hope built on our suffering and our good behavior.

"With long history then came also the flourishing among us of diverse talents and traditions, like those of devotion to learning in some classes, talent for business among others, and a facility for arts and crafts in still more. That is why even during the British rule the Indian scene was not one of a total lack of development. We had then a core of Indian industry, of well-organized business, of first-rate administration, and of craftsmanship even in mechanized production second to none in the world. Our natural resources, while not so abundant, were not inconsiderable. That is the reason why our roving Economic Ambassador, Mr. B. K. Nehru, told the Commonwealth Club of California, San Francisco, on January 13, 1961, that India is not a typical example of an under-developed country because it is not under-developed in any but an economic sense. In other words, India possesses all the requisites of economic growth except one, namely CAPITAL. India has a stable government, an administrative apparatus second to none in the world, managerial and technical ability of no mean order, and sophistication in financial and economic affairs, which enables India to make the best use of such resources as she may have or is able to get.

"Again, it is well known that there was very little capital in India. This made it impossible for private enterprise to undertake, and execute, gigantic projects. Therefore, only government could launch and fulfill these enterprises. Hence, that there has been some misunderstanding in this country as to the role of the Public Sector in India, and about India becoming a Socialist country, is understandable. In India, Public and Private Sectors contribute to the economy of the country. And there is plenty of room for both sectors to play their respective roles in building up the prosperity of India.

"While the savings of the people themselves, and from what the government deducts by taxation have, in a way, assisted in meeting the cost of building of schools, hospitals, irrigation works, roads, factories, and similar other means of economic growth, voluntary savings or taxation do not come easily in India, when most people are denied the basic necessities of life. To add to these difficulties of size and poverty, India has chosen to operate within a democratic framework, that is to say, to elicit the sacrifices implicit in development by persuasion and not by intimidation, by consent and not by coercion. For example, we choose to collect taxes with the approval of those taxed and not by forced levies of one kind or another.

"Looking back to the years since our independence, it will be fair to say that, while difficulties still remain great, we have added to the measure of hope in our future. During the last ten years when India through her first and second five year plans made a conscious and planned effort at development, she has achieved reasonable success in increasing and diversifying production, in increasing education and health facilities, and, perhaps most important, in making our people conscious of the need for development, and of the need of our peoples' own efforts and sacrifices for the purpose.

"Since 1951 when the first five year plan was launched, significant progress has been made in India in the fields of agriculture, industry, health, education, housing, power, and transport. Food production today in India is some forty per cent more than it was a decade ago. More money was spent on irrigation during the last twelve or thirteen years than was done during the entire period of British rule. Industrial structure has been much expanded. Today in India we produce many items such as bicycles, sewing machines, fertilizers, electrical equipment, caustic soda, machine tools, railway wagons and the like in substantial quantities. A decade ago we

produced hardly any of these items. Power generation capacity has increased two and a half times the level of ten years ago. In 1950/1951 there were some 10,000 students in our Engineering and Technological institutions. In 1960 there were 37,000 students admitted to these Technological institutions, and about 58 million attending educational institutions of all types. In 1947 there were 59,000 doctors in the entire country. They were concentrated largely in the cities. Today the number is 84,000, who are gradually spreading about India. The number of hospitals and dispensaries has gone up in 1960 from 8,600 to 12,600. Cloth consumption has increased from 10 yards per head to 15 yards per head per annum. Diseases like malaria and cholera have been virtually eradicated. Schools have increased from 230,000 in 1950 to 400,000 in 1960; 50,000 miles of new surfaced road has been built and the development of the economy over the last decade has enabled foreign trade to expand from 2.5 billion U. S. dollars a year to 3.75 billion U. S. dollars in 1960 or by as much as 50 per cent more.

"A few elements have assisted in cementing our own efforts into well directed progress. And, to recapitulate, one is a degree of planning that is, of anticipation and co-ordination in our efforts, another a pragmatic approach in which India has neither avoided new experiments nor remained wedded to idealogies of days gone by in mustering her means. There has been no hesitation to employ the machinery of the state to help promote development, both directly and indirectly, while simultaneous encouragement has been given actively to provide initiative to private enterprise wherever possible.

"The progress so far significant is only the beginning of a hard and uphill climb. Poverty, ignorance, and disease are still the lot of our people. It may take decades of development before we can eliminate this state of affairs. With total national production increasing at 3.5 per cent per annum, and population growing at 2 per cent per annum, the growth in per capita income is only of the order of 1.5 per cent per annum. At this rate, fifty years is estimated to be the requirement to double our present average standard of living, that is to raise it to just 140 U. S. dollars per annum. The authorities in India endeavour, however, to shorten this period to some 25 years, which would mean a growth rate, in per capita terms, of 3 per cent per annum or of 5 per cent per annum in absolute terms.

"No country can be independent of foreign aid unless it is able to export enough to pay for the imports it needs. India is making efforts to produce more of the things that she can export and make them available at competitive prices. This brings me to an observation and that is, that richer countries must remove barriers to our exports, as unfortunately there are far too many restrictions and limitations in richer countries in importation of the kinds of articles such as textiles, light engineering goods, etc., which India can supply on a competitive basis.

"India welcomes private foreign investment as an important means to her development and, even more, as a step for gradual elimination of Government to Government aid. The opportunities for investment in India are large, and a foreign enterprise has everything to gain by getting on the ground floor, so to say. We are fully aware that foreign capital will be attracted to India if foreign businessmen are convinced that their investments in India would be safe and profitable, with every facility for free remittance of capital and profits, and without any discrimination or undue restrictions on day to day operations. India has entered into agreements with the U. S. A. in respect of the latter's scheme of guarantee against non-convertibility and expropriation. In brief, that India's laws and practices are among the most enlightened in the world, is a judgment that has been endorsed by several trade missions from the United States of America and International Agencies. More significant still is the fact that it has been endorsed by the growing participation of American businessmen in Indian Industrial Development.

"The basic objective of India's third five year plan which begins on April 1, 1961, is to achieve a rate of growth of 5 per cent per annum, and in our conditions a growth rate of 5 per cent per annum is the minimum warranted to our needs. To attain this object, so essential to the growth of democratic institutions in India, our authorities reckon that apart from our own strenuous efforts, external assistance is required at the rate of one billion U. S. dollars per annum. We shall also need in the next few years some assistance in the form of surplus agricultural commodities. Helped on this scale for a limited period, a stage would be arrived at where hope in India's economic future under freedom would have triumphed decisively over the uncertainties inherent under India's present formidable difficulties.

"To conclude, a country like India whose aims and ideals are the cumulative product of its history and culture, creates a very strong reaction either for or against it. This at times prevents objective understanding of events in India. My plea to you today is that the more you understand the background of India, according to its history and culture, the clearer will be your appreciation of our objectives, which in this vital developing world should contribute to the common good of our two nations."

(Applause.)

The President:

"The members and the President wish to thank you for taking the time to present this highly interesting and informative analysis of your country to us. Thank you."

#### MOTION

At 1:05 p. m., on motion of Senator Greive, the Senate recessed for lunch until 2:15 o'clock p. m.

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#### AFTERNOON SESSION

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The President called the Senate to order at 2:15 o'clock p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Elway, Jr., Gallagher, Martin, Talley and Washington.

On motion of Senator Happy, Senator Elway was excused.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"Earlier in the day a group of students in the south gallery from East High School of Bremerton were present, accompanied by Les Eathorne and Art McCarty. The President should have liked to introduce these students along with their illustrious Senator Morgan, but realizing the importance of the measure, Senate Bill No. 21, hesitated to interrupt while it was under discussion. The President wishes to apologize to Mrs. Morgan for failing to introduce this group while they were still here."

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 9** (reported by Committee on Highways):

Do pass as amended.

NAT W. WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard S. Bargreen, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, William A. Gissberg, H. B. Hanna, Louis E. Hofmeister, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, W. C. Raugust, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 27:**

Senate Chamber,  
Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 27, relating to display and sale at World Fair, Century 21, of articles produced by persons confined to state institutions, have had the same under consider-

ation, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman*.

We concur in this report: Herbert H. Freise, Karl V. Herrmann, George Kupka, Francis Haddon Morgan, Gordon Sandison, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 34:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 34, providing for construction of public improvements and works, purchase of supplies, material, equipment and services and for contracts for printing notices in second, third and fourth class municipalities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Victor F. DeGarmo, Dewey C. Donohue, Michael J. Gallagher, John H. Happy, Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 64:**

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 64, transferring administration of farm labor contractor act to commissioner of employment security, providing penalties and making an appropriation, have had the same under considerable, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 94:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 94, modifying provisions of police pension fund in cities of the first class, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 94, modifying provisions of police pension fund in cities of the first class, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

DON L. TALLEY, *Chairman*.

We concur in this report: John H. Happy, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 142:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Senate Bill No. 142, relating to joint utilities by city and PUD, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman*.

We concur in this report: Joe Chytil, Frank Connor, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, George W. Kupka, Mike McCormack, John T. McCutcheon, John A. Petrich, A. L. Rasmussen, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 144:**

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 144, relating to apprenticeship council and providing for a supervisor of apprenticeship, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 174:**

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 174, requiring safety measures in excavations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 177:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Senate Bill No. 177, relating to investment of accumulated PUD funds, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman*.

We concur in this report: Joe Chytil, Frank Connor, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, James E. Keefe, George W. Kupka, Mike McCormack, John T. McCutcheon, John A. Petrich, A. L. Rasmussen, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 202:**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Senate Bill No. 202, raising the ceiling to \$5,000.00 per year for salary payment to

PUD commissioners, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman*.

We concur in this report: Joe Chytil, Frank Connor, Martin J. Durkan, Frank W. Foley, H. B. Hanna, Karl V. Herrmann, George W. Kupka, Mike McCormack, John A. Petrich, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 211:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 211, relating to limited access highway facilities through cities and towns and providing for law enforcement thereon by the state patrol, sheriff and local police officers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Michael J. Gallagher, John H. Happy, Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 218:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 218, relating to intercounty rural library districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Michael J. Gallagher, Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 227:**

Senate Chamber,  
Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 227, relating to traffic control on ocean beach highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT W. WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

....., *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard S. Bargreen, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, William A. Gissberg, H. B. Hanna, Louis E. Hofmeister, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, W. C. Raugust, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 286:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 286, relating to interest in contracts by officials in third

and fourth class cities and towns, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Michael J. Gallagher, Al Henry, George W. Kupka, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 299:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 299, lowering inhabitant requirement of cities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Michael J. Gallagher, John H. Happy, Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 303:**

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 303, authorizing the lease of certain property with proceeds thereof for benefit of medical aid fund, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 305** (reported by Committee on Agriculture and Horticulture):

Do pass as amended.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 327:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 327, relieving county officers of responsibility for deputies appointed under civil service, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Dewey C. Donohue, Michael J. Gallagher, John H. Happy, Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 342:**

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 342, providing for attendance of witnesses in industrial insurance court appeal, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 374:**

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

We, your Committee on Ways and Means, to whom was referred Senate Bill No. 374, appropriating funds for temporary publication of session laws and permitting style to differ from permanent volume, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*,

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 14:**

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Joint Memorial No. 14, memorializing Congress to issue a stamp commemorating the 50th anniversary of Washington's Workmen's Compensation Act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 49:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 49, authorizing joint acquisition and operation of facilities by two or more port districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Victor F. DeGarmo, Dewey C. Donohue, Frank W. Foley, Michael J. Gallagher, John H. Happy,

Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 52:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT: We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 52, coordinating port district administrative procedures and operations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Michael J. Gallagher, John H. Happy, Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 84:**

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT: We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 84, authorizing consolidation of two or more port districts in single county, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, John H. Happy, Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 7:**

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT: We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred House Joint Memorial No. 7, memorializing congress to repeal section 14-b of the Taft-Hartley Act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT: I, a minority of your Committee on Labor and Industrial Insurance, to whom was referred House Joint Memorial No. 7, memorializing congress to repeal section 14-b of the Taft-Hartley Act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

I concur in this report: F. Stuart Foster.

Passed to Committee on Rules and Joint Rules for second reading.

**PERSONAL PRIVILEGE**

Senator Woodall announced that the cigars now being distributed were through the courtesy of the brilliant young junior Republican Senator Charles P. Moriarty, Jr., in memory of his first speech to the body.

The President:

"Thank you, Senator Woodall, and thank you, Senator Moriarty. The members of the Senate are indeed grateful to you for your generosity."

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Joint Memorial No. 15, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 42; also  
House Bill No. 58; also  
House Bill No. 117; also  
House Bill No. 118; also  
House Bill No. 122; also  
Substitute House Bill No. 123; also  
Engrossed House Bill No. 148; also  
Engrossed House Bill No. 149; also  
House Bill No. 171; also  
House Bill No. 217, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 385**, by Senators Angevine, Papajani and Greive (by Departmental request):

An Act relating to unemployment compensation; amending section 9, chapter 35, Laws of 1945, as amended by section 2, chapter 214, Laws of 1949 and RCW 50.04.080; amending section 28, chapter 35, Laws of 1945 and RCW 50.04.270; amending section 31, chapter 35, Laws of 1945 and RCW 50.04.300; amending section 33, chapter 35, Laws of 1945, as last amended by section 2, chapter 8, Laws of 1953 first extraordinary session and RCW 50.04.320; amending section 62, chapter 35, Laws of 1945, as amended by section 2, chapter 170, Laws of 1959 and RCW 50.16.030; amending section 103, chapter 35, Laws of 1945, as amended by section 19, chapter 8, Laws of 1953 first extraordinary session and RCW 50.24.150.

Referred to Committee on Social Security.

**Senate Bill No. 386**, by Senators Durkan, Herrmann and Cooney:

An Act relating to public service properties and utilities; providing for the regulation thereof; defining certain activities as being motor freight carriers; amending section 81.80.010, chapter ....., Laws of 1961 (House Bill No. 5) and RCW 81.80.010; amending section 81.80.040, chapter ....., Laws of 1961 (House Bill No. 5) and RCW 81.80.040; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 5) and to chapter 81.80 RCW.

Referred to Committee on Public Utilities.

**Senate Bill No. 387**, by Senator Moriarty, Jr.:

An Act relating to escrow and escrow agents; and providing penalties.

Referred to Judiciary Committee.

**Senate Bill No. 388**, by Senators Lennart and Hallauer:

An Act relating to aid to dependent children assistance and adding new sections to chapter 26, Laws of 1959 and to chapter 74.12 RCW.

Referred to Committee on Social Security.

**Senate Bill No. 389**, by Senators Foley, Petrich and Dore:

An Act relating to the judicial council; amending section 1, chapter 45, Laws of 1925 extraordinary session, as amended by section 1, chapter 40, Laws of 1955, and RCW 2.52.010; and amending section 2, chapter 45, Laws of 1925 extraordinary session and RCW 2.52.020.

Referred to Judiciary Committee.

**Senate Bill No. 390**, by Senators Herrmann, Durkan and Cooney:

An Act relating to automobile casualty and liability insurance; amending section .18.29, chapter 79, Laws of 1947 and RCW 48.18.290; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.18 RCW.

Referred to Committee on Insurance.

**Senate Bill No. 391**, by Senators Gallagher, Cooney and Angevine:

An Act relating to elections; amending sections 3068, 3070, 3075, and 3078, Code of 1881, sections 2 and 6, chapter 156, Laws of 1895, section 1, chapter 39, Laws of 1905, sections 15 and 20, chapter 209, Laws of 1907, section 29, chapter 138, Laws of 1913, section 1, chapter 124, Laws of 1915, section 20, chapter 163, Laws of 1919, section 1, chapter 68, Laws of 1921, section 1, chapter 14, Laws of 1931, section 2, chapter 85, Laws of 1933, section 2, chapter 165, Laws of 1935, section 1, chapter 182, Laws of 1947, and RCW 29.04.020, 29.45.010, 29.45.030, 29.45.040, 29.45.070, 29.45.080, 29.48.030, 29.48.060, 29.48.090, 29.51.170, 29.51.180, 29.79.410, 29.79.420, and 29.79.430; and amending section 17, page 406, Laws of 1890, as last amended by section 1, chapter 77, Laws of 1947, and RCW 29.30.080.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 392**, by Senators Durkan, Happy and Dore:

An Act relating to private and public utilities; and adding three new sections to chapter 54.04 RCW.

Referred to Committee on Social Security.

**Senate Bill No. 393**, by Senators Hallauer and Gissberg:

An Act relating to state government; and establishing a state employees' merit award system.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 394**, by Senators Washington, Cooney and Lennart:

An Act relating to the state colleges of education; amending section 1, chapter 76, Laws of 1957, and RCW 28.81.140; amending section 2, chapter 76, Laws of 1957, and RCW 28.81.150; and amending section 3, chapter 76, Laws of 1957, and RCW 28.81.160.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 395**, by Senators Bailey and Elway, Jr.:

An Act relating to firearms and dangerous weapons; and amending sections 7 and 16, chapter 172, Laws of 1935 and RCW 9.41.070 and 9.41.160.

Referred to Judiciary Committee.

**Senate Bill No. 396**, by Senators Bailey and Elway, Jr.:

An Act relating to county sheriffs, and deputy sheriffs; adding two new sections to chapter 36.28 RCW; and providing a penalty.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 397**, by Senator Riley:

An Act relating to legal holidays; and amending section 1, chapter 51, Laws of 1927 as amended by section 1, chapter 20, Laws of 1955 and RCW 1.16.050.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 398**, by Senators Papajani, Gissberg and Durkan:

An Act relating to insurance; and amending section .18.17, chapter 79, Laws of 1947 and RCW 48.18.170.

Referred to Committee on Insurance.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Bill No. 42**, by Representatives Bigley, Mahaffey and Bergh (by Legislative Council request):

An Act relating to joint purchasing agencies of school districts; and providing for the acquisition, maintenance, operation and disposition of capital facilities and equipment.

Referred to Committee on Education.

**House Bill No. 58**, by Representatives Marsh, Harris and Campbell (by Legislative Council request):

An Act relating to fiduciary bonds; providing for a roster of agents who may execute such bonds; and providing for the approval of such bonds by clerks of the court.

Referred to Judiciary Committee.

**House Bill No. 117**, by Representatives Johnston and Campbell (by Legislative Council request):

An Act relating to justice court procedure.

Referred to Judiciary Committee.

**House Bill No. 118**, by Representatives Campbell and Johnston (by Legislative Council request):

An Act relating to traffic law enforcement; providing penalties, adding a new chapter to chapter ....., Laws of 1961, and to Title 46 RCW; amending sections 46.20.030 and 46.56.010, chapter ....., Laws of 1961 and RCW 46.20.030 and 46.56.010; adding a new section to chapter 46.20 RCW; adding a new section to chapter ....., Laws of 1961 and Title 46 RCW; and repealing sections 46.64.010, 46.64.015, 46.64.020, 46.64.030, 46.64.040 and 46.64.050, chapter ....., Laws of 1961 and RCW 46.64.010, 46.64.015, 46.64.020, 46.64.030, 46.64.040 and 46.64.050.

Referred to Judiciary Committee.

**House Bill No. 122**, by Representatives Williams, Marsh and Harris:

An Act relating to business corporations; and adding a new section to chapter 185, Laws of 1933 and chapter 23.01 RCW.

Referred to Judiciary Committee.

**Substitute House Bill No. 123**, by Committee on Higher Education and Libraries:

An Act relating to the Washington state library commission; and amending section 1, chapter 5, Laws of 1941 and RCW 27.04.020.

Referred to Committee on Higher Education and Libraries.

**Engrossed House Bill No. 148**, by Representatives Canfield, Connor and Sawyer:

An Act relating to agricultural fairs; and repealing sections 1 through 8, chapter 60, Laws of 1951 and RCW 15.76.011 through 15.76.090.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 149**, by Representatives Taylor, Braun and Juelling:

An Act authorizing towns of the fourth class to acquire, operate, and maintain off-street parking facilities.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 171**, by Representatives Beierlein, Evans and Huntley:

An Act relating to motor vehicles and the licensing thereof; amending section 46.16.220, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.16.220; amending section 46.16.230, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.16.230; amending section 82.44.020, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 82.44.020; repealing sections 46.16.400 through 46.16.440, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.16.400 through 46.16.440.

Referred to Committee on Highways.

**House Bill No. 217**, by Representatives Henry, Braun and Canfield:

An Act relating to the Washington State Teachers' Retirement System; and amending section 24, chapter 80, Laws of 1947, as amended by section 7, chapter 274, Laws of 1955 and RCW 41.32.240; amending section 26, chapter 80, Laws of 1947, as amended by section 8, chapter 274, Laws of 1955 and RCW 41.32.260; amending section 34, chapter 80, Laws of 1947, as amended by section 15, chapter 274, Laws of 1955 and RCW 41.32.340; amending section 55, chapter 80, Laws of 1947, as last amended by section 2, chapter 37, Laws of 1959 and RCW 41.32.550; amending section 59, chapter 80, Laws of 1947 and RCW 41.32.590; adding a new section to chapter 41.32 RCW; and providing an effective date.

Referred to Committee on Social Security.

#### SECOND READING OF BILLS

**Senate Bill No. 131**, by Senators Cooney, Rasmussen, McCormack, Keefe and Herrmann:

Providing penalties for failure of railroad companies to comply with employee sanitation and shelter regulations.

The bill was read the second time by sections.

Senator Woodall moved that the following amendment be adopted:

In section 1, page 1, line 20 of the bill, after the period following "violation" strike the remainder of the section.

Senator Herrmann moved that the amendment proposed by Senator Woodall be laid on the table.

#### POINT OF INQUIRY

Senator McCormack:

"Mr. President, this motion for the amendment to be laid on the table would not carry the bill with it?"

#### RULING OF THE PRESIDENT

The President:

"No, Senator McCormack, it would not. It would simply table the amendment."

The President stated the question to be the tabling of the amendment. A division was called for and the amendment was tabled on a rising vote.

Senator Rasmussen moved that the rules be suspended, Senate Bill No. 131 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A division was called for, and the motion was lost on a rising vote.

Senate Bill No. 131 was passed to Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 134**, by Senators Gissberg and Bailey:

Modifying provisions of volunteer firemen's relief and pension act.

The bill was read the second time by sections.

Senator Thompson moved that the following amendment be adopted:

On page 6, following section 6, add a new section as follows:

Sec. 7. Section 1, chapter 261, Laws of 1945, as amended by section 1, chapter 263, Laws of 1955, and RCW 41.24.010 are each amended to read as follows:

As used in this chapter:

"Municipal corporation" or "municipality" includes any city or town, fire protection district, or any water, irrigation, or other district, authorized by law to afford protection to life and property within its boundaries from fire.

"Fire department" means any regularly organized fire department consisting wholly of volunteer firemen, or any part-paid and part-volunteer fire department duly organized and maintained by any municipality: *Provided*, That any such municipality wherein a part-paid fire department is maintained may by appropriate legislation permit the full-paid members of its department to come under the provisions of chapter 41.16.

"Firemen" includes any fireman who is a member of any fire department of any municipality *and who shall have attended monthly drills unless excused and who shall be available to perform the duties of a fireman as herein defined.*

"Performance of duty" shall be construed to mean and include any work in and about company quarters or any fire station or any other place under the direction of general orders of the chief or other officer having authority to order such member to perform such work; responding to, working at, or returning from an alarm of fire; drill; or any work performed of an emergency nature in accordance with the rules and regulations of the fire department.

"State board" means the state board for volunteer firemen created herein.

"Appropriate legislation" means an ordinance when an ordinance is the means of legislating by any municipality, and resolution in all other cases.

Debate ensued.

Senator Gallagher moved that the amendment proposed by Senator Thompson be tabled.

The motion carried and the amendment was tabled on a rising vote.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 134 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 134, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Cooney, Hallauer, Martin—3.

Senate Bill No. 134, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 55**, by Senators Bargreen, Petrich, Dore, Hanna, Angevine, DeGarmo, Washington and Neill:

Relating to consumer protection; prohibiting restraints of trade; unfair competition, and unfair or deceptive acts or practices in trade or commerce.

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 55, relating to consumer protection; prohibiting restraints of trade; unfair competition, and unfair or deceptive acts or practices in trade or commerce, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 4, page 1, line 24 strike the word "the" before "trade" and on lines 24 and 25 after "commerce" insert a period and strike "in this state."

In new section 14, page 7, line 6, after the period following "in a civil action" add a new paragraph as follows:

"RCW 9.01.090 shall not be applicable to the terms of this act and no penalty or remedy shall result from a violation of this act except as expressly provided herein."

In new section 19, page 7, line 33 strike the period following "matters" and insert "and that in deciding whether conduct restrains or monopolizes trade or commerce or may substantially lessen competition, determination of the relevant market or effective area of competition shall not be limited by the boundaries of the state of Washington."

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Greive the following amendment was adopted:

In new section 6, page 2, line 15, after the period following "in any line of commerce" add a new paragraph as follows:

"Nothing contained in this section shall apply to transactions duly consummated pursuant to authority given by the Washington Public Service Commission or by the Federal Power Commission under any statutory provisions vesting such power in such commission."

Senator Riley moved that the following amendment be adopted:

In new section 11, page 3, line 32, after the word "believes" and before the word "that" add the words "beyond a reasonable doubt".

Debate ensued.

On motion of Senator Greive, the amendment proposed by Senator Riley was tabled.

Senator Woodall:

"I have another amendment that I would like to send to the desk."

#### POINT OF ORDER

Senator Greive:

"Just so Senator Woodall will know, this is out of order but we are indulging you."

Senator Woodall:

"I know of no rule in the book that says the Senate can't wait until the amendment is reduced to writing."

## MOTIONS

Senator Riley:

"I move that Senate Bill No. 55 be placed after Senate Bill No. 206 on today's calendar."

Debate ensued.

Senator Greive moved that the motion of Senator Riley be tabled.

The motion carried, and Senator Riley's motion to place Senate Bill No. 55 after Senate Bill No. 206 was lost.

Senator Woodall moved that Senate Bill No. 55 be placed on the calendar after Senate Bill No. 226.

## RULING OF THE PRESIDENT

The President ruled that Senate Bill No. 55 would take its place after Senate Bill No. 226.

**Senate Bill No. 8**, by Senators Thompson, Jr., Petrich and Woodall:  
Prohibiting the dealing in of certain narcotics.

The bill was read the second time by sections.

On motion of Senator Thompson, the rules were suspended, Senate Bill No. 8 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 8, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—40.

Those voting nay were: Senator Dore—1.

Those absent or not voting were: Senators Cooney, Durkan, Elway, Jr., Foster, Martin, Papajani, Talley, Woodall—8.

Senate Bill No. 8, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 226**, by Senators Bargreen and Washington:  
Regulating wrecking yard fences.

The bill was read the second time by sections.

On motion of Senator Bargreen, the rules were suspended, Senate Bill No. 226 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF ORDER

Senator Kupka:

"Will Senator Bargreen yield to a question?"

Senator Bargreen:

"Yes, I will."

Senator Kupka:

"In this bill it specifies a solid board fence. Does it further specify, or can you have any other kind?"

Senator Bargreen:

"It changes the law which requires a type of wire fence to a board fence eight feet high that will obstruct the view. This type of fence is used in cities now. Wire fences do not obstruct the view and are no advantage as far as making the wrecking yards not objectionable to sight."

POINT OF INQUIRY

Senator DeGarmo:

"Will Senator Bargreen yield to a question?"

Senator Bargreen:

"I will."

Senator DeGarmo:

"Is there anything in the bill which prohibits political signs on these fences?"

Senator Bargreen:

"I think you can put up all the signs you want, provided you get permission from the owner."

Senator Rasmussen:

"Will Senator Bargreen yield to a question?"

Senator Bargreen:

"I will."

Senator Rasmussen:

"Senator Bargreen, your intent is very good, but I question whether or not it is going to serve its purpose. Could you tell me how are you going to accomplish this? Who is going to enforce it?"

Senator Bargreen:

"We believe that this act in which we changed the specifications will take care of it.

"This act, of course, is already in the law. We now have the law, as was stated previously, and where it was necessary to have a fence you will notice it says a screen type of fence along these portions. This is being changed to a board fence."

Senator Rasmussen:

"On line 15, you say, 'not to exceed the height of 8 feet.' For instance, most highways are above the areas used for wrecking yards and eight feet would still not obstruct the view from the highway. If someone wanted to put up a higher fence than eight feet, under this bill he could not do so, as it specifies not to exceed eight feet."

Senator Bargreen:

"I would have no objection to changing the wording so as not to limit the height of the fence. The main purpose of the '8 feet' is that the highway is a number of feet higher than the frontage, and it would be quite expensive to put up a fence over eight feet high. I don't feel at this time that it would be necessary to ask the wrecking yards to go to a greater expense. Eight feet will take care of the main problem."

Senator Hess:

"If there be no objection, I would like to suggest that Senate Bill No. 226 take its place following Senate Bill No. 239."

Senator Bargreen:

"I have no objection to the motion of Senator Hess."

Senator Gallagher:

"I would like to know some reason for placing it that way."

Senator Hess:

"The point raised by Senator Rasmussen, I think, is in order, and I intended to talk to Senator Rasmussen and prepare an amendment to be considered."

**RULING OF THE PRESIDENT**

The President stated that if there were no objections, Senate Bill No. 226 would take its place after Senate Bill No. 239.

There were no objections.

**Senate Bill No. 55**, by Senators Bargreen, Petrich, Dore, Hanna, Angevine, DeGarmo, Washington and Neill:

Relating to consumer protection; prohibiting restraints of trade; unfair competition, and unfair or deceptive acts or practices in trade or commerce.

The bill was read the second time by sections.

Senator Woodall moved that the following amendment be adopted:

In new section 11, subsection (6), page 5, line 23, after "county" and before the period strike "as the parties may agree" and insert "where the parties reside".

Senator Greive:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"Yes, Senator Greive, I will."

Senator Greive:

"You said that this amendment is in conformity with the other legislation and other matters in the statutes. If he lived in a particular area (interruption)

Senator Woodall:

"I said (interruption)

Senator Nunamaker:

"Supposing the prosecuting attorney in the county refused to prosecute, then it would have to come to the attorney general?"

Senator Woodall:

"That is the way it is now. If the prosecuting attorney wouldn't do the job, then it would have to come to the attorney general."

The motion carried and the amendment proposed by Senator Woodall was adopted.

Senator Woodall moved that the following amendment be adopted:

In new section 11, subsection (6), page 5, line 27, after "County," strike the remainder of the paragraph and add the following: "or where the parties reside."

Senator Dore moved that "in the county" be inserted for clarity between the words "or" and "where", and the following amendment by Senator Woodall, as amended by Senator Dore, was read:

In new section 11, subsection (6), page 5, line 27, after "County," strike the remainder of the paragraph and add the following: "or in the county where the parties reside."

The motion carried and the amendment, as amended, was adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 55 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 55, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry,

Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those absent or not voting were: Senators Gissberg, Martin—2.

Engrossed Senate Bill No. 55, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Hanna, Senator Gissberg was excused.

On motion of Senator Greive, Senators Foley and Hallauer were excused.

#### POINT OF ORDER

Senator Riley:

"Just to clear the record, is it proper or improper for a Senator to stand during or subsequent to a roll call prior to the time when the President announces the vote?"

#### RULING OF THE PRESIDENT

The President:

"Senator Riley, the President has always followed the practice of permitting the Senators to address the President until he strikes the gavel, in order to change their vote."

Senator Riley:

"Mr. President, in the event that they rise for any other purpose than to change their vote, should they properly be recognized?"

#### RULING OF THE PRESIDENT

The President:

"The President believes that the rules provide that no roll call shall be interrupted."

**Senate Bill No. 244**, by Senators Lennart, Martin and Hanna (by Departmental request):

Relating to the improvement and certification of planting stock used for propagation purposes.

The bill was read the second time by sections.

On motion of Senator Lennart, the rules were suspended, Senate Bill No. 244 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Gallagher:

"Will Senator Lennart yield to a question?"

Senator Lennart:

"Yes, I will."

Senator Gallagher:

"I notice that this bill carries the emergency clause, and I also notice that in section 2, the bottom paragraph refers to suits now pending. Are there some actions now pending in the courts?"

Senator Lennart:

"Nothing except perhaps commission matters. They would be involved. I think it has reference to that."

The Secretary called the roll on the final passage of Senate Bill No. 244, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Coonor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Freise, Gallagher, Greive, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Dore, Foley, Gissberg, Hallauer, Herrmann, Martin, Neill—7.

Senate Bill No. 244, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 101**, by Senators Freise and Henry:

Exempting counties having electrical installation codes from state regulations.

On motion of Senator Freise, Senate Bill No. 101 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 239**, by Senators Washington, Shannon and Durkan (by Departmental request):

Further enumerating standards for signs posted in highway construction areas.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 239 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 239, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Foster, Freise, Gallagher, Greive, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Dore, Elway, Jr., Foley, Gissberg, Hallauer, Happy, Henry, Lennart, Martin, Neill, Petrich—11.

Senate Bill No. 239, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Bargreen, the rules were suspended and Senate Bill No. 226 was returned to second reading for the purpose of amendments.

**Senate Bill No. 226**, by Senators Bargreen and Washington:

Regulating wrecking yard fences.

The bill was read the second time by sections.

On motion of Senator Bargreen, the following amendment was adopted:

In section 1, page 1, line 15, after "highway," strike "not to exceed" and insert "at least"

On motion of Senator Bargreen, the following amendment was adopted:

In section 1, page 1, line 16, after "feet," strike "but" and insert "or"

On motion of Senator Bargreen, the rules were suspended, Engrossed Senate Bill No. 226 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 226, and the bill passed the Senate by the following vote: Yeas, 36; nays, 4; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Gallagher, Greive, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Ryder, Sandison, Shannon, Thompson, Jr., Washington—36.

Those voting nay were: Senators Freise, Moriarty, Jr., Riley, Woodall—4.

Those absent or not voting were: Senators Foley, Foster, Gissberg, Hallauer, Happy, Henry, Martin, Raugust, Talley—9.

Engrossed Senate Bill No. 226, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 206**, by Senators Herrmann, Ryder and Riley:  
Relating to mutual savings banks.

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Financial Institutions, to whom was referred Senate Bill No. 206, relating to mutual savings banks, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 8, page 14, lines 28 and 29, after "corporations" and before "which" insert the following: ", except stocks of state or national banking corporations or associations,"

In section 8, page 15, line 2, strike the period following "less" and insert " : *Provided*, That the mutual savings banks shall notify, within thirty days, the State Supervisor of Banking of investments made under this section."

KARL V. HERRMANN, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, George W. Kupka, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, William D. Shannon, Don L. Talley.

#### POINT OF INQUIRY

Senator Dore:

"Will Senator Ryder yield to a question?"

Senator Ryder:

"I will."

Senator Dore:

"This act only applies to the state of Washington, doesn't it?"

Senator Ryder:

"This act applies to the investment in the state of Washington by mutual savings banks. This also applies to some other states where the mutual savings banks have already invested. California is one of these."

Senator Dore:

"With that explanation, I have no objections."

The bill was read the second time by sections.

On motion of Senator Ryder, the committee amendments were adopted.

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 206 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 206, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—42.

Those absent or not voting were: Senators Foley, Gissberg, Hallauer, Happy, Martin, Petrich, Thompson, Jr.—7.

Engrossed Senate Bill No. 206, having received the constitutional majority, was declared passed.

There being no objections, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 219**, by Senators Hanna, Knoblauch and Raugust:

Modifying provisions of motor vehicle excise fund relating to allotments therefrom to University of Washington bureau of governmental research.

#### MOTIONS

On motion of Senator Talley, Senate Bill No. 219 was ordered to retain its place on second reading calendar for tomorrow.

At 4:25 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11 o'clock a. m., Wednesday, February 8, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTY-FIRST DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, February 8, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Petrich.

On motion of Senator Greive, Senator Petrich was excused.

The Color Guard, consisting of Pages Devere DUBY, Color Bearer, and Vicki Papajani, presented the Colors.

Reverend Charles Loyer, Pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Let us pray . . .

"Almighty God and Father, by Whom our nation hath been established in freedom and our state preserved in union;

"We thank Thee for our public servants, and especially for the members of this chamber; for their courage in accepting an office which exposes them to misunderstanding and misrepresentation; for their faith in the future of our state; and for their perseverance in the face of frustration and fatigue.

"Guide the Senators in finding answers to the complex problems of this biennial session. Bless with sound legislation the hours given to study, discussion, and debate. And at day's end grant to each that personal enrichment which attends Thy approval. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESIDENT'S PRIVILEGE

The President:

"Lady and Gentlemen of the Senate; Ladies and Gentlemen:

"With the approval of the Senate, the President should like to call the attention of the members to the presence of a character direct from the 'Shooting of Dangerous Dan McGrew', the famous poem by R. W. Service. This particular gentleman is the President of the Fairbanks Chamber of Commerce, Arthur J. Sexauer, representing Alaska's Governor, William Egan.

"The President wishes to advise the members of the Senate that this gentleman bears gifts in the form of golden dollars and the President would like to make a few remarks about money; mainly that when money talks there are very few interruptions. And money may not be everything, but it is way ahead of what is in second place. Money does not always bring happiness. There is no reason for a man with nine million dollars not to be just as happy as a man with ten million dollars!"

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed the following Senators to act as a special honor committee to escort Mr. Sexauer to the rostrum: Senators Gissberg, Connor and Moriarty.

Mr. Sexauer was escorted to a seat of honor upon the rostrum.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, it is with great pride that the Alaska Governor's personal representative, Arthur J. Sexauer, is presented to represent William Egan, Governor of

Alaska. Mr. Sexauer is present with us today to offer each of the members of the Senate a memorial coin. The President would like to remind you that a replica of this coin was used as the 'toss coin' in the Rose Bowl Game of 1961 to start the famous game between the University of Minnesota and the University of Washington.

"At this time, I present Mr. Arthur J. Sexauer."

Mr. Sexauer:

"Mr. President; Senators:

"It is my personal pleasure to be here today and after that introduction I am at a loss for words.

"I would like to read to you quickly, if I may, a resolution passed in the Alaska Legislature:

**"IN THE LEGISLATURE OF THE STATE OF ALASKA  
SECOND LEGISLATURE—FIRST SESSION**

Relating to the University of Washington victory in the 1961 Rose Bowl game:

*'Be It Resolved by the Second Legislature, First Session Assembled:*

'WHEREAS, The University of Washington won a tremendous victory over the University of Minnesota in the 1961 Rose Bowl football classic; and

'WHEREAS, An Alaskan Golden Statehood Dollar was used as the "toss coin" to determine the opening kickoff of that historic contest; and

'WHEREAS, This Alaska-Washington effort emphasizing the cordial relations of the two sister states of the northwest brought further favorable publicity to the Pacific Northwest; and

'WHEREAS, It is the desire of the Alaska Legislature to foster this friendship and continuing good relations;

*'Be It Resolved by the Second Legislature, First Session Assembled, That the coach and members of the football team of the University of Washington are hereby commended on their magnificent victory which has brought additional recognition to the merits and accomplishments of the Pacific Northwest.'*"

Mr. Sexauer:

"It is my pleasure, as I said before, to be here and I do sincerely bring to you the best regards of the Alaska State Legislature, the Governor, and the Fairbanks, Alaska Chamber of Commerce.

"I will trust the golden dollars to the Sergeant-at-Arms who will pass them along to each of you."

(Applause.)

The President:

"Thank you very much, Mr. Sexauer."

**PERSONAL PRIVILEGES**

Senator Freise:

"Mr. President:

"Casting no aspersions on our Sergeant-at-Arms, I wonder if we could have a committee escort the Sergeant-at-Arms?"

Senator Gissberg:

"I know that Alaska is a long ways away from the state of Washington by dog-sled, and particularly, Fairbanks, Alaska. Because of the cold weather there, sometimes messages don't get around; but I wonder if you had heard that the United States has left the gold standard. If you have heard it, then you are probably doing as President Kennedy has suggested, trying to get the imbalance back into the country again. Now, you are slipping it down, a dollar at time, is that it?"

**PRESIDENT'S PRIVILEGE**

The President:

"The President would like to express deep appreciation for your being with us and particularly for bringing this bag of gold dollars.

"The President used to be employed at the University of Washington with the

Athletic Department and the President believes that at least that department did follow the old adage by Oliver Wendell Holmes, that they did not put their trust in money but put their money in trust!"

The special committee escorted Mr. Sexauer from the rostrum.

#### PRESIDENT'S PRIVILEGE

The President:

"The President, with the approval of the Senate, should like to call the attention of the members to a very attractive and lovely lady, the mother of our esteemed and brilliant Senator Greive, Mrs. R. G. Greive, who is present today with a distinguished party of women from the West Seattle Women's Democratic Club.

"Please stand so the members of the Senate may have the opportunity of recognizing you. Will you please stand also, Senator Greive.

"The members of the Senate and the President wish to thank you for coming, ladies, and hope you enjoy your visit."

(Applause.)

#### PERSONAL PRIVILEGE

Senator Cowen:

"Members of the Senate, we now understand why Senator Greive gets elected so successfully."

#### PRESIDENT'S PRIVILEGE

The President announced the presence of a group of Rochester High School students under the direction of Mr. Richard Rosencrans, Mrs. Owens, and Mrs. Smith, present in the gallery as guests of Senator DeGarmo.

The President announced the presence of a group of students from the Edison Vocational School of Seattle under the direction of Bill Adams. Senator Papajani requested that they be introduced along with the following Senators represented by the group: Senators Morgan, Sandison, Hofmeister, Hess, Angevine, Connor, Greive, Riley, Moriarty, Jr., Dore, Bargreen, Shannon, Gallagher, Ryder, Durkan and Thompson, Jr. The group was asked to stand and be recognized along with the Senators from their districts.

The President:

"Senator Gissberg has asked that the President announce to the members of the Senate to please note that these coins are redeemable only in merchandise."

#### PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS

##### MOTION FOR RECONSIDERATION

Having given notice yesterday, Senator Dore moved that the Senate do now reconsider the vote by which Senate Bill No. 21 failed to pass the Senate. Debate ensued.

##### POINT OF INQUIRY

Senator Riley:

"Will Senator McCutcheon yield to a question?"

Senator McCutcheon:

"Yes, I will."

Senator Riley:

"In your remarks yesterday, did you say that you would accept the verdict as handed down by this body following yesterday's vote, and did you further say that you would be willing to abide by the decision rendered yesterday?"

Senator McCutcheon:

"Senator Riley, that is very true, and I think my remarks were that I would not move for reconsideration, which I have not done. If this vote for reconsideration carries, and I hope it will, there will be no reconsideration this morning. There will be no trading of either votes or any thing else. During the night my conscience has been working but I did not make the motion to reconsider. Senator Dore made the motion and I felt it was my duty to let the motion go through."

Debate ensued.

A roll call was demanded by Senator Dore.

#### POINT OF ORDER

Senator Gissberg:

"I rise to make inquiry as to the parliamentary law that would be applicable to this situation. The point that I raise is this, in view of the fact that we are reconsidering a bill, the purport of which is an amendment to an initiative measure passed by the voters in November, does a vote to reconsider take a two-thirds majority of the members of this body? We are reconsidering a bill and it would be my opinion that it would take a two-thirds majority to do so."

Senator Greive:

"Speaking to Senator Gissberg's Point of Order, I will refer you to Rule 31. As far as we are concerned, this is a resolution. You are not reconsidering the initiative; the only thing you are reconsidering at this time is the vote. There is nothing in the rules that require us to reconsider anything else."

#### RULING OF THE PRESIDENT

The President:

"The President believes that Senator Greive's explanation is correct according to the Senate Rules."

#### MOTION FOR RECONSIDERATION

The President stated the question to be, it has been moved that the Senate do now reconsider the vote by which Senate Bill No. 21 failed to receive the constitutional two-thirds majority.

Senator Dore's demand for a roll call was sustained by Senators McCutcheon, Sandison, Talley, Shannon, Raugust, Freise, Chytil, Elway, Jr. and Kupka.

The Secretary called the roll and the motion to reconsider carried by the following vote: Yeas, 30; nays, 18; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cowen, DeGarmo, Donohue, Dore, Durkan, Foster, Freise, Gallagher, Hallauer, Hanna, Happy, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Neill, Rasmussen, Raugust, Shannon, Washington, Woodall—30.

Those voting nay were: Senators Bargreen, Connor, Cooney, Elway, Jr., Foley, Gissberg, Greive, Henry, Hofmeister, Martin, Moriarty, Jr., Nunamaker, Papajani, Riley, Ryder, Sandison, Talley, Thompson, Jr.—18.

Those absent or not voting were: Senator Petrich—1.

#### MOTION

Senator Dore moved that Senate Bill No. 21 be made a special order of business at the beginning of the third reading calendar for Tuesday, February 14, 1961.

Debate ensued.

Senator Dore demanded a roll call which was sustained by Senators Nuna-

maker, McCutcheon, Rasmussen, Donohue, Dore, Chytil, Martin, Greive and Knoblauch.

The President stated the motion to be that Senate Bill No. 21 be made a special order of business at the beginning of the third reading calendar for Tuesday, February 14, 1961.

The Secretary called the roll and the motion carried by the following vote: Yeas, 33; nays, 15; absent or not voting, 1.

Those voting yea were: Senators Bailey, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Rasmussen, Raugust, Shannon, Washington, Woodall—33.

Those voting nay were: Senators Angevine, Bargreen, Connor, Elway, Jr., Foley, Gissberg, Hofmeister, Moriarty, Jr., Nunamaker, Papajani, Riley, Ryder, Sandison, Talley, Thompson, Jr.—15.

Those absent or not voting were: Senator Petrich—1.

Senate Bill No. 21 was ordered to be made a special order of business at the beginning of the third reading calendar for Tuesday, February 14, 1961.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,

Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 55; also

Senate Bill No. 206; also

Senate Bill No. 226, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 57** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 77:**

Senate Chamber,

Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 77, creating a Washington industrial finance authority, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, David C. Cowen, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 235** (reported by Committee on Social Security):

Do pass as amended.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister,

George W. Kupka, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, John Papajani, Edward F. Riley, John N. Ryder, Don L. Talley.

**POINT OF INQUIRY**

Senator Hallauer:

"Mr. President, was the bill just reported Senate Bill No. 235?"

The President:

"That is correct, Senate Bill No. 235, Senator Hallauer."

**MOTION**

On motion of Senator Hallauer, Senate Bill No. 235 was referred to the Committee on Ways and Means.

**Senate Bill No. 258:**

Senate Chamber,

Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 258, exempting boom, dock, toll logging road, and wharf businesses serving a single industry from public utility tax, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Howard Bargreen, David C. Cowen, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, Reuben A. Knoblauch, John Papajani, Albert C. Thompson, Jr.

**MOTION**

On motion of Senator Riley, the committee report was adopted and Senate Bill No. 258 was referred to the Committee on Ways and Means.

**Senate Bill No. 268:**

Senate Chamber,

Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 268, revising attachment exemptions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 273** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 6:**

Senate Chamber,

Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Joint Resolution No. 6, proposing constitutional amendment to permit lending of state credit to industry, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, David C. Cowen, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Michael J.

Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 162:**

Senate Chamber,

Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 162, correcting RCW 36.17.030 and 36.28.020 relating to county officers and employees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,

Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

The House has passed: Re-engrossed House Bill No. 65; also

House Bill No. 97; also

Engrossed House Bill No. 224; also

Engrossed House Bill No. 231; also

House Bill No. 282; also

House Bill No. 309; also

House Bill No. 311; also

House Bill No. 320, also

Re-engrossed House Bill No. 326, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 399**, by Senators Henry, Donohue and Foster:

An Act relating to cherries, apricots, plums, prunes, peaches and Bartlett pears; and amending section 15.28.010, chapter ....., Laws of 1961 (House Bill No. 1) and RCW 15.28.010.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 400**, by Senators Henry, Donohue and Foster:

An Act relating to apples and the apple advertising commission; and amending section 15.24.100, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.24.100

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 401**, by Senators Hofmeister, Washington and Bailey (by Highway Interim Committee request):

An Act relating to school buses; and amending section 46.48.130, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.48.130.

Referred to Committee on Highways.

**Senate Bill No. 402**, by Senators Greive and Rasmussen:

An Act relating to insurance, and adding a new section to chapter 79, Laws of 1947, as amended, and to Title 48 RCW.

Referred to Committee on Insurance.

**Senate Bill No. 403**, by Senators Thompson, Jr. and Petrich:  
An Act relating to civil procedure.  
Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 404**, by Senators Hofmeister, Martin and Rasmussen:  
An Act relating to civil service in cities and towns; eliminating requirement that applicant must have been a resident of city for at least one year; amending section 7, chapter 13, Laws of 1937 and RCW 41.12.070.  
Referred to Committee on Cities, Towns and Counties.

**Senate Joint Memorial No. 16**, by Senators Greive, McCormack and Raugust:  
Relating to a decision and determination of value of lands on the Wahluke Slope Irrigation project.  
Referred to Committee on Natural Resources.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Re-engrossed House Bill No. 65**, by Representatives Clark and Schaefer:  
An Act relating to agriculture cooperative associations and corporations; and amending section 11, chapter 115, Laws of 1921, as last amended by section 5, chapter 16, Laws of 1931, and RCW 24.32.110; amending section 12, chapter 115, Laws of 1921 and RCW 24.32.150; and adding a new section to chapter 24.32 RCW.  
Referred to Committee on Agriculture and Horticulture.

**House Bill No. 97**, by Representatives Bernethy, King and Wedekind (by Legislative Council request):  
An Act relating to industrial insurance and medical aid; and adding a new section to chapter 51.32 RCW and to chapter 51.36 RCW.  
Referred to Committee on Labor and Industrial Insurance.

**Engrossed House Bill No. 224**, by Representatives Campbell and Burtch (by Legislative Council request):  
An Act relating to the relinquishment of children for permanent care or adoption; and amending section 1, chapter 150, Laws of 1935 as last amended by section 1, chapter 251, Laws of 1951, and RCW 26.36.010.  
Referred to Judiciary Committee.

**Engrossed House Bill No. 231**, by Representatives Campbell and Burtch (by Legislative Council request):  
An Act relating to adoption; and amending section 12, chapter 291, Laws of 1955 and RCW 26.32.120.  
Referred to Judiciary Committee.

**House Bill No. 282**, by Representatives Poff, Leland and Bozarth:  
An Act relating to the enforcement of rules and regulations of the state game commission; amending section 77.12.060, chapter 36, Laws of 1955, and RCW 77.12.060; section 77.12.070, chapter 36, Laws of 1955, and RCW 77.12.070; and section 77.12.080, chapter 36, Laws of 1955, and RCW 77.12.080.  
Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 309**, by Representatives Brink, Olsen and Anderson (Eric O.) (by Departmental request):  
An Act relating to the eligibility requirements of an applicant for old

age assistance and amending section 74.08.030, chapter 26, Laws of 1959, and RCW 74.08.030.

Referred to Committee on Social Security.

**House Bill No. 311**, by Representatives Brink, Klein and Epton (by Departmental request):

An Act relating to vocational training for blind persons and amending section 74.16.180, chapter 26, Laws of 1959 and RCW 74.16.180.

Referred to Committee on Social Security.

**House Bill No. 320**, by Representatives Bozarth, Goldmark and Moos (by Departmental request):

An Act relating to meat inspection; providing penalties; making an exemption; and adding four new sections to chapter 204, Laws of 1959 and chapter 16.49 RCW.

Referred to Committee on Agriculture and Horticulture.

**Re-engrossed House Bill No. 326**, by Representatives Epton, Johnston and Leibold:

An Act relating to mentally or physically deficient persons; authorizing the director of institutions to enter into agreements for the payment of all, or a part of, the cost of the care, maintenance, support and training of mentally or physically deficient persons, accepted for admission to state residential schools, in day training centers or group training homes or a combination thereof which have been approved by the department; authorizing payments to be made by the department not in excess of one hundred dollars per month to supplement payment by parents or guardians of mentally or physically deficient persons; providing authorization to make rules and regulations for such supplementary payments; authorizing determination of type and extent of care and training and payments therefor; adding four new sections to chapter 28, Laws of 1959 and to chapter 72.33 RCW; and declaring an emergency.

Referred to Committee on Public Institutions.

#### SECOND READING OF BILLS

**Senate Bill No. 170**, by Senators Gallagher, Gissberg and Durkan:

Providing that certain absentee ballots need not be tabulated.

On motion of Senator Greive, Senate Bill No. 170 was ordered to retain its place on second reading calendar for tomorrow.

**Senate Bill No. 203**, by Senators Papajani, Happy and DeGarmo (by Insurance Commissioner request):

Relating to insurance.

On motion of Senator Greive, Senate Bill No. 203 was ordered to retain its place on second reading calendar for tomorrow.

**House Bill No. 4**, by Representatives Ackley, Gorton and Brink:

Enacting Title 51 RCW relating to industrial insurance.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill No. 4 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 4, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Bailey, Dore, Gissberg, Hallauer, Happy, McCormack, Papajani, Petrich, Riley, Shannon—10.

House Bill No. 4, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 219**, by Senators Hanna, Knoblauch and Raugust:

Modifying provisions of motor vehicle excise fund relating to allotments therefrom to University of Washington bureau of government research.

The bill was read the second time by sections.

On motion of Senator Hanna, the rules were suspended, Senate Bill No. 219, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 219, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Durkan, Papajani, Petrich—3.

Senate Bill No. 219, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 101**, by Senators Freise and Henry:

Exempting counties having electrical installation codes from state regulations.

On motion of Senator Freise, Senate Bill No. 101, was referred to the Committee on Commerce, Manufacturing and Licenses.

#### PRESIDENT'S PRIVILEGE

At the request of Senator Hess, the President introduced a group of sixth grade students from King county. The students were asked to stand and be recognized, along with Senator Hess.

**Senate Bill No. 374**, by Senators Hallauer and Foley:

Appropriating funds for temporary publication of session laws and permitting style to differ from permanent volume.

On motion of Senator Greive, the rules were suspended and the Senate

did not resolve itself into the Committee of the Whole for consideration of Senate Bill No. 374.

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 374 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 374, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Donohue, Hallauer, Papajani, Petrich—4.

Senate Bill No. 374, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 81**, by Senators Shannon, Cooney, Kupka, McCormack and Freise:

Relating to civil engineers and land surveyors.

On motion of Senator Greive, Senate Bill No. 81 was ordered to retain its place on the second reading calendar for tomorrow.

**House Bill No. 18**, by Representatives Wang and Nicholson:

Relocating harbor lines in Liberty Bay, Kitsap County.

The bill was read the second time by sections.

On motion of Senator Morgan, the rules were suspended, House Bill No. 18 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 18, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Donohue, Hallauer, Petrich—3.

House Bill No. 18, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PERSONAL PRIVILEGE**

Senator Hanna announced that the cigars being passed, were through the courtesy of the Association of Washington Cities in appreciation of the favorable vote on their recent bill.

**House Bill No. 49**, by Representatives Bigley, Rickdall and Ritner (by Legislative Council request):

Authorizing joint acquisition and operation of facilities by two or more port districts.

The bill was read the second time by sections.

On motion of Senator Hanna, the rules were suspended, House Bill No. 49 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 49, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—45.

Those absent or not voting were: Senators Connor, Dore, Petrich, Washington—4.

House Bill No. 49, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 84**, by Representatives Bigley, Ritner and Nicholson (by Legislative Council request):

Authorizing consolidation of two or more port districts in single county.

The bill was read the second time by sections.

On motion of Senator Greive, the following amendment was adopted:

In new section 5, page 3, lines 9 and 10, after "consolidation" insert a period and add a new section reading as follows:

**"NEW SECTION.** Sec. 6. For the purpose of dissolution of any port district not having an active port commission the board of county commissioners of the county wherein such inactive port district is located may exercise the powers and duties vested by chapter 53.48 RCW in the governing body of such port district."

Senator Riley moved that Senate Bill No. 84 be ordered to retain its place on the second reading calendar for tomorrow.

Debate ensued.

The President stated the question to be, it has been moved that House Bill No. 84 retain its place on the second reading calendar for tomorrow.

The motion carried and House Bill No. 84 was ordered to retain its place on the second reading calendar for tomorrow.

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of the noted Senator from Clallam, Jefferson and Mason counties, the Honorable Gordon Sandison, I would like to introduce the fourth grade students of

Hood Canal School at Shelton, who are visiting today in the South Gallery. This is a very handsome group, Senator. Congratulations. We are very happy that you are all here. Would you please stand, along with Senator Sandison, in order that you may be recognized."

(Applause.)

The President also introduced a group of students from Edmond Meany Junior High School of Seattle in the North Gallery and asked Senator Dore to stand with them to be recognized.

#### MOTION

On motion of Senator Gallagher, Senator Keefe was excused.

**House Bill No. 116**, by Representatives Goldsworthy, Uhlman and Folsom: Providing that training in military tactics at Washington State University be on an elective basis.

The bill was read the second time by sections.

On motion of Senator Neill, the rules were suspended, House Bill No. 116 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 116, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Angevine, Hallauer, Nunamaker, Papajani, Petrich, Talley—6.

House Bill No. 116, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Joint Memorial No. 7**, by Representatives Brink, O'Donnell and Garrett (by Executive request):

Memorializing congress to repeal section 14-b of the Taft-Hartley Act.

The memorial was read the second time in full.

On motion of Senator Henry, the rules were suspended, House Joint Memorial No. 7 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of House Joint Memorial No. 7, and the memorial passed the Senate by the following vote: Yeas, 36; nays, 7; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington—36.

Those voting nay were: Senators Foster, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Shannon—7.

Those absent or not voting were: Senators Bargreen, Hanna, Nunamaker, Papajani, Petrich, Woodall—6.

House Joint Memorial No. 7, having received the constitutional majority, was declared passed.

**House Concurrent Resolution No. 8**, by Representatives Uhlman, Bergh and Evans:

Commending University of Washington on Centennial.

The resolution was read the second time in full.

On motion of Senator Sandison, the rules were suspended, House Concurrent Resolution No. 8 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

The President stated the question to be the adoption of House Concurrent Resolution No. 8.

The motion carried and House Concurrent Resolution No. 8 was adopted.

#### THIRD READING OF BILLS

**Senate Bill No. 131**, by Senators Cooney, Rasmussen, McCormack, Keefe and Herrmann:

Providing penalties for failure of railroad companies to comply with employee sanitation and shelter regulations.

The bill was read the third time.

The President stated the question before the Senate to be the final passage of Senate Bill No. 131.

Debate ensued.

The Secretary called the roll on the final passage of Senate Bill No. 131, and the bill passed the Senate by the following vote: Yeas, 34; nays, 13; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Rasmussen, Sandison, Talley, Washington—34.

Those voting nay were: Senators Chytil, Connor, Elway, Jr., Foster, Happy, Lennart, Moriarty, Jr., Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—13.

Those absent or not voting were: Senators Papajani, Petrich—2.

Senate Bill No. 131, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 1:05 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:30 o'clock a. m. on Thursday, February 9, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTY-SECOND DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, February 9, 1961.

The Senate was called to order at 10:30 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Bob Lund, Color Bearer, and Susan Harris, presented the Colors.

Reverend Charles Loyer, Pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Let us pray:

"Almighty God, Creator and Sustainer of life, we thank Thee for the heritage of our state; for our natural resources, rich in economic and recreational value; for our multi-racial society and the unique contributions each nationality brings; and for the four freedoms, which we so shamelessly take for granted.

"Grant, our Father, that these priceless treasures may never be lost. May our legislators ever be mindful that it is their first calling to conserve our natural resources and preserve these freedoms for other generations to enjoy.

"God forbid that because of the give and take of political horse-trading today, our children will end up with only the whiplash tomorrow. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Lady and Gentlemen of the Senate; Ladies and Gentlemen:

"At the request of the illustrious Senator from Bremerton, Mrs. Frances Haddon Morgan, I would like to introduce a group of Republican women from Kitsap County. Would these attractive and lovely visitors please stand, along with Senator Morgan in order that you may be recognized.

"Ladies, you are indeed welcome and everyone here certainly hopes that you enjoy your visit and find the legislative processes most interesting.

"Also, at the request of Mrs. Morgan, we have present today ninety-five students from the junior and senior classes at East High School in Bremerton. They are accompanied by Mr. Barich and Mr. Favaro.

"The President should also like to call attention to presence of an exchange student from Brazil with the group, Miss Eunice Jacques.

"Would this group please stand along with Senator Morgan."

"Senator Morgan, it is quite evident that you have a number of people interested in the matters pertaining to the State Legislature."

(Applause.)

The Secretary read:

### REPORTS OF STANDING COMMITTEES

#### Gubernatorial Appointments:

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of John T. Conlin, Tacoma, to the State

Personnel Board, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1965, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Referred to Committee on Rules and Joint Rules.

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of Paul Coughlin, Seattle, to the State Personnel Board, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1963, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Referred to Committee on Rules and Joint Rules.

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of Robert L. Greenhalgh, Snohomish, to the Washington State Aeronautics Commission, appointed January 24, 1961, effective January 24, 1961, for the term ending December 31, 1965, succeeding himself, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Referred to Committee on Rules and Joint Rules.

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of Dewitt C. Rowland, Tacoma, to the Washington State Aeronautics Commission, appointed January 24, 1961, effective January 24, 1961, for the term ending December 31, 1964, succeeding H. R. Nichols, term expired, have had the same under consideration and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Referred to Committee on Rules and Joint Rules.

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of Benjamin F. Smith, Kent, to the Washington State Aeronautics Commission, appointed January 24, 1961, effective January 24, 1961, for the term ending December 31, 1963, succeeding him-

self, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Referred to Committee on Rules and Joint Rules.

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of J. Donald Sullivan, Seattle, to the Washington State Aeronautics Commission, appointed June 24, 1959, effective June 24, 1959, for the term ending December 31, 1963, succeeding himself, term expired; have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Referred to Committee on Rules and Joint Rules.

### Senate Bill No. 36:

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 36, relating to free hunting and fishing licenses for disabled American war veterans, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

### Senate Bill No. 87:

Senate Chamber,

Olympia, Wash., February 8, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 87, excluding tangible personal property consumed in construction of public streets and bridges from sales tax provisions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

NAT WASHINGTON, *Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Gordon Sandison, William D. Shannon, Don L. Talley.

On motion of Senator Washington, the report of the committee was adopted and Senate Bill No. 87 was referred to the Committee on Ways and Means.

### Senate Bill No. 106:

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 106, restricting employment

of former public service commission personnel, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 127:**

Senate Chamber,  
Olympia, Wash., February 8, 1961.

MR. PRESIDENT:

We, your Committee on Banks and Financial Institutions, to whom was referred Senate Bill No. 127, relating to banks and banking, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

KARL V. HERRMANN, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, Herbert H. Freise, George W. Kupka, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 147** (reported by Committee on State Government, Military Affairs and Civil Defense):

That Substitute Senate Bill No. 147 be substituted therefor and that the substitute bill do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 152:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 152, placing legislators under code of ethics for public officers and employees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 223:**

Senate Chamber,  
Olympia, Wash., February 8, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 223, providing procedures for long range comprehensive road plans for counties and cities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan,

John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 236** (reported by Committee on Highways):  
Do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

On motion of Senator Woodall, Senate Bill No. 236 was referred to Judiciary Committee.

**Senate Bill No. 262:**

Senate Chamber,  
Olympia, Wash., February 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 262, relating to state and local participation in flood control, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, F. Stuart Foster, Michael J. Gallagher, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 335:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 335, abolishing certain state agencies whose functions are now superfluous, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 364:**

Senate Chamber,  
Olympia, Wash., February 8, 1961.

MR. PRESIDENT:

We, your Committee on Social Security, to whom was referred Senate Bill No. 364, modifying provisions of present state patrol retirement system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

On motion of Senator Hallauer, Senate Bill No. 364 was referred to Committee on Ways and Means.

**Senate Concurrent Resolution No. 4:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense to whom was referred Senate Concurrent Resolution No. 4, relative to planning for conversion of state's economy to nonmilitary production, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 173** (reported by Committee on State Government, Military Affairs and Civil Defense):

Do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 2:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred House Joint Memorial No. 2, memorializing Congress to issue stamp commemorating establishment of Fort Okanogan, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, February 8, 1961.

*To the Honorable, the Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bill, entitled:

**Senate Bill No. 154:**

"An Act relating to toll bridges; making an appropriation and reappropriation for operation of the Washington toll bridge authority; and declaring an emergency."

Very truly yours,

WARREN A. BISHOP,  
*Assistant to the Governor.*

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of the Honorable Senator from Grays Harbor, Harry Elway, Jr., I would like to introduce a group of women known as the 'Montesano Homemakers', headed by Mrs. Lowthan. Would this distinguished group please stand in order that the members of the Senate may recognize you. Would you please stand also, Senator Elway."

(Applause.)

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 8, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Substitute House Bill No. 16; also Engrossed House Bill No. 36; also Engrossed House Bill No. 51; also Engrossed House Bill No. 101; also Engrossed House Bill No. 102; also Engrossed House Bill No. 201; also House Bill No. 211; also House Bill No. 244; also Re-engrossed House Bill No. 284; also Engrossed House Bill No. 338, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**MOTIONS**

On motion of Senator McCutcheon, the Senate reverted to the first order of business for the purpose of a motion.

On motion of Senator McCutcheon, the Committee on Constitution, Elections and Legislative Processes was relieved of further consideration of Senate Bill No. 107.

On motion of Senator McCutcheon, Senate Bill No. 107 was referred to Judiciary Committee.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 405**, by Senators Washington and Raugust:

An Act relating to public highways, streets, bridges, ferries, tunnels, and related means of transportation; amending sections 47.56.120 and 47.60.180, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.56.120 and 47.60.180; repealing sections 47.56.260, 47.56.261, 47.56.380, 47.56.390, and 47.56.400, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.56.260, 47.56.261, 47.56.380, 47.56.390, and 47.56.400; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 406**, by Senators Washington, Bailey and Raugust:

An Act relating to highways and highway budgets; and repealing section 47.01.150, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.01.150. Referred to Committee on Highways.

**Senate Bill No. 407**, by Senators Sandison and Gissberg:

An Act relating to secondary state highway 9A; amending section 47.20.360,

chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.20.360; and making an appropriation.

Referred to Committee on Highways.

**Senate Bill No. 408**, By Senators Freise, Hallauer and Neill:

An Act relating to registered mail; and adding a new section to chapter 1.12 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 409**, by Senator Gissberg:

An Act relating to title insurers; and amending section .29.02, chapter 79, Laws of 1947, as amended by section 12, chapter 86, Laws of 1955, and RCW 48.29.020.

Referred to Judiciary Committee.

**Senate Bill No. 410**, by Senator Gissberg:

An Act relating to physical education; amending section 2, chapter 89, Laws of 1919, as amended by section 1, chapter 78, Laws of 1923; and amending section 5, chapter 89, Laws of 1919 and RCW 28.05.040.

Referred to Committee on Education.

**Senate Bill No. 411**, by Senators Ryder, Gallagher and Neill:

An Act relating to signing of vouchers by public officers and employees; and amending section 1, chapter 339, Laws of 1955, as amended by section 1, chapter 77, Laws of 1957 and RCW 42.24.030.

Referred to Judiciary Committee.

**Senate Bill No. 412**, by Senators Rasmussen, Chytil and Donohue:

An Act relating to the state employees' retirement system; including certain judges of the supreme and superior court therein; adding a new section to chapter 274, Laws of 1947 and chapter 41.40 RCW; adding a new section to chapter 229, Laws of 1937 and chapter 2.12 RCW; and declaring an effective date.

Referred to Committee on Social Security.

**Senate Joint Memorial No. 17**, by Senators Hallauer, Martin and Lennart:

Memorializing Congress to kill Senate Bill No. 174.

Referred to Committee on Natural Resources.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed Substitute House Bill No. 16**, by Committee on Medicine, Dentistry and Drugs:

An Act relating to the practice of physical therapy; amending sections 1, 3, 5, 6, 7, 8 and 9, chapter 239, Laws of 1949 and RCW 18.74.010, 18.74.030, 18.74.050, 18.74.060, 18.74.070, 18.74.080 and 18.74.090; adding three new sections to chapter 239, Laws of 1949 and to chapter 18.74 RCW; and providing penalties.

Referred to Committee on Medicine and Dentistry.

**Engrossed House Bill No. 36**, by Representatives Wang, Beck and Nicholson:

An Act relating to the toll bridges and existing adjacent bridges; amending section 47.58.040, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.58.040.

Referred to Committee on Highways.

**Engrossed House Bill No. 51**, by Representatives Brouillet, Canfield and Testu:

An Act relating to school bus transportation; and amending section 2, chapter 68, Laws of 1955 and RCW 28.58.100.

Referred to Committee on Education.

**Engrossed House Bill No. 101**, by Representatives Hurley, Gorton and Marsh:

An Act relating to guardian bonds; and amending section 203, chapter 156, Laws of 1917, as last amended by section 1, chapter 242, Laws of 1951, and RCW 11.88.100.

Referred to Judiciary Committee.

**Engrossed House Bill No. 102**, by Representatives Bernethy, King and Wintler (by Departmental request):

An Act relating to highways; providing for acquisition of state lands, rights and materials; setting forth duties when use no longer required; providing for payment for timber and other materials removed from public lands; and amending section 47.12.020, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.12.020.

Referred to Committee on Natural Resources.

**Engrossed House Bill No. 201**, by Representatives Chatalas, Litchman, Jr. and England:

An Act relating to crimes and punishment; and adding a new section to chapter 249, Laws of 1909 and to chapter 9.54 RCW.

Referred to Judiciary Committee.

**House Bill No. 211**, by Representatives Kink, Conner and Johnston (by Departmental request):

An Act relating to the Washington public service commission; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 5) and to chapter 80.01 RCW.

Referred to Committee on Public Utilities.

**House Bill No. 244**, by Representatives Adams and McFadden:

An Act relating to the disposition of human remains; adding new sections to chapter 68.08 RCW; and declaring an emergency.

Referred to Committee on Medicine and Dentistry.

**Re-engrossed House Bill No. 284**, by Representatives Brouillet, Copeland and Chatalas (by Education Interim Committee request):

An Act relating to education; and amending section 6, page 238, Laws of 1909, section 3, chapter 89, Laws of 1919, section 1, chapter 80, Laws of 1933 and RCW 43.63.140; amending section 1, chapter 203, Laws of 1941 and RCW 28.05.050; and amending section 1, page 338, Laws of 1909, as last amended by section 2, chapter 80, Laws of 1933, and RCW 28.70.040.

Referred to Committee on Education.

**Engrossed House Bill No. 338**, by Representatives Klein, Shropshire and Wedekind:

An Act relating to suits against the state of Washington; and adding a new section to chapter 4.92 RCW.

Referred to Judiciary Committee.

## MOTIONS

On motion of Senator Hess, the Senate reverted to the first order of business for the purpose of a motion.

On motion of Senator Hess, the use of the Senate Chambers was granted to the subcommittee on Appropriations of the Committee on Ways and Means, for the purpose of holding a hearing on Saturday afternoon.

On motion of Senator Washington the Committee on Highways was relieved of further consideration of Senate Bill No. 176.

On motion of Senator Washington Senate Bill No. 176 was referred to Committee on Education.

## RULING OF THE PRESIDENT

The President:

"With the approval of the Senate, the Senate will advance to the Seventh Order of Business to consider the calendar of the day."

## SECOND READING OF BILLS

**House Bill No. 84**, by Representatives Bigley, Ritner and Nicholson (by Legislative Council request):

Authorizing consolidation of two or more port districts in single county.

The bill was read the second time by sections.

On motion of Senator Greive, the following amendment by Senators Talley and Greive was adopted:

In line 1 of the title after "districts;" strike "and"; also in line 2 of the title after "thereof" strike the period and add the following: "; and providing procedures for the dissolution of inactive port districts."

On motion of Senator Henry, the rules were suspended, House Bill No. 84, as amended by the Senate was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 84, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Foster, Hallauer, Keefe, Martin, Riley—5.

House Bill No. 84, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 81**, by Senators Shannon, Cooney, Kupka, McCormack and Freise:

Relating to civil engineers and land surveyors.

The bill was read the second time by sections.

On motion of Senator Dore, the following amendment was adopted:

In section 5, page 8, line 3, after "this state" strike the period and insert the fol-

lowing: " : *PROVIDED, That the board may in the exercise of its discretion refuse to issue, or may suspend and/or revoke a certificate of authorization to a corporation where the board shall find that any of the officers, directors, incorporators, or the stockholders holding a majority of stock of such corporation has committed misconduct or malpractice as defined in RCW 18.43.105 or has been found personally responsible for misconduct or malpractice under the provisions of subsections (f) and (g) hereof.*"

Senator Dore moved that the following amendment be adopted:

In section 5, page 5, line 18, strike "or affect:" and add a colon after "prevent"

#### POINT OF INQUIRY

Senator Freise:

"Will Senator Dore yield to a question?"

Senator Dore:

"I will."

Senator Freise:

"I haven't given this thorough study, but this section 5 is the particular section with which we are concerned, and which we have just voted to amend. I am wondering about taking out the words, 'or affect'. When you read all of the subsection, it seems that we need the words 'or affect' in for clarity, as it says, 'it shall not prevent or affect'."

Senator Dore:

"Isn't it going to affect these relations? It is not going to prevent them, but it is certainly going to affect them."

Debate ensued.

Senator Cooney demanded the previous question.

#### RULING OF THE PRESIDENT

The President:

"The President is sure that your request will clarify the situation, Senator Cooney."

The President stated the question before the Senate to be the adoption of the amendment as proposed by Senator Dore.

Senator Shannon moved that the amendment by Senator Dore be laid on the table.

The motion carried and the amendment was tabled.

Senator Dore moved that the following amendment be adopted:

In section 5, page 6, lines 22, 23 and 24, after "employs" strike the remainder of the sentence in line 22 and add the following: "persons holding certificates of registration under this chapter in the ratio of one such certificated person for every eight persons or major fraction thereof who are not holders of such certificates of registration and who are officers, directors or employees of such corporation."

Debate ensued.

Senator Shannon moved that the amendment proposed by Senator Dore be laid on the table.

The motion carried and the amendment was tabled.

Senator Dore moved that the following amendment be adopted:

In section 5, page 9, line 19, at the end of paragraph (g) add a new sentence as follows: "In any such case the board shall direct any such corporation to discharge or suspend from employment any officer, director, or employee involved in such misconduct or malpractice, for a period not exceeding five years."

Debate ensued.

## POINT OF INQUIRY

Senator Elway:

"Will Senator Dore yield to a question?"

Senator Dore:

"I will."

Senator Elway:

"In the event an engineering firm is contracted by some company and there was some malfeasance, haven't they the rights of the courts?"

Senator Dore:

"That is true, but, as in other professions, we should also be able to refuse or suspend his license. Now, I am told that engineering is a profession, and if it is a profession, the standards should be subject to the courts and they should have some authority. I think you should have to be consistent. I think if you have a provision or penalty for the registered engineer, you should also have it for the layman who is practicing. Under this act, the layman could be penalized."

Debate ensued.

Senator Shannon moved that the amendment by Senator Dore be laid on the table.

The motion carried and the amendment was tabled.

On motion of Senator Shannon, the rules were suspended, Engrossed Senate Bill No. 81 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senator Nunamaker demanded the previous question, and the demand was not sustained.

Debate ensued.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 81, and the bill passed the Senate by the following vote: Yeas, 41; nays, 6; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those voting nay were: Senators Bargreen, Dore, Greive, Nunamaker, Papajani, Petrich—6.

Those absent or not voting were: Senators Durkan, Keefe—2.

Engrossed Senate Bill No. 81, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## PRESIDENT'S PRIVILEGE

The President:

"At the request of the eminent Senator, Louis E. Hofmeister, I would like to introduce the Eighth Grade of Burton Elementary Junior High School of Vashon Island. With this group are the great niece and great nephew of Senator Hofmeister. Would the group please stand along with Senator Hofmeister, in order that you may be properly recognized."

"At this time I would also like to introduce a group of pupils from Fawcett School with their teachers, under the direction of Yvonne Rosellini."

(Applause.)

**Senate Bill No. 203**, by Senators Papajani, Happy, and DeGarmo (by Insurance Commissioner request):

Relating to insurance.

On motion of Senator Greive, Senate Bill No. 203 was ordered to retain its place on the calendar immediately following Senate Bill No. 238.

#### PERSONAL PRIVILEGE

Senator Shannon announced the cigars being distributed were through the courtesy of Mr. Goldstein.

#### PRESIDENT'S PRIVILEGE

The President announced that another box of cigars being passed out were through the courtesy of former Senator Frank C. Jackson.

**Senate Bill No. 170**, by Senators Gallagher, Gissberg, and Durkan:

Providing that certain absentee ballots need not be tabulated.

The bill was read the second time by sections.

On motion of Senator Gallagher, the following amendments were adopted:

In new section 1, page 1, line 10, after "any" and before "office" insert "uncontested"; also after "office" insert a period and strike all of the material down to and including the period following "election" in line 16.

Strike all of new section 2 and renumber Sec. 3 to read "Sec. 2"

On motion of Senator Gallagher, the following amendment to the title was adopted:

In line 1 of the title after "adding" and before "new" strike "three" and insert "two"

On motion of Senator Gallagher, the rules were suspended, Engrossed Senate Bill No. 170 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 170, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senator Morgan—1.

Those absent or not voting were: Senators Elway, Jr., Hanna, Happy, Keefe, McMillan, Martin—6.

Engrossed Senate Bill No. 170, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 327**, by Senators Gallagher and Bailey:

Relieving county officers of responsibility for deputies appointed under civil service.

On motion of Senator Neill, Senate Bill No. 327 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 136**, by Senators Woodall, Sandison, and Keefe:

Prohibiting leaving parked vehicle with motor running unless licensed operator therein.

The bill was read the second time by sections.

On motion of Senator Woodall, the following amendment was adopted:

In new section 1, page 1, line 10 after the comma following "running" strike the remainder of the paragraph and insert "and to leave a minor child or children under the age of sixteen years unattended therein."

**POINT OF INQUIRY**

Senator Rasmussen:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"I will."

Senator Rasmussen:

"I am wondering if this is only concerned with automobiles and trucks, or deals also with heavy equipment, diesels, farm machinery, etc."

Senator Woodall:

"I don't know of any reason why we should show preference for a diesel truck left running with children in it. I know of no such problem."

Senator Papajani:

"The State Patrol issues drivers' permits to children under 16. Supposing, they are out driving and they are sitting in the car with the motor running. Who would be held responsible for that?"

Senator Woodall:

"I can't quite imagine that but if you can visualize such a situation where everyone got out of the vehicle but the driver, I can't see why he would have the motor running, anyway."

On motion of Senator Woodall, the rules were suspended, Engrossed Senate Bill No. 136 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 136, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Donohue, Dore, Keefe, Martin, Shannon—5.

Engrossed Senate Bill No. 136, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Joint Resolution No. 6**, by Senators Greive, Kupka and Keefe (by Legislative Council request):

Proposing constitutional amendment to permit lending of state credit to industry.

The resolution was read the second time in full.

On motion of Senator Greive, the following amendment was adopted:

One page 1, line 3, after "At the" and before "general election" insert "next"; also after "this state" strike "on the Tuesday next succeeding the first Monday of November, 1962,"

On motion of Senator Greive, Senate Joint Resolution No. 6 was referred to Committee on Ways and Means.

**Senate Bill No. 77**, by Senators Greive, Kupka, Keefe, and Freise (by Legislative Council request):

Creating a Washington industrial finance authority.

The bill was read the second time by sections.

On motion of Senator Greive, the following amendment was adopted:

In new section 17, page 10, beginning on line 7, strike all of new section 17 and renumber Sec. 18 to read "Sec. 17."

On motion of Senator Greive, the following amendment to the title was adopted:

In line 2 of the title, after "authority;" strike "making an appropriation;"

On motion of Senator Greive, Senate Bill No. 77 was referred to the Committee on Ways and Means.

**Senate Bill No. 114**, by Senators Gissberg and Shannon:

Permitting port districts to provide fire protection for airports and exempting it from tort liability while so doing.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 114, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 114, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Washington, Woodall—44.

Those absent or not voting were: Senators Foster, Herrmann, Keefe, Ryder, Thompson, Jr.—5.

Senate Bill No. 114, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 230**, by Senators Knoblauch and Gissberg:

Relating to honey and removing the requirement of state seal.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 230 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**POINT OF INQUIRY**

Senator McCutcheon:

"Would Senator Knoblauch yield to a question?"

Senator Knoblauch:

"I will."

Senator McCutcheon:

"Would you say this a honey of a bill, Senator?"

**POINT OF INQUIRY**

Senator Petrich:

"Will Senator Knoblauch yield to a question?"

Senator Knoblauch:

"Yes, I will."

Senator Petrich:

"Senator Knoblauch, should a packer fail to or refuse to comply with the requirements of the seal, are there any penalties which may be imposed?"

Senator Knoblauch:

"Ask Senator Gissberg, I don't know."

Senator Gissberg:

"I am not sure what the standards are."

Senator Petrich:

"Who does provide the standards for the honey produced locally?"

Senator Gissberg:

"There is no inspection whatsoever of the processing plants under the existing law. The only inspection made is the inspection of the beehives."

The Secretary called the roll on the final passage of Senate Bill No. 230, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Herrmann, Keefe, Raugust—3.

Senate Bill No. 230, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 123**, by Senators Rasmussen and Talley:

Permits issuance of local improvement district installment notes in cities and towns.

The bill was read the second time by sections.

## POINT OF INQUIRY

Senator Ryder:

"Before we get off the subject, I would like to ask the sponsors of the bill a question."

The President:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"I will."

Senator Ryder:

"Senator Rasmussen, I notice in the last paragraph in this bill you authorize certain local funds to be invested in these notes. Now, there are some restrictions on investments of local funds in this type of investment. Does this get around that restriction?"

Senator Rasmussen:

"I couldn't tell you for sure, but I don't think it does. I believe it leaves it up to the City Council to decide.

"As long as there is a technical question of this type I think perhaps we should hold the bill until a further check can be made."

On motion of Senator Rasmussen, Senate Bill No. 123 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 305**, by Senators Donohue, Raugust, and Henry:

Relating to a state wheat commission.

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 305, relating to a state wheat commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 2, page 2, lines 18 and 19, after "beginning" and before "1" strike "January" and insert "July"; also after "of" and before "both" strike "December" and insert "June"

In new section 15, page 10, lines 22 and 23, after "Sec. 15." and before "at" strike "The commission shall assess, levy and collect an assessment" and insert "It is hereby assessed and levied and the commission shall collect an assessment"

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Fred J. Martin, Mike McCormack, David E. McMillan, W. C. Raugust, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Donohue, the committee amendments were adopted.

On motion of Senator Donohue, the rules were suspended, Engrossed Senate Bill No. 305 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 305, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those absent or not voting were: Senators Keefe, Papajani—2.

Engrossed Senate Bill No. 305, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 142**, by Senators Bargreen and Gissberg:

Relating to joint utilities by city and PUD.

On motion of Senator Greive, Senate Bill No. 142 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 86**, by Senator Martin:

Authorizing withdrawal of certain tidelands from lease and sale.

On motion of Senator Greive, Senate Bill No. 86 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 238**, by Senators Sandison and Chytil (by Insurance Commissioner request):

Regulating issuance of credit life insurance and credit accident and health insurance.

On motion of Senator Greive, Senate Bill No. 238 was ordered to retain its place on the second reading calendar for tomorrow.

#### PRESIDENT'S PRIVILEGE

The President announced the presence in the gallery of two young exchange students from Germany now attending Stadium and Lincoln High Schools in Tacoma. Thomas Beucker and Rainer Kunzel were asked to stand and be recognized, along with the Senator from their district, Senator Rasmussen.

(Applause.)

**Senate Bill No. 286**, by Senators Talley, Henry, and Raugust:

Relating to interest in contracts by officials in third and fourth class cities and towns.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Senate Bill No. 286 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 286, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Cowen, Durkan, Gissberg, Happy, Keefe, Shannon—6.

Senate Bill No. 286, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 4; also  
House Bill No. 18; also  
House Bill No. 49; also  
House Bill No. 116; also  
House Joint Memorial No. 7; also  
House Concurrent Resolution No. 8, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

The President has signed: House Bill No. 4; also  
House Bill No. 18; also  
House Bill No. 49; also  
House Bill No. 116; also  
House Joint Memorial No. 7; also  
House Concurrent Resolution No. 8.

**MOTION**

At 1:05 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:30 o'clock a. m. on Friday, February 10, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTY-THIRD DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Friday, February 10, 1961.

The Senate was called to order at 10:30 o'clock a. m. by President Cherberg.

The President declared the Senate at ease until 10:45 o'clock a. m.

The President called the Senate to order.

The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Hallauer, Keefe and Woodall.

On motion of Senator Greive, Senator Keefe was excused.

On motion of Senator Happy, Senator Woodall was excused.

The Color Guard, consisting of Pages Bob Lund, Color Bearer, and Susan Harris, presented the Colors.

Reverend Charles Loyer, Pastor of the United Westminster Presbyterian Church of Olympia, offered prayer as follows:

"Let us pray . . .

"Almighty God Who dost hold us to account for the use of all our powers and privileges; guide us, we pray Thee as we face the responsibilities of a new day. Strengthen those who are weary; enlighten those who are perplexed; and grant a renewal of faith to those who are disillusioned.

"Deliver us from pride, prejudice and arrogance. Put far from us all selfishness, envy and anger. Bless us this day with a spirit of conciliation and peace that through a united effort Thy will may be brought to pass. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"This morning is an occasion in which I am sure everyone will take great pride. Present today in the south gallery is Mrs. Ed Flanagan, the wife of former Senator E. J. Flanagan. The President would like to say that during his tenure in office, one name keeps recurring in the conversation and remarks of many of the Senators from both sides of the aisle.

"Oft times in difficult periods the name of Ed Flanagan is remembered for the occasions when he often resolved some particularly difficult situation with a remark of homespun philosophy or wisdom.

"The President had occasion to meet Senator Flanagan and wishes that he could have known the Senator a great deal better than he did, but through his association in the Senate, the President has learned what a great and honest person the Senator was.

"Listening to many stories, the President has learned that the Senator was an athlete of his day; a down to earth person; a person who could reach back in his life and recall many interesting and exciting experiences which he loved to relate in colorful language.

"The President is broken for words and will have to rely on something he once read; 'Philosophy is common sense. If it isn't common sense, it isn't philosophy.' And with these few words, ladies and gentlemen, the President would like to ask Mrs. Flanagan to stand in order that she may be properly recognized.

"The members of the Senate and President are only sorry, Mrs. Flanagan, that your son, Representative Sid Flanagan, who has served in the House with such distinction for some time, is not here with you today and we hope that at some other time he may be present with you."

(Applause.)

**PRESIDENT'S PRIVILEGE**

The President:

"Those two powerful members of the farm protection program, Senators Joe Chytil and Dewey Donohue, have called attention to the fact that present today is a person of beauty and royalty."

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed Senators Chytil, Donohue, Moriarty, Jr., and Knoblauch to act as a special committee to escort Princess Kathy, the Washington State Dairy Princess to a place of honor upon the rostrum.

The Dairy Princess was escorted to the rostrum.

The President:

"It is with a great sense of pride that the President, at this particular time, has occasion to present to you Princess Kathy Sauter.

"The President is going to call upon another homespun adage at this time, 'beauty is like old wine'. In this particular instance, I don't think we will have to worry about spirits of that nature, as you will notice there are two glasses of milk on the rostrum. As a matter of fact, don't worry about spilled milk any more, because I just learned that it is four-fifths water.

"Princess Kathy has brought us a lot of pleasure and I am going to ask her to speak to the members of the Senate."

Princess Kathy:

"Thank you and good morning, Lieutenant Governor Cherberg and members of the Senate.

"It is indeed a great honor to be here this morning and have the opportunity to meet you Senators and above all to have the opportunity to tell you of nature's most perfect food—milk!

"I have here in my hand a glass of milk. This milk is essential to the vitality and strength of a person. It contains vitamins, minerals, proteins, carbohydrates, fats and water. You should remember, from the cradle to the grave, you never outgrow your need for milk, and you should have three glasses a day. And, this morning when you have your coffee break, why not make it a milk break to give you that vim, vigor and vitality that you need to carry on with your work in the legislature. Lots of luck for a successful session."

(Applause.)

**PERSONAL PRIVILEGE**

Senator Henry:

"Mr. President, I suggest that Senator Bargreen be given equal time."

Senator Bargreen:

"I have a suggestion that I would like to mention to the President. I would be very happy for all those who enjoy a coffee break to have with their coffee a little of that fine Washington cream."

The President:

"Thank you very much, Princess Kathy. The President should like to say that after listening to Princess Kathy and drinking three-fourths of a glass of milk, the President feels better already.

"The President is sorry that he made a reference to water in milk and wishes to correct that. It is entirely wrong."

Senator Riley:

"I was just making an observation. They say coffee is good to the last drop, and I am wondering why you, Mr. President, only drank three-fourths of your glass of milk?

"And my second question is, is milk available on Sunday?"

Princess Kathy:

"Let me say, milk is available *every* day."

The President:

"The President wishes to state at this time that our Princess Kathy is from the home district of Senator Joe Chytil."

Princess Kathy was escorted from the rostrum.

The President:

"Not intending to labor the point, Princess Kathy did such a beautiful job of promoting this morning, that many of us interested in promoting Century 21 feel that perhaps Princess Kathy should be utilized as a promoter for this great coming event."

The President:

"The cigars being distributed are through the courtesy of the Honorable Ward Bowden in appreciation of the passage yesterday of 'Bowden's Relief Bill.'"

The Secretary read:

#### SENATE RESOLUTION

By Senators Knoblauch, Petrich, Kupka, Rasmussen and McCutcheon:

WHEREAS, ROY E. MCKASSON, a native son of the state of Washington, has brought wide fame to this state by his athletic achievements as an outstanding member of the University of Washington Rose Bowl championship football team; and

WHEREAS, High honors from all over the United States have been accorded him as a consequence of these achievements, he having already been selected as a member of the All-American teams of the Associated Press and Look magazine; and

WHEREAS, The National Enterprise Association will likewise honor him by selecting him as a member of its All-American team and this latter award will be presented to him on Friday, February 10, 1961, in Tacoma at a meeting of the Young Men's Business Club;

Now, Therefore, Be It Resolved, By the Senate of the state of Washington, that this body hereby acclaim and honor this young man who so magnificently embodies the ideal attributes of sportsmanship, leadership and ability and who thereby has brought fame and distinction to the state of Washington;

Be It Further Resolved, That the Secretary of the Senate shall suitably inscribe copies of this Resolution and forward them to Mr. McKasson to be read at the time of the presentation of the National Enterprise Association award.

On motion of Senator McCutcheon, the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:  
Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 374; also  
Senate Joint Resolution No. 1, have compared same with the original bills and find them correctly enrolled.  
MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:  
Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 81; also  
Senate Bill No. 136; also  
Senate Bill No. 170; also  
Senate Bill No. 305, have compared same with the original bills and find them correctly engrossed.  
MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 250** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 309** (reported by Committee on Fisheries, Game and Game Fish):

Do pass as amended.

HOMER O. NUNAMAKER, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Victor F. DeGarmo, Fred H. Dore, Herbert H. Freise, Karl V. Herrmann, Ernest W. Lennart, Fred J. Martin, David E. McMillan, John Papajani, John A. Petrich, A. L. Rasmussen, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 379:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources, to whom was referred Senate Bill No. 379, repealing authority for department of natural resources to sell certain real property to city of Seattle, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 16:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Joint Memorial No. 16, relating to a decision and determination of value of lands on the Wahluke Slope Irrigation Project, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 87:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred House Bill No. 87, providing for access to public lands, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 94:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources, to whom was referred House Bill No. 94, increasing amount of deposit or bond to assure compliance with forest practices, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 96:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Engrossed House Bill No. 96, providing for insurance for employees of departments of state government while on certain aircraft flights, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 123:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Substitute House Bill No. 123, allowing expenses for state library commission members, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, John H. Happy, Andy Hess, Mike McCormack, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

The House has passed: Senate Joint Resolution No. 1, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 98; also Engrossed House Bill No. 150; also House Bill No. 259; also House Bill No. 300; also House Bill No. 314; also

Engrossed House Bill No. 318; also  
 Engrossed House Bill No. 351; also  
 House Bill No. 354; also  
 Engrossed House Concurrent Resolution No. 10, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 374, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 374.**

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 413**, by Senators Herrmann, Cooney and Gallagher:

An Act relating to logging operations; and providing penalties.

Referred to Committee on Natural Resources.

**Senate Bill No. 414**, by Senators Herrmann, Gallagher and Freise:

An Act relating to the foreclosure of mortgages insured by the Federal Housing Administration; providing for the foreclosure of such mortgages when the mortgaged property is abandoned by the mortgagor.

Referred to Committee on Banks and Financial Institutions.

Senator Freise moved that Senate Bill No. 414 be referred to the Judiciary Committee.

**RULING OF THE PRESIDENT**

The President:

"Senator Freise, your motion would require a suspension of rules as the President has already referred the bill to the Committee on Banks and Financial Institutions."

On motion of Senator Freise, the rules were suspended, the Committee on Banks and Financial Institutions was relieved of further consideration of Senate Bill No. 414, and Senate Bill No. 414 was referred to the Judiciary Committee.

**Senate Bill No. 415**, by Senator Greive:

An Act relating to small loans; amending the small loan act; and adding new sections to chapter 208, Laws of 1941 as amended by chapter 212, Laws of 1959 and to chapter 31.08 RCW.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 416**, by Senator Talley:

An Act relating to counties and the boundaries thereof; amending section 1, page 295, Laws of 1869 as last amended by section 1, page 561, Laws of 1873 and section 1, chapter 51, Laws of 1925 extraordinary session, and RCW 36.04.060; and amending section 1, page 471, Laws of 1854 as last amended by section 1, page 561, Laws of 1873, and RCW 36.04.080.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 417**, by Senator Thompson, Jr.:

An Act relating to school building sites; providing for their acquisition and sale, creating a special fund and making an appropriation.

Referred to Committee on Education.

**Senate Bill No. 418**, by Senators Rasmussen, Kupka and Petrich:

An Act relating to pensions of urban transportation systems acquired by cities of the first class.

Referred to Committee on Social Security.

**Senate Bill No. 419**, by Senators DeGarmo, Rasmussen and Bargreen:

An Act relating to ship canals; and creating a canal commission.

Referred to Committee on Natural Resources.

On motion of Senator DeGarmo, the rules were suspended and Senator Elway's name was added as a sponsor on Senate Bill No. 419.

**Senate Bill No. 420**, by Senators DeGarmo and Talley:

An Act relating to a duty free lunch period by public school teachers.

Referred to Committee on Education.

**Senate Bill No. 421**, by Senator DeGarmo:

An Act relating to reports of receipts and expenditures by persons or organizations participating in campaigns in behalf of or in opposition to candidates and ballot measures; prescribing an audit by the state auditor; and prescribing penalties.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 422**, by Senators Freise, Hallauer and Angevine:

An Act relating to public assistance; and adding a new section to chapter 26, Laws of 1959 and to chapter 74.12 RCW.

Referred to Committee on Social Security.

**Senate Bill No. 423**, by Senators Angevine, Durkan and Morgan:

An Act relating to the labeling of hazardous substances distributed and handled within this state and providing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 424**, by Senator Hanna:

An Act relating to motor vehicles; and amending section 46.52.110, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.52.110.

Referred to Judiciary Committee.

**Senate Bill No. 425**, by Senators Angevine, Dore, Durkan, Greive, Papanjani, Kupka, Connor, Morgan, Nunamaker, Gallagher, McCutcheon, Bailey, Hofmeister, Cooney, Knoblauch, DeGarmo, Petrich and Martin (by Executive request):

An Act relating to wages, hours and other conditions of employment for employees to be known as the Washington minimum wage and hour act; providing penalties; and repealing chapter 294, Laws of 1959, and chapter 49.46 RCW.

Referred to Committee on Labor and Industrial Insurance.

On motion of Senator Angevine, the rules were suspended in order to permit more than three Senators to sponsor Senate Bill No. 425.

**Senate Bill No. 426**, by Senator Hanna:

An Act relating to public health and safety; amending section 7, chapter

65, Laws of 1903 as amended by section 5, chapter 85, Laws of 1907 and RCW 70.06.070; adding a new section to chapter 65, Laws of 1903 as amended and chapter 70.06 RCW; and providing penalties.

Referred to Committee on Agriculture and Horticulture.

**Senate Bill No. 427**, by Senators McCormack, Rasmussen and Thompson, Jr. (by Executive request):

An Act relating to the development, regulation and utilization of sources of ionizing radiation; prohibiting the operation of certain devices; providing penalties; and repealing chapter 92, Laws of 1957 and RCW 43.39.010 through 43.39.120.

Referred to Committee on Natural Resources.

**Senate Bill No. 428**, by Senators Durkan, Hanna, Gissberg, Thompson, Jr., Herrmann and Cooney:

An Act relating to beer; and amending chapter 62, Laws of 1933 extraordinary session and chapter 66.08 RCW.

Referred to Committee on Liquor Control.

On motion of Senator Greive, the rules were suspended in order to permit more than three Senators to sponsor Senate Bill No. 428.

**Senate Joint Memorial No. 18**, by Senators DeGarmo, Nunamaker and Bailey:

Petitioning Congress to pass Senate Bill No. 323 with suggested additions thereto.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Joint Resolution No. 26**, by Senators DeGarmo, Hofmeister, Knoblauch and Morgan:

Relating to congressional medal of honor holder, Dexter J. Kerstetter.

On motion of Senator Morgan, the rules were suspended, Senate Joint Resolution No. 26 was advanced to second reading and read the second time in full.

On motion of Senator Morgan, the rules were suspended, Senate Joint Resolution No. 26 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 26, and the resolution passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Greive, Hallauer, Happy, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—43.

Those absent or not voting were: Senators Gallagher, Gissberg, Hanna, Henry, Keefe, Woodall—6.

Senate Joint Resolution No. 26, having received the constitutional majority, was declared passed.

#### PRESIDENT'S PRIVILEGE

The President announced the presence of thirty students under the direction of Mrs. Waldo, Mrs. MacDonald and Mr. Brownell from Nathan Eckstein

Junior High School in Seattle, at the request of Senator Ryder. The group was asked to stand and be recognized, along with Senator Ryder.

The President:

"Senator (Slim) Rasmussen has asked me to introduce one hundred persons representing the P.T.A. from Tacoma Council. Would this group please stand along with Senators Rasmussen, McCutcheon and Knoblauch?"

Senator Rasmussen:

"Mr. President, Senator Kupka is not standing."

The President:

"The President apologizes to Senator Kupka. The President felt that since these ladies are all married and this gentleman is a bachelor . . ."

Senator Kupka:

"Mr. President, I don't appreciate being discriminated against!"

The President:

"The President stands before you as having made a mistake. Of course, Senator Knoblauch is also in that same blessed state!"

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 98**, by Representatives Shropshire, Clark and McCormick:

An Act relating to garnishment in justice courts; and amending section 5, chapter 126, Laws of 1911 and RCW 12.32.120.

Referred to Judiciary Committee.

**Engrossed House Bill No. 150**, by Representatives Ackley, Smith and Newschwander:

An Act relating to garnishments; amending section 10, chapter 56, Laws of 1893 and RCW 7.32.150; amending section 10, chapter 160, Laws of 1909 and RCW 12.32.100; amending section 4, chapter 160, Laws of 1909 as amended by section 4, chapter 126, Laws of 1911 and RCW 12.32.040; amending section 6, chapter 56, Laws of 1893 and RCW 7.32.100; amending section 9, chapter 56, Laws of 1893, as amended by section 2, chapter 44, Laws of 1933 extraordinary session and RCW 7.32.130; amending section 8, chapter 160, Laws of 1909 and RCW 12.32.080; and adding a new section to chapter 160, Laws of 1909 and chapter 12.32 RCW; and amending section 1, chapter 287, Laws of 1927 and RCW 7.32.280.

Referred to Judiciary Committee.

**House Bill No. 259**, by Representatives Chatalas and Leland:

An Act relating to malt liquor and regulating the labeling of packages thereof; and amending section 44, chapter 62, Laws of 1933, extraordinary session and RCW 66.28.120.

Referred to Committee on Liquor Control.

**House Bill No. 300**, by Representatives Canfield, Epton and Siler (by Departmental request):

An Act relating to animal diseases; providing for the slaughtering of diseased animals and indemnity therefor; and amending section 2, chapter 160, Laws of 1957 and RCW 16.36.095.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 314**, by Representatives Holmes, Flanagan and Moos:

An Act relating to weed districts; providing procedures and penalties; amending sections 1 and 11, chapter 125, Laws of 1929 as amended by sections 1 and 2, chapter 193, Laws of 1937 and RCW 17.04.010 and 17.04.200; amending sections 4, 8, 9, 10, 12, and 13, chapter 125, Laws of 1929 and RCW 17.04.070, 17.04.150, 17.04.180, 17.04.190, 17.04.210, and 17.04.220; amending section 4, chapter 13, Laws of 1957 and RCW 17.04.260; adding a new section to chapter 125, Laws of 1929 and to chapter 17.04 RCW; and providing a penalty.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 318**, by Representatives Holmes, Copeland and Anderson (by Departmental request):

An Act relating to certified weights; providing penalties; making an effective date; and repealing sections 15.80.010 through 15.80.260, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.80.010 through 15.80.260.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 351**, by Representatives Bozarth, Shropshire and Johnston:

An Act relating to crimes and punishments; and adding a new section to chapter 249, Laws of 1909 and to chapter 9.54 RCW.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 354**, by Representatives Moos and Goldmark:

An Act relating to the identification of livestock; and amending section 8, chapter 54, Laws of 1959 and RCW 16.57.080; and declaring an emergency.

Referred to Committee on Agriculture and Horticulture.

**House Concurrent Resolution No. 10**, by Representatives Schaefer, Klein, Wintler and Henry:

Directing legislative council to study timber evaluation and taxation problems.

Referred to Committee on Ways and Means.

## SECOND READING OF BILLS

**Senate Bill No. 327**, by Senators Gallagher and Bailey:

Relieving county officers of responsibility for deputies appointed under civil service.

The bill was read the second time by sections.

Senator Neill moved the following amendment be adopted:

In section 1, page 1, line 12, after "require" and before "give" strike "what deputies shall" and insert "all deputies appointed under the provisions of civil service and such other deputies as the board may determine to"

## POINT OF INQUIRY

Senator Greive:

"Will Senator Neill yield to a question?"

Senator Neill:

"I will."

Senator Greive:

"I think that your amendment is an excellent one. My question is whether or not we should have in the amendment some stated amount."

Senator Neill:

"I worried somewhat about the same thing; however, the act as it stands now says that the amount should be set by the Board and not knowing sufficiently about it, have referred it to the Board."

The motion carried, and the amendment was adopted.

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 327 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 327, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr.—39.

Those absent or not voting were: Senators Elway, Jr., Gallagher, Gissberg, Hanna, Keefe, McMillan, Morgan, Petrich, Washington, Woodall—10.

Engrossed Senate Bill No. 327, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

In explanation for my absence on the final vote of Engrossed Senate Bill No. 327, I was attending to a tour for students from Grays Harbor, who were in the Senate Chamber. Had I been present, my vote would have been "Yea."

(signed)

HARRY ELWAY, JR.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"Our worthy Senator from the sixteenth district, Mike McCormack, has called attention to a stalwart, courageous and noble group of Cub Scouts from Benton City under the supervision of Messrs. Bisson, Nilson, Killeen and Shuler. The President would like to remark that a new fifty star flag was presented to these boys a few months ago by Governor Rosellini.

"This beautiful flag is now flying over the Capitol dome. The President wishes to allow the members of the Senate to thank this young group for coming and thank you for the use of your flag today.

"Will these young men please stand with Senator McCormack in order that you may be properly recognized.

"The President wishes to compliment you upon your excellent appearance and the manner in which you are conducting yourselves in the Senate Chamber."

(Applause.)

**Senate Bill No. 123**, by Senators Rasmussen and Talley:

Permits issuance of local improvement district installment notes in cities and towns.

The bill was read the second time by sections.

On motion of Senator Neill, the following amendment was adopted:

In section 1, page 3, line 10, after "provisions," strike "the"; also in line 11, after "this section" and before "shall be" insert "which are within the protection of the local improvement guaranty fund law"

On motion of Senator Riley, the rules were suspended, Engrossed Senate Bill No. 123 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 123, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr.—41.

Those absent or not voting were: Senators Dore, Keefe, Martin, Morgan, Papajani, Rasmussen, Washington, Woodall—8.

Engrossed Senate Bill No. 123, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 142**, by Senators Bargreen and Gissberg:

Relating to joint utilities by city and P.U.D.

The bill was read the second time by sections.

On motion of Senator Gallagher, the following amendment was adopted:

In section 2, page 2, line 2, after "thousand]" strike "*of the first class or larger*"

#### POINT OF INQUIRY

Senator Happy:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"I will."

Senator Happy:

"Would you object, in line 4, page 2, where it says 'public utility district within this state in the joint acquisition, purchase, construction, ownership, maintenance and operation, within or without the respective limits of any such city or public utility district', to limiting it to within the county that it pertains to? In other words, this would permit a P.U.D. from the west side to form an alliance with a P.U.D. in eastern Washington. It seems to me that this is pretty broad to allow any P.U.D. to form a statewide alliance."

Senator Gissberg:

"Senator Happy, you have the happy faculty of being able to interject these comments at an appropriate time when it becomes necessary for you to either admit or deny whether your comments are accurate. I personally have no objection, if it could be lawfully spelled out; although in so doing, we would be actually changing the present P.U.D. law.

"Of course, you understand that this bill simply extends the corporate feature that now exists in the law to electric facilities."

Senator Happy:

"May I ask the privilege of moving to hold this bill over toward the end of the calendar so I can prepare an amendment which I will be very glad to show to Senator Gissberg ahead of time?"

**RULING OF THE PRESIDENT**

The President answered in the affirmative.

On motion of Senator Happy, Senate Bill No. 142 was ordered to hold its place at the end of today's second reading calendar.

**Senate Bill No. 86**, by Senator Martin:

Authorizing withdrawal of certain tidelands from lease and sale.

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources to whom was referred Senate Bill No. 86, authorizing withdrawal of certain tidelands from lease and sale, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, page 1, beginning on line 12, strike "other commercial purposes" and insert "industrial uses: PROVIDED, That the Director of Game has approved such industrial uses as not being generally incompatible with the primary function of these lands as public shooting grounds"

MIKE McCORMACK, Chairman.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson Jr.

**POINT OF INQUIRY**

Senator Lennart:

"Will Senator Martin yield to a question?"

Senator Martin:

"I will."

Senator Lennart:

"This is for leasing purposes only, is it not, Senator Martin?"

Senator Martin:

"That is correct, Senator Lennart."

The bill was read the second time by sections.

On motion of Senator Martin, the committee amendment was adopted.

On motion of Senator Martin, the rules were suspended, Engrossed Senate Bill No. 86 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 86, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—43.

Those absent or not voting were: Senators Cooney, Foster, Freise, Herrmann, Keefe, Woodall—6.

Engrossed Senate Bill No. 86, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 238**, by Senators Sandison and Chytil (by Insurance Commissioner request):

Regulating issuance of credit life insurance and credit accident and health insurance.

On motion of Senator Greive, Senate Bill No. 238 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 203**, by Senators Papajani, Happy and DeGarmo (by Insurance Commissioner request):

Relating to insurance.

On motion of Senator Greive, Senate Bill No. 203 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 127**, by Senators Cowen, Ryder and Neill:

Relating to the limiting of stock ownership in one bank by another.

On motion of Senator Greive, Senate Bill No. 127 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 243**, by Senators Washington, Elway, Jr. and Hallauer (by Departmental request):

Striking mandatory twenty day limitation for successful bidders to enter into contract and furnish bond in highway construction contract.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 243 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 243, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—45.

Those absent or not voting were: Senators Foster, Gissberg, Keefe, Woodall—4.

Senate Bill No. 243, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 16**, by Senators Talley, Riley and Freise (by Legislative Council request):

Relating to annexation of territory to cities.

On motion of Senator Greive, Senate Bill No. 16 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 166**, by Senators Hallauer and Hanna:

Eliminating vote requirement for town park land purchase.

The bill was read the second time by sections.

On motion of Senator Hallauer, the rules were suspended, Senate Bill No.

166 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 166, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—45.

Those absent or not voting were: Senators Cooney, Keefe, Raugust, Woodall—4.

Senate Bill No. 166, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Rasmussen, Senators Rasmussen, McCutcheon, Knoblauch and Kupka were excused.

**Senate Bill No. 105**, by Senators McCormack, Thompson, Jr. and Sandison: Relates to public lands.

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., January 31, 1961.

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 105, relating to public lands, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 3, line 2, after "*per extension*" strike the comma and insert "**: AND PROVIDED FURTHER, That such sum for extensions of timber sales shall be based on the growing capacity of the land,**"

On page 8, beginning with line 16, strike all of section 10 and renumber remaining sections consecutively.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendments were adopted.

Senator McCormack moved that the following amendments be adopted:

In section 1, page 2, line 10, after "**PROVIDED, That**" strike "*upon approval by the board of natural resources, the commissioner of public lands may permit payment of the purchase price on an installment basis*" and insert "*upon the request of the purchaser, any sales over two thousand dollars appraised value shall be on the installment plan*"

In section 1, page 2, line 14, before "*deposit*" strike "*minimum*"; also after "*deposit*" strike "*of*" and insert "*not to exceed*" and after "*price*" insert "*, but not less than two thousand dollars,*"

In section 1, page 2, line 19, after "*The amount of*" strike "*deposit*" and insert "*payments*"

#### POINT OF INQUIRY

Senator Riley:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Riley:

"In the reading of this amendment, you state very directly that with that proviso, they *shall* do business on an installment basis. Is there any objection to using the word, '*may*' instead of '*shall*'? Maybe someone wants to do business on a cash basis."

Senator McCormack:

"Senator Riley, it is worded 'upon the request of the purchaser' the sale shall be on an installment basis. If the purchaser wants to pay cash, he would not make this request. The '*shall*' is for the protection of the purchaser making the request."

The motion carried and the amendments were adopted.

#### PERSONAL PRIVILEGE

Senator Hess:

"Before we pass this bill, I have several questions."

Senator Greive:

"I would like to make a request of Senators Hess and McCormack. I would like, if possible, to suspend the rules at this time and consider Senate Bill No. 57 since Senator Petrich has to leave."

Senators Hess and McCormack had no objections.

#### MOTION

On motion of Senator Greive, the rules were suspended and Senate Bill No. 57 was considered immediately.

**Senate Bill No. 57**, by Senators DeGarmo, Hess, Hanna, Talley, Neill, Kupka, Dore, Elway, Jr. and Thompson, Jr.:

Prohibiting false, deceptive and misleading advertising.

Senate Chamber,  
Olympia, Wash., February 6, 1961.

MR. PRESIDENT:

"We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 57, prohibiting false, deceptive and misleading advertising, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 1, page 1, beginning on line 20, strike all the material down to and including "circumstances" on lines 23 and 24.

In new section 3, page 2, line 5, after "both." add a new paragraph reading as follows:

"RCW 9.01.090 shall not be applicable to the terms of this act and no penalty or remedy shall result from a violation of this act except as expressly provided herein."

In new section 4, page 2, line 14, strike the period following "act" and insert the following: " : *Provided*, That after commencement of any action by a prosecuting attorney, as provided herein, the attorney general may not accept an assurance of discontinuance without the consent of the prosecuting attorney."

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 57 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 57, and the bill passed the Senate by the following vote: Yeas, 35; nays, 0; absent or not voting, 14.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gissberg, Greive, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Lennart, McCormack, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Washington—35.

Those absent or not voting were: Senators Cowen, Freise, Gallagher, Hallauer, Hanna, Keefe, Kupka, McCutcheon, Martin, Morgan, Rasmussen, Talley, Thompson, Jr., Woodall—14.

Engrossed Senate Bill No. 57, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator McCormack, Senate Bill No. 105 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 217**, by Senators Durkan, Thompson, Jr. and Cooney:  
Placing garbage collection agencies under public service commission.

Senate Chamber,

Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 217, placing garbage collection agencies under public service commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 3, page 2, line 15, after "chapter" strike the period and insert the following:

" : *Provided*, That the provisions of this chapter shall not apply to the operations of any garbage and refuse collection company under a contract of garbage or refuse disposal with any city or town, nor to any city or town which itself undertakes the disposal of garbage or refuse."

On page 3, new section 5, line 32, after the period following "the commission" add a new paragraph to read as follows:

"Any garbage and refuse collection company which upon the effective date of this act is operating under authority of a common carrier or contract carrier permit issued under the provisions of chapter 81.80 RCW shall be granted a certificate of necessity without hearing upon compliance with the provisions of this chapter. Such garbage and refuse collection company which has paid the plate fee and gross weight fees required by chapter 81.80 RCW for the year 1961 shall not be required to pay additional like fees under the provisions of this chapter for the remainder of such year."

On page 4, new section 7, line 13, before "thousand dollars" strike "to exceed five" and insert "less than twenty-five"

On page 4, new section 7, line 17, before "thousand dollars" strike "to exceed one" and insert "less than ten"

On page 4, beginning on line 24, strike all of new section 8 and renumber the remaining sections consecutively.

On page 5, new section 10, (renumbered new section 9) line 19, after "identification plate" and before "for each" insert ", for which the plate fee shall be three dollars,"

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, David C. Cowen, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendments were adopted.

**POINT OF INQUIRY**

Senator Hess:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"I will."

Senator Hess:

"Senator Durkan, why is a grandfather's clause warranted in the first committee amendment? Why shouldn't these companies also have to provide a certificate of necessity?"

Senator Durkan:

"They have already done this under the rules and regulations of the commission. This commission feels that it would be a duplication and repetitious."

Senator Hess:

"I don't know enough about the field to make a formal objection, but it seems to me that what we are doing is creating artificial monopolies and now we are not only setting up monopolies, but saying those in the field shall have 'first grabs'. I would like to point out that all of the motor and freight carriers operate under a certificate of necessity."

**POINT OF INQUIRY**

Senator Nunamaker:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Nunamaker:

"Just what effect will that have on a city who have their own garbage collectors?"

Senator Durkan:

"We just passed an amendment excluding the cities. This bill does not cover the cities. That was the first amendment."

**POINT OF INQUIRY**

Senator Dore:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Dore:

"I am in favor of this amendment, but I just question the language. As I understand, we have a permit law under the prospects of guarantees. I just happened to hear about it and wondered if the proper wording is used here."

Senator Durkan:

"This was the amendment which was submitted by Joe Starin's office in the Public Service Commission."

**POINT OF INQUIRY**

Senator Gissberg:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Gissberg:

"Senator, is there any definition of 'garbage and refuse' in the definition section or anywhere else?"

Senator Durkan:

"As to the law, itself, there is under the commission. In their rules and regulations they have a definition."

Senator Gissberg:

"There is a definition. Is that a judicial definition, or do the rules and regulations of garbage include septic tank operators? Would you object to checking to make sure that septic tank operators are not covered under this bill?"

Senator Durkan:

"I have requested this information and have been informed that it does not cover septic tanks."

On motion of Senator Gissberg, the following amendment was adopted:

In new section 2, page 2, line 10, before "over" insert ", except septic tank pumps."

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 217 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Washington:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Washington:

"When was this regulation put into effect by the Public Service Commission, which allowed them to cover garbage disposal?"

Senator Durkan:

"They do this by rule and regulation, without statutory authority."

Senator Washington:

"If the garbage carriers are going to be under the Public Service Commission, how about the milk deliveries, etc.? Will the Public Service Commission have to cover all of these other carriers?"

Senator Durkan:

"I don't know the answer."

Debate ensued.

Senator Herrmann demanded the previous question.

The demand for the previous question was sustained by Senators Durkan, Angevine and Herrmann.

The motion carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 217, and the bill failed to pass the Senate by the following vote: Yeas, 20; nays, 18; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Knoblauch, Nunamaker, Papajani, Sandison, Thompson, Jr.—20.

Those voting nay were: Senators Chytil, Cowen, Donohue, Dore, Durkan, Hallauer, Happy, Hess, Hofmeister, Lennart, McMillan, Moriarty, Jr., Raugust, Riley, Ryder, Shannon, Talley, Washington—18.

Those absent or not voting were: Senators Freise, Keefe, Kupka, McCormack, McCutcheon, Martin, Morgan, Neill, Petrich, Rasmussen, Woodall—11.

Engrossed Senate Bill No. 217 having failed to receive the constitutional majority was declared lost.

#### NOTICE OF RECONSIDERATION

Senator Durkan, having voted on the prevailing side, gave notice that on the next legislative day he would move for reconsideration of the vote by which Engrossed Senate Bill No. 217 failed to pass the Senate.

**Senate Bill No. 251**, by Senators Washington, Lennart and Bargreen (by Departmental request):

Striking provision that highway franchise hearings have to be held in the transportation building at state capitol.

On motion of Senator Greive, Senate Bill No. 251 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 144**, by Senator Gissberg:

Relating to apprenticeship council and providing for a supervisor of apprenticeship.

On motion of Senator Greive, Senate Bill No. 144 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 179**, by Senators Gissberg and Rasmussen:

Increasing county travel expense.

On motion of Senator Greive, Senate Bill No. 179 was ordered to retain its place on the second reading calendar for tomorrow.

#### MOTION

At 1:15 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:30 o'clock a. m. on Saturday, February 11, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTY-FOURTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, February 11, 1961.

The Senate was called to order at 10:30 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bargreen, Cowen, Foster, Freise, Petrich, Raugust and Woodall, Senators Bargreen and Petrich being excused. On motion of Senator Ryder, Senators Woodall, Foster and Freise were excused.

On motion of Senator Keefe, Senator Cowen was excused.

On motion of Senator Happy, Senator Raugust was excused.

The Color Guard, consisting of Pages Robert Lund, Color Bearer, and Susan Harris, presented the Colors.

Reverend Charles Loyer, Pastor of the Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Let us pray:

"O God Who knoweth all things; guide these legislators who don't, and yet are often expected to by us, the people.

"This has been a long week for the Senators, and the end is not yet. Bolster up their flagging spirits. Give them a sense for what is important and a wastebasket for what isn't.

"Grant to each a sense of humor to lighten fatigue and to laugh the trivia out of existence.

"Watch over those who will be traveling the busy highways, and some time this weekend make opportunities for them to rest, to refresh their spirits, and to recover their perspectives. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS MOTION FOR RECONSIDERATION

Having given notice yesterday, Senator Durkan moved that the Senate do now reconsider the vote by which Engrossed Senate Bill No. 217 failed to pass the Senate.

Debate ensued.

### RECONSIDERATION

The President stated the question before the Senate to be, shall the Senate reconsider the vote by which Engrossed Senate Bill No. 217 failed to pass the Senate.

The motion carried.

### POINT OF INQUIRY

Senator McCutcheon:

"Mr. President, how many Senators are now present?"

The President:

"Senator McCutcheon, there are 42 Senators present."

Further debate ensued.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 217, and the bill passed the Senate by the following vote: Yeas, 33; nays, 7; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Ryder, Sandison, Thompson, Jr.—33.

Those voting nay were: Senators Hallauer, Hess, Lennart, McMillan, Riley, Talley, Washington—7.

Those absent or not voting were: Senators Bargreen, Cowen, Foster, Freise, Petrich, Rasmussen, Raugust, Shannon, Woodall—9.

Engrossed Senate Bill No. 217, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Lennart:

"I stand on a point of personal privilege. The privilege I wish to speak about concerns the rights of department heads to make rules and regulations that take the force and effect of law.

"In this letter from the Public Service Commission, it is readily admitted that they went into the regulation of the garbage business by putting into rules that which was never legislative intent.

"What I wish to cite for your information is perhaps the most important thing before the Legislature, and that is this: That when rules and regulations which take the force and the effect of law, rules which the Legislature never intended to give the department, are put into effect, it is almost a must for the Legislature to create a Legislative Interim Committee with the power and right to review department rules and interpret if rules thus put into effect were intended by the Legislature."

#### PRESIDENT'S PRIVILEGE

The President announced the presence in the gallery of a group of handsome and attractive Boy Scouts from Seattle under the direction of Mr. Morton. The President complimented the group on their behavior and appearance.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 14:**

Senate Chamber,  
Olympia, Wash., February 8, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 14, transferring supervision of paroles and probation to director of institutions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, Karl V. Herrmann, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 33:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 33, providing for the assumption of jurisdiction over Indians, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, R. R. (Bob) Greive, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 88:**

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 88, abolishing right to obtain occupational driver's license under chapter 46.28 RCW, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*.

AL HENRY, *Vice-Chairman*.

....., *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, Edward F. Riley, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 119:**

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred Senate Bill No. 119, relating to common carriers to transport game and game fish illegally offered for sale, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman*.

VICTOR F. DEGARMO, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Harry Elway, Jr., Herbert H. Freise, Karl V. Herrmann, Fred J. Martin, David E. McMillan, John Papajani, John A. Petrich, A. L. Rasmussen, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 145** (reported by Committee on Higher Education and Libraries):

Do pass as amended.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Wilbur G. Hallauer, John H. Happy, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTIONS**

On motion of Senator McCutcheon, the Senate reverted to the first order of business for the purpose of a motion.

On motion of Senator McCutcheon, the Committee on Constitution, Elec-

tions and Legislative Processes was relieved of further consideration of Senate Bill No. 341.

On motion of Senator McCutcheon, Senate Bill No. 341 was ordered referred to the Judiciary Committee.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 209:

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 209, relating to raising salaries of court reporters, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 270** (reported by Committee on Higher Education and Libraries):

Do pass as amended.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Wilbur G. Hallauer, John H. Happy, Andy Hess, Mike McCormack, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 280:

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 280, authorizing publication of legal notices by television, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 311:

Senate Chamber,  
Olympia, Wash., February 8, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 311, modifying law relating to commission merchants, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, Louis E. Hofmeister, Reuben A. Knoblauch, Fred J. Martin, David E. McMillan, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 312:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 8, 1961.

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 312, modifying law relating to public livestock markets, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, Louis E. Hofmeister, Reuben A. Knoblauch, Fred J. Martin, David E. McMillan, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 363** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman.*AL HENRY, *Vice-Chairman.*  
....., *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, Edward F. Riley, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 21:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 8, 1961.

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Joint Resolution No. 21, repealing alien land law, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 13:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 9, 1961.

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 13, clarifying and correcting the securities act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 156:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 9, 1961.

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 156, authorizing cooperative associations to form for a perpetual term, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 282:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 10, 1961.

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred House Bill No. 282, pertaining to enforcement of rules and regulations of the state game commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman*,  
VICTOR F. DEGARMO, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Harry Elway, Jr., Herbert H. Freise, Karl V. Herrmann, David E. McMillan, Fred J. Martin, John Papajani, John A. Petrich, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., February 10, 1961.

The House has concurred in the Senate amendments to House Bill No. 84 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

The House has Passed: House Bill No. 15; also  
House Bill No. 168; also  
House Bill No. 227; also  
House Bill No. 272; also  
House Bill No. 285; also  
House Joint Resolution No. 19, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 429**, by Senator Thompson, Jr.:

An Act relating to narcotic drugs; amending section 69.33.290, chapter 27, Laws of 1959, as amended by section 1, chapter 97, Laws of 1959 and RCW 69.33.290.

Referred to Committee on Medicine and Dentistry.

**Senate Bill No. 430**, by Senators Petrich and Moriarty, Jr.:

An Act relating to private business corporations; providing for a restatement of the articles of incorporation and the filing and effect thereof; adding a new section to chapter 185, Laws of 1933 and to chapter 23.01 RCW; and amending section 17, chapter 70, Laws of 1937 and RCW 23.52.040.

Referred to Judiciary Committee.

**Senate Bill No. 431**, by Senators Bailey, Talley and Elway, Jr.:

An Act relating to a toll bridge over the lower Columbia river; making an appropriation; and repealing sections 47.56.510 through 47.56.560, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.56.510 through 47.56.560.

Referred to Committee on Highways.

**Senate Joint Resolution No. 27**, by Senator Papajani:

Bill of rights for mental freedom.

Referred to Judiciary Committee.

**Senate Joint Resolution No. 28**, by Senator Riley:

Endorsing international boxing event at Century 21 Exposition.

On motion of Senator Riley, the rules were suspended and Senate Joint Resolution No. 28 was advanced to second reading and read the second time in full.

On motion of Senator Riley, the rules were suspended, Senate Joint Resolution No. 28 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 28 and the resolution passed the Senate by the following vote: Yeas, 34; nays, 1; absent or not voting, 14.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Riley, Ryder, Sandison, Talley, Washington—34.

Those voting nay were: Senator Gissberg—1.

Those absent or not voting were: Senators Bargreen, Cowen, Elway, Jr., Foley, Foster, Freise, Hallauer, Keefe, Petrich, Rasmussen, Raugust, Shannon, Thompson, Jr., Woodall—14.

Senate Joint Resolution No. 28, having received the constitutional majority, was declared passed.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**House Bill No. 15**, by Representatives Smith, O'Donnell and Litchman, Jr.:

An Act relating to discrimination in the disposition of human remains; amending section 3, chapter 183, Laws of 1949 as amended by section 4, chapter 37, Laws of 1957, and RCW 49.60.040; amending section 3, chapter 33, Laws of 1899 and RCW 68.20.110; and amending section 84.36.020, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 84.36.020.

Referred to Judiciary Committee.

**House Bill No. 168**, by Representatives Holmes, Kink and Campbell:

An Act relating to changing the designation of the state colleges of education; and amending section 2, chapter 147, Laws of 1957 and RCW 28.81.010.

Referred to Committee on Higher Education and Libraries.

**House Bill No. 227**, by Representatives Campbell and Burtch:

An Act relating to institutional placement of incorrigible juvenile offenders; and amending section 4, chapter 297, Laws of 1957, as amended by section 2, chapter 251, Laws of 1959 and RCW 13.08.190.

Referred to Judiciary Committee.

**House Bill No. 272**, by Representatives Henry, Huntley and Taylor:

An Act relating to motor vehicles; adding a new section to chapter ....., Laws of 1961 (House Bill No. 2) and chapter 46.56 RCW; and providing a penalty.

Referred to Committee on Highways.

**House Bill No. 285**, by Representatives Beierlein, Garrett and Evans (by Departmental request):

An Act relating to the procedure of state administrative agencies; and amending section 2, chapter 234, Laws of 1959, and RCW 34.04.020.

Referred to Committee on Highways.

**House Joint Resolution No. 19**, by Representatives Holmes, Bergh and Chatalas (by Executive request):

Amending the Constitution to relax residence requirements for voters.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### SECOND READING OF BILLS

**Senate Bill No. 238**, by Senators Sandison and Chytil (by Insurance Commissioner request):

Regulating issuance of credit life insurance and credit accident and health insurance.

The bill was read the second time by sections.

On motion of Senator Greive, the following amendment was adopted:

In new section 11, subsection (1), page 6, lines 2 and 3, after "thereto" strike all of the material down to and including "made" on line 3.

On motion of Senator Sandison, the following amendments were adopted:

In new section 6, page 3, lines 1 and 2, after "shall" strike "not exceed the amount of ten thousand dollars." and insert "at no time exceed the amount owed by the debtor which is repayable in installments to the creditor, or ten thousand dollars, whichever is less."

In new section 9, page 4, line 32, after "or agreement," insert "or the application for any such loan, sale or credit,".

In new section 9, subsection (4), page 5, line 1, strike the period after "therein" and insert the following: "under a descriptive heading which shall be underlined and printed in capital letters."

On page 6, after new section 13 add a new section reading as follows:

**NEW SECTION. Sec. 14.** Nothing in this act shall be construed to permit any practice prohibited by chapter 31.08 RCW, nor is it intended that this act shall amend or repeal any provision of chapter 31.08 RCW, known as the "Small Loan Act".

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 238 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 238, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Riley, Ryder, Sandison, Shannon—38.

Those absent or not voting were: Senators Bargreen, Cowen, Foster, Freise, Gissberg, Petrich, Raugust, Talley, Thompson, Jr., Washington, Woodall—11.

Engrossed Senate Bill No. 238, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 203**, by Senators Papajani, Happy and DeGarmo (by Insurance Commissioner request):

Relating to insurance.

On motion of Senator Greive, Senate Bill No. 203 was ordered to retain its place immediately following Senate Bill No. 105.

**Senate Bill No. 127**, by Senators Cowen, Ryder and Neill:

Relating to the limiting of stock ownership in one bank by another.

The bill was read the second time by sections.

Senator Hallauer moved that the following amendment be adopted:

In section 1, page 1, line 19, strike the year number "1961" and substitute therefor the year number "1965"

A division was called for and the amendment was lost on a rising vote.

On motion of Senator Ryder, the rules were suspended, Senate Bill No. 127 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 127, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—41.

Those absent or not voting were: Senators Bargreen, Cowen, Foster, Freise, Lennart, Petrich, Raugust, Woodall—8.

Senate Bill No. 127, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 16**, by Senators Talley, Riley and Freise (by Legislative Council request):

Relating to the annexation of territory to cities.

The bill was read the second time by sections.

Senator McCutcheon moved that the following amendment be adopted:

In section 2, page 2, line 30, strike all of subsections (2) and (3).

Debate ensued.

Senator Talley moved that the amendment proposed by Senator McCutcheon be laid on the table.

#### POINT OF ORDER

Senator Neill:

"Senator Talley, your motion is out of order. You can't make the motion after the speech has already been made."

#### RULING OF THE PRESIDENT

The President:

"Senator Neill, your point of order is well taken."

Debate ensued.

A division was called for and the amendment by Senator McCutcheon lost on a rising vote.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 16

was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 16, and the bill passed the Senate by the following vote: Yeas, 32; nays, 8; absent or not voting, 9.

Those voting yea were: Senators Angevine, Chytil, Connor, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Gallagher, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, McCormack, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—32.

Those voting nay were: Senators Cooney, Durkan, Gissberg, Greive, Lenart, McCutcheon, McMillan, Morgan—8.

Those absent or not voting were: Senators Bailey, Bargreen, Cowen, Foster, Freise, Hofmeister, Petrich, Raugust, Woodall—9.

Senate Bill No. 16, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### NOTICE OF RECONSIDERATION

Senator Herrmann, having voted on the prevailing side, gave notice that he would, on the next working day, move for reconsideration of the vote by which Senate Bill No. 16 passed the Senate.

#### MOTIONS

Senator Dore moved that the rules be suspended and the Senate immediately reconsider the vote by which Senate Bill No. 16 passed.

A division was called for.

Senator Herrmann moved that the Senate do now adjourn.

#### POINT OF ORDER

Senator Dore:

"I rise on a point of order. A motion cannot be made in the middle of a vote count."

#### RULING OF THE PRESIDENT

The President:

"Upon Senator Dore's point of order, the rules provide that a roll call cannot be interrupted, but the President is not aware that a division cannot be interrupted."

#### POINT OF INQUIRY

Senator Hess:

"If we vote down the motion to adjourn we have simply to revert to the vote on the motion for reconsideration, is that correct?"

#### RULING OF THE PRESIDENT

The President:

"That is correct."

A division was called for on the motion to adjourn.

The motion was lost on a rising vote.

The President stated the question before the Senate to be, it has been moved that the rules be suspended and the Senate immediately reconsider the vote by which Senate Bill No. 16 passed the Senate.

**POINT OF ORDER**

Senator Dore:

"Mr. President, I think we have to go back to the same order of business where we were."

**RULING OF THE PRESIDENT**

The President:

"The President feels that a roll call may be demanded at this particular time."

The demand for a roll call was sustained by Senators Lennart, DeGarmo, McCutcheon, Rasmussen, Nunamaker, Washington, Greive, Gallagher, and Herrmann.

The President stated the question to be, it has been moved that the Senate immediately reconsider the vote by which Senate Bill No. 16 passed the Senate.

**POINT OF ORDER**

Senator Riley:

"If a vote to reconsider passes and we immediately reconsider, then we can give Senator Herrmann the privilege of adjourning after we reconsider. Is that correct?"

**RULING OF THE PRESIDENT**

The President:

"That is correct, Senator Riley."

The Secretary called the roll on the motion by Senator Dore that the rules be suspended and the Senate immediately reconsider the vote by which Senate Bill No. 16 passed the Senate, and the motion was lost by the following vote: Yeas, 23; nays, 18; absent or not voting, 8.

Those voting yea were: Senators Angevine, Connor, Dore, Elway, Jr., Foley, Hallauer, Hanna, Happy, Henry, Hess, Knoblauch, Kupka, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Riley, Ryder, Sandison, Shannon, Talley, Washington—23.

Those voting nay were: Senators Bailey, Chytil, Cooney, DeGarmo, Donohue, Durkan, Gallagher, Gissberg, Greive, Herrmann, Hofmeister, Keefe, Lennart, McCormack, McCutcheon, McMillan, Morgan, Rasmussen—18.

Those absent or not voting were: Senators Bargreen, Cowen, Foster, Freise, Petrich, Raugust, Thompson, Jr., Woodall—8.

**MOTIONS**

On motion of Senator Greive, the rules were suspended and all bills remaining on the second reading calendar were ordered to hold their place on the second reading calendar for Monday, February 13, 1961.

At 12:20 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 12:00 o'clock noon on Monday, February 13, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**THIRTY-SIXTH DAY**

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**NOON SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, February 13, 1961.

The Senate was called to order at 12:00 o'clock noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Cherry Clark, presented the Colors.

Reverend Homer Kimmel, Pastor of the Church of the Brethren of Olympia, offered prayer as follows:

"Eternal Spirit, to Whom we belong and in Whom we live, we seek a fresh consciousness of Thy reality and Thy penetrating presence.

"We want to talk with Thee as a Father, because as we come back to work today, we come with some reluctance. But we also come with eagerness for the work, for we have a deep sense of honor and statesmanship and responsibility to do the best we can with what has been placed in our hands by Thee and by the people of this state . . . our neighbors.

"The time we have and the talent we have are sacred trusts from Thee. And the people have entrusted to us millions of dollars, which are the fruitage of their time and their talents.

"We are only one small government in the world's family of governments, but here will be sown seeds that can grow into greatness, or seeds of blight that will lead to ever increasing destruction.

"Under such a weight of responsibility, O God, who can stand? This is too much for mere men. Therefore we look to Thee to lift us from pettiness and little schemes.

"Inspire us to magnanimity; give us the light of Thy wisdom lest we fumble and err in our decisions. We offer ourselves as channels through which Thy Divine spirit may flow to govern these Thy people. In the name of Christ. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PERSONAL PRIVILEGE**

Senator Cowen:

"Mr. President, Members of the Senate:

"Now, I am not a very good investor in the stock market, but if any of you fellows have any money to spend this morning, I would suggest that you buy Western Union. It looks like a pretty good bet from the looks of my desk this morning."

**MOTION**

On motion of Senator Greive, 1500 additional copies of Senate Bills Nos. 48, 148 and 149 were ordered printed.

**MOTION FOR RECONSIDERATION**

Senator Herrmann moved that the Senate do now reconsider the vote by which Senate Bill No. 16 passed the Senate.

**PRESIDENT'S PRIVILEGE**

The President:

"Senator Herrmann, with your permission, would you pause for a short delay and then the President will recognize you."

## PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS

The Secretary read:

## SENATE RESOLUTION

By Senator Happy:

WHEREAS, The fame, achievements and historical romance of our great statesman has always captivated and inspired the imagination of Americans; and

WHEREAS, By presidential proclamation the year of 1961 has been declared the Centennial of the American Civil War; and

WHEREAS, Today we commemorate the birthday of the Great Emancipator; and

WHEREAS, Many utterances of the Great Emancipator to this day challenge the judgment of contemporary civilization;

Now, *Therefore, Be It Resolved*, By the Senate of the state of Washington, that the loyalty to the Union and the Flag, displayed by this great American be this day observed in reverence.

On motion of Senator Happy, the resolution was adopted.

The Secretary read:

## SENATE RESOLUTION

By Senators Rasmussen, McCutcheon, Talley, Petrich, Kupka and Knoblauch:

WHEREAS, The residents of the city of Tacoma and the many friends of J. Dean Barline are saddened by the news of his sudden death on Sunday, February 12th; and

WHEREAS, J. Dean Barline was a faithful public servant for many years, serving in the city attorney's office in Tacoma and for the past six years doing an outstanding job as director of Tacoma Utilities; and

WHEREAS, J. Dean Barline is known throughout the nation and more particularly in the Pacific Northwest as a leader in the public power movement; and

WHEREAS, J. Dean Barline was at all times an honest, impartial, honorable and fair man in his role as a public servant;

Now, *Therefore, Be It Resolved*, By the Senate, that our sincerest sympathy and condolences are expressed to each member of the family of J. Dean Barline, and our assurance expressed that J. Dean Barline will be long remembered for his outstanding service to public office; and

*Be It Further Resolved*, That a copy of this resolution shall be sent by the Secretary of the Senate to his wife Jane, his son John, and his daughter, Jean.

On motion of Senator McCutcheon, the resolution was adopted.

## PRESIDENT'S PRIVILEGE

The President announced the presence of a group of students from Nooksack Valley High School, at the request of Senator Lennart. Present with the group of students were Mrs. Lennart and Mr. Noteboom. The party was asked to stand and be recognized, along with the Senator from Whatcom County, Senator Lennart.

The President:

"It is indeed gratifying that so many people from Nooksack High School and from Yelm High School are here today to hear the remarks from our illustrious Senator Lennart."

The President announced the presence in the gallery of two students, Faunda Galladay and Scotty Galladay, as special representatives from their school in Camas to observe and report back to their school on their observations of the gentlemen and lady of the Senate. These students are under the direction of their parents. Senator Henry was asked to stand and be recognized along with the group from Skamania County.

## PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"The President wishes to compliment the members of the Senate for adopting the resolution by Senator Happy, and is proud also to join in the request to the members to pause for a few moments and reflect upon a great American whose birthday the Nation celebrated yesterday.

"The magnanimous virtues of this immortal figure are of such a nature that mere reflection upon them can benefit us all. Possibly in the next twenty-five days this deliberative body can share with the citizens of the state of Washington, the fruits of its study, understanding and appreciation of the mannerisms of Abraham Lincoln.

"In the spirit of today, with us in the Senate Chamber is Senator Ernest W. Lennart, the honorable Senator from Whatcom County. Many members of the Senate from both sides of the aisle have asked that he speak to us briefly on the great topic of Abraham Lincoln.

"Perhaps a word about Senator Lennart for the interest of those in the gallery. Senator Lennart is a man, humble in nature. His lifetime devotion to the study of Constitutional Government and the American Statesman has been its own great reward, and an inspiration to others. Senator Lennart owns perhaps the finest and largest collection of documents, a fine library of the world's best literature, and many volumes on Constitutional Government.

"It is said by many that his rare quality is his profound allegiance to sincerity. The President is sure that the members of the Senate will join a thought that his utterances reveal a man who has nothing to conceal."

## APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Happy and Greive as a committee to escort the Honorable Senator Lennart to the rostrum.

Senator Lennart:

"Thank you, Mr. President, for those kind words.

"Mr. President, My Fellow Senators, Ladies and Gentlemen:

"I have been asked to begin with Kennedy's Inaugural Address, a historical document rarely found in modern political statements, having a great impact on both parties, our nation and the world at large. To begin with I shall give you part of this Inaugural Address, then part of Black's 'Greatness of Lincoln' at which conclusion I shall recite to you Lincoln's second Inaugural Address:

"We observe today not a victory of party but a celebration of freedom—symbolizing an end as well as a beginning—signifying renewal as well as a change. For I have sworn before you and Almighty God the same solemn oath our forebears prescribed nearly a century and three-quarters ago.

"The world is very different now. For man holds in his mortal hands the power to abolish all forms of human poverty and all forms of human life. And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that the rights of man come not from the generosity of the state but from the hand of God.

"We dare not forget today that we are heirs of that first revolution. Let the word go forth from this time and place, to friend and foe alike, that the torch has been passed to a new generation of Americans—born in this century, tempered by war, disciplined by a hard and bitter peace, proud of our ancient heritage—and unwilling to witness or permit the slow undoing of those human rights to which this nation has always been committed, and to which we are committed today at home and around the world.

"Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty.

"This much we pledge—and more."

"Then he continues:

"All this will not be finished in the first one hundred days. Nor will it be finished in the first one thousand days, nor in the life of this administration, nor even perhaps in our lifetime on this planet. But let us begin.

"In your hands, my fellow citizens, more than mine, will rest the final success or

failure of our course. Since this country was founded, each generation of Americans has been summoned to give testimony to its national loyalty. The graves of young Americans who answered the call to service surround the globe.

"Now the trumpet summons us again—not as a call to bear arms, though arms we need—not as a call to battle, though embattled we are—but a call to bear the burden of a long twilight struggle year in and year out, "rejoicing in hope, patient in tribulation"—a struggle against the common enemies of man: tyranny, poverty, disease and war itself.

"Can we forge against these enemies a grand and global alliance, north and south, east and west, that can assure a more fruitful life for all mankind? Will you join in that historic effort?

"In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger, I do not shrink from this responsibility—I welcome it. I do not believe that any of us would exchange places with any other people or any other generation. The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it—and the glow from that fire can truly light the world.

"And so, my fellow Americans: Ask not what your country can do for you—ask what you can do for your country.

"My fellow citizens of the world: Ask not what America will do for you, but what together we can do for the freedom of man.

"Finally, whether you are citizens of America or citizens of the world, ask of us here the same high standards of strength and sacrifice which we ask of you. With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own."

#### THE GREATNESS OF LINCOLN

"There are subjects upon which nothing new can be said, but which still arouse the fervor awakened at their first enunciation. If the song was true when it started on its journey it will be sung as long as human hearts vibrate and tongues retain the gift of speech. It will be lisped by those who are tottering on toward the end, and echoed by those whose hearts are filled with the promise and the glow of youth. If the product was genuine when it passed from the Creator's hand, it will neither be dimmed by age nor cheapened by familiarity; for honor is not decreased by contact, and truth is never out of tune.

"If none of the old stories are ever to be re-told, many a noble inspiration must be lost, and many a tender chord must remain untouched.

"This is the age, I know, when the search is at its height for the new and marvelous. But in the fever of modern enterprise a moment's rest can do no harm. We must not only acquire, we must retain. We must not only learn, we must remember. The newest is not always the best. Modern literature is ablaze with beauty and with power, and yet millions are still going to one old and thumbworn text for their final consolation.

"Remembering the force of these examples, it will be profitable sometimes to step one side for the serious contemplation of rugged, lasting qualities in whatever age or garb they have appeared. The hero of an hour will pass as quickly as he came. The flashlight will dazzle and blind, but when the eyes are rubbed the impression has passed away, but the landscape that comes slowly into view with the rising sun, growing more resplendent and distinct with his ascending power, and fading gently from the vision at the approach of night, will remain in the mind forever to illuminate, to strengthen and to cheer.

"Men are like impressions. There are more examples of the flashlight kind than there are fireflies on a summer's night, but there is no nobler representative of the enduring and immortal than he in whose name this event is celebrated. Whoever imparts a new view of his character must tell it to the newborn, to whom all things are new, for to the intelligent and mature his name and virtues have been long familiar.

"His was the power that commanded admiration and the humanity that invited love; mild but inflexible, just but merciful, great but simple, he possessed a head that commanded men and a heart that attracted babes. His conscience was strong enough to bear continual use. It was not alone for public occasions nor great emergencies. It was never a capital, but always a chart. It was never his servant, to be dismissed at will, but his companion to be always at his side. It was with him, but never

behind him, for he knew that a pursuing conscience is an accuser, and not a guide, and brings remorse instead of comfort.

"He wore the crown of power with justice, reason and mercy, and faced defeat with humility and courage.

"His greatness did not depend upon his title, for greatness was his when the title was bestowed. He leaned upon no fiction of nobility, and kissed no hand to obtain his rank, but the stamp of nobility and power which he wore was conferred upon him, by a power which, unlike earthly potentates, never confers a title without a character that will adorn it. When we understand the tremendous advantages of a humble birth, when we realize that the privations of youth are the pillars of strength to maturer years, then we shall cease to wonder that out of such obscure surroundings as watched the coming of Abraham Lincoln should spring the colossal and supreme figure of modern history.

"If you look for attributes that dazzle and bewilder you must seek them elsewhere than in the character of Abraham Lincoln. It was not by show or glitter or by sound that the great moments of history were marked and the great deeds of mankind were wrought. The color counts for nothing; it is the fibre alone that lasts. The precept will be forgotten unless the deed is remembered. The wildest strains of martial music will pass away on the wind, while the grim and deadly courage of the soldier, moving and acting without a word, will mark the spot where pilgrims of every race will linger and worship forever.

"No character in the world more clearly saw the worth of substance and the mockery of show, and no career ever set in such everlasting light and doctrine, that although vanity and pretense may flourish for a day, there can be no lasting triumph not founded on the truth.

"The life of Lincoln moved upon that high, consistent plane which the surroundings of his youth inspired. Poverty is a hard but oftentimes a loving nurse. If fortune denies the luxuries of wealth, she makes generous compensation in that greater love which they alone can know who have faced privations together.

"It is not wealth that counts in the making of the world, but character. And character is best formed amid those surroundings where every waking hour is filled with struggle, where no flag of truce is ever sent, and only darkness stays the conflict. Give me the hut that is small enough, the poverty that is deep enough, the love that is great enough, and I will raise from them the best there is in human character.

"This lad, uncouth, and poor, without aid or accidental circumstance, rising as steadily as the sun, marked a path across the sky so luminous and clear that there is not one to mate it to be discovered in the heavens, and throughout its whole majestic length there is no spot or blemish in it.

"The love of justice and fair play, and that respect for order and the law, which must underlie every nation that would long endure, were deeply embedded in his nature. There I know are qualities destitute of show and whose names are never set to music, but unless there is in the people's heart a deep sense of their everlasting value, that people will neither command respect in times of their prosperity nor sympathy in the hour of their decay. These are the qualities that stand the test when hurricanes sweep by. These are the joints of oak that ride the storm and when the clouds have melted and the waves are still, move on serenely in their course. Times will come when **nothing but the best can save us. There is danger** at such a time. The hurricane will pass like the rushing of the sea. Then is the time to determine whether governments can stand amid such perilous surroundings.

"The American character has been often proved superior to any test. No danger be so great and no calamity so sudden as to throw it off its guard.

"There is now rooted in the American heart, the faith that no matter how dark the night, there will somehow break through at the appointed hour, a light which shall reveal to eager eyes the upright forms of justice and the law, still moving hand in hand, still supreme over chaos and despair, the image and the substance of the world's sublime reliance.

"I should not try, if all the time were mine, to present Lincoln as an orator, a lawyer, a statesman or a politician. His name and his performances in the lines which we pursued have been cut into the rock of American history with the deepest chisel yet made use of on this continent.

"But it is not by the grandeur of his powers that he has most appealed to me, but rather by those softer, homlier traits that bring him down to a closer and more affectionate view.

"And Lincoln was never more imposing than when the milder attributes of his nature were exposed. He was genuine; he was affectionate; and after all is said and the end is reached, what is there without these two? You may measure the heights and sound the depths; you may gain the great rewards of power and renown; you may quiver under the electric current of applause—the time will come when these will fall from you like the rags that cover your body. The robes of power and the husks of pretense will alike be stripped away, and you must stand at the end as you stood at the beginning, revealed. Under such a test Abraham Lincoln might stand erect, for no man loved the humbler, nobler traits more earnestly than he. Whatever he pretended to be, he was: genuine and sincere, he did not need embellishment.

"None have less to fear from such a test than Abraham Lincoln, and his strength in that regard arose, it seems to me from the preservation through all his life of that fondness for his early home, of the tender recollections of his family and their struggles, which kept his sympathy always warm and young. He was never so great but that the ties of his youth still bound him. He was never so far away but that he could still hear the note of the evening bird in the groves of his nativity.

"They say the tides of the ocean ebb and flow by a force which, though remote, always retains its power. And so with this man, whether he rose or fell; whether he stood in the giant-like repose that distinguished him among his fellowmen, or exercised those unequalled powers, which to my mind, made him the foremost figure of the world, yet he always felt the tender and invisible chord that chained him to his native rock. In whatever field he stood he felt the benign and sobering influences of his early recollections: They were the rock to which he clung in storms, the anchor which kept his head to the wind, the balm which sustained him in defeat and ennobled him in the hour of triumph.

"I shall not say he had no faults, for is there any hope that man will pass through this vale of tears without them? Is there any danger that his fellowmen will fail to detect and proclaim them? He was not small in anything. He was carved in deep line, like all heroic figures, for dangerous altitudes and great purposes. And as we move away from him, and years and events pass between us, his form will still be visible and distinct, for such characters built upon the courage and faith, and that affection which is the seed of both, are not the plaything, but the masters of time.

"I shall now give you part of Lincoln's second Inaugural Address, called the most sublime document of modern times:

"On the occasion corresponding to this four years ago, all thoughts were anxiously directed to an impending civil war. All dreaded it, all sought to avoid it. While the inaugural address, was being delivered from this place, devoted, altogether to saving the Union without war, insurgent agents were in the city seeking to destroy it with war—seeking to dissolve the Union and divide the effects by negotiation. Both parties deprecated war, but one of them would make war rather than let the nation survive, and the other would accept war rather than let it perish, and the war came. One-eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the Southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was somehow the cause of the war. To strengthen, perpetuate and extend this interest was the object for which the insurgents would rend the Union by war, while the government claimed no right to do more than to restrict the territorial enlargement of it.

"Neither party expected for the war the magnitude or the duration which it has already attained. Neither anticipated that the cause of the conflict might cease when, or even before the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding. Both read the same Bible and pray to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not that we be not judged. The prayer of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes. Woe unto the world because of offences, for it must needs be that offences come, but woe to that man by whom the offence cometh. If we shall suppose that American slavery is one of those offences which, in the providence of God, must needs come, but which having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offence came, shall we discern there any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet if God wills that

it continue until all the wealth piled by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, that the judgments of the Lord are true and righteous altogether.

"With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and for his orphans, to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations."

The President:

"Senator Lennart, the members of the Senate and the President wish to express their deepest appreciation to you for the wonderful remarks you have made this morning. The remarks are befitting the solemnity of the occasion, and we are very grateful to you."

#### PRESIDENT'S PRIVILEGE

The President introduced a group of young students from Yelm High School under the direction of Mr. Edgar Prescott and Mrs. Elsie Schneider. He asked the eighty youngsters to please stand, along with Senator DeGarmo, that the members of the Senate might recognize them properly.

#### MOTION FOR RECONSIDERATION

Senator Herrmann having given notice on Saturday, moved that the Senate do now reconsider the vote by which Senate Bill No. 16 passed the Senate.

Debate ensued.

#### POINT OF INQUIRY

Senator Elway:

"Will Senator Herrmann yield to a question?"

Senator Herrmann:

Yes, Senator Elway, I will."

Senator Elway:

"What is the purpose of setting this reconsideration date until Thursday. Can this possibly be worked out sooner?"

Senator Herrmann:

"I will have to consult with the sponsoring parties, Senator. I don't feel that I am in a position to get the parties together now, but I think if I could wait until Thursday, we could adjust the differences, and I think it would be a lot easier for Senate Bill No. 16 to go forward in the House if those differences can be worked out here."

Senator Elway:

"I have no objection to the delay of a couple of days. I would like to ask Senator Herrmann if there is any objection to moving that up until Wednesday."

Senator Herrmann:

"Some of these parties that would like to be heard will have to come from the eastern part of the state and I don't think time is running out like an hour glass to the extent that we couldn't wait another twenty-four hours. I don't think those that want to be heard should be denied the privilege."

Senator Elway:

"I hope it is with the intent that we can correct this measure and get it on final passage."

**PERSONAL PRIVILEGE**

Senator Henry:

"I rise on a point of personal privilege to compliment Senator Thompson. I would like to show you some evidence of the therapeutic value of the vitamins he passed out. The evidence is in Senator Nunamaker's chair." (Senator Henry directed attention to a small boy in Senator Nunamaker's chair).

**PRESIDENT'S PRIVILEGE**

The President:

"The President would like to ask Senator Nunamaker a question. Senator Nunamaker . . . (the small boy whirled around in the chair).

"This reminds the President of a quotation by George Bernard Shaw. It seems that the youngster has been deserted by his parents: 'There seems to be some doubt as to who are the best people to be in charge of children, but there can be no doubt that parents are the worst.'"

The President stated the question to be, it has been moved by Senator Herrmann that the Senate do now reconsider the vote by which Senate Bill No. 16 passed the Senate.

The motion carried.

**MOTIONS**

On motion of Senator Herrmann, the rules were suspended and Senate Bill No. 16 was returned to second reading for the purpose of amendments.

On motion of Senator Herrmann, it was ordered that further consideration of Senate Bill No. 16 be made a special order of business on Thursday at the top of the second reading calendar.

**PARLIAMENTARY INQUIRY**

Senator Greive:

"On Thursday, when we consider Senate Bill No. 16, what is its position on the calendar?"

**RULING OF THE PRESIDENT**

The President:

"In view of the motion just carried, Senate Bill No. 16 will be at the top of the second reading calendar on Thursday."

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., February 11, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 238, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 57; also

Senate Bill No. 86; also

Senate Bill No. 123; also

Senate Bill No. 217; also

Senate Bill No. 327, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 44** (reported by Committee on Public Utilities):

Do pass as amended.

FRED H. DORE, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Frank W. Foley, John H. Happy, George W. Kupka, John T. McCutcheon, John A. Petrich, A. L. Rasmussen, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 246** (reported by Committee on Banks and Financial Institutions):

Do pass as amended.

KARL V. HERRMANN, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 296** (reported by Committee on Higher Education and Libraries):

Do pass as amended.

GORDON SANDISON, *Chairman.*

We concur in this report: Wayne G. Angevine, Wilbur G. Hallauer, John H. Happy, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 354** (reported by Committee on Banks and Financial Institutions):

Do pass as amended.

KARL V. HERRMANN, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**  
**MOTION**

Senator Greive moved that the rules be suspended and that the Secretary be empowered to read the introductions only and not the short titles of the bills on first reading.

**POINT OF INQUIRY**

Senator Riley:

"Did I understand the motion—if it prevails, we will hear only the introduction and not the title read?"

Senator Greive:

"That is correct, Senator Riley."

Senator Riley:

"Mr. President, I am sure that I am not in agreement."

Senator Greive:

"If Senator Riley wants the title read on each bill, that is okay with me."

Senator Gissberg:

"That is quite an order, Mr. President! Senator Greive did put the motion."

**RULING OF THE PRESIDENT**

The President:

"Your point of order is well taken, Senator Gissberg."

The President stated the question before the Senate to be that the rules be suspended and the Secretary be empowered to read only the introductions to the bills on first reading.

The motion lost.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 11, 1961.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 29; also Engrossed House Bill No. 61; also House Bill No. 107; also House Bill No. 164; also House Bill No. 255; also Engrossed House Bill No. 279; also House Bill No. 286; also Engrossed House Joint Memorial No. 20, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., February 11, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 374, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., February 11, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 84, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

**SIGNED BY THE PRESIDENT**

The President signed: House Bill No. 84.

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of Senator Raugust, I would like to call attention to a group of thirty-nine students and three teachers from Lind High School. This group, under the guidance of Mr. Downing, has traveled over three hundred miles to view the processes of the legislature. Would you please stand in order that you may be recognized, along with our Senator from Adams, Ferry and Lincoln counties, Senator Raugust."

(Applause.)

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 432**, by Senator Gissberg:

An Act relating to plats and subdivisions of land and the segregation of taxes in relation thereto; and amending section 1, chapter 186, Laws of 1937 and RCW 58.16.010.

Referred to Judiciary Committee.

**Senate Bill No. 433**, by Senators Hallauer and Rasmussen:

An Act relating to state and local government; establishing a citizen's committee on salaries; and making an appropriation.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 434**, by Senators Washington, Kupka and Elway, Jr.:

An Act relating to port districts and amending section 3, chapter 65, Laws of 1955, and RCW 53.08.020.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 435**, by Senators Elway, Jr. and Sandison:

An Act relating to game and game fish; and repealing section 77.28.100, chapter 36, Laws of 1955, and RCW 77.28.100.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 436**, by Senators Kupka, Connor and Hess:

An Act relating to the authority of cities of the first, second and third classes to acquire, operate, build, and maintain off-street parking facilities; amending sections 1, 2, and 3 of chapter 302, Laws of 1959, and RCW 35.86.010, 35.86.020, and 35.86.030; and adding three new sections to chapter 302, Laws of 1959, and to chapter 35.86 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 437**, by Senators Hallauer and Bailey:

An Act relating to the public school system; and establishing a merit award system for public school teachers, administrators, and employees.

Referred to Committee on Education.

**Senate Joint Memorial No. 19**, by Senators Riley, Greive and Cooney:

Memorial against obscene literature.

Referred to Judiciary Committee.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 29**, by Representatives Gorton, Uhlman and Garrett:

An Act relating to the consolidation of cities and towns.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 61**, by Representatives Adams, Bernethy and Ritner (by Legislative Council request):

An Act relating to the assessment and collection of charges for the care, custody, support and maintenance of inmates in state penal and correctional institutions.

Referred to Committee on Public Institutions.

**House Bill No. 107**, by Representatives Eldridge, Hurley and Ahlquist:

An Act relating to drainage districts; and adding a new chapter to Title 85 RCW.

Referred to Committee on Natural Resources.

**House Bill No. 164**, by Representatives Shropshire, Schaefer and Kirk:

An Act relating to the selection of jurors in the superior courts; and

amending section 4, chapter 57, Laws of 1911, as last amended by section 2, chapter 191, Laws of 1925 extraordinary session and RCW 2.36.090.

Referred to Judiciary Committee.

**House Bill No. 255**, by Representatives Gleason, Burns and Ritner:

An Act relating to the department of institutions; providing for the transfer of alleged mentally ill or psychopathic juvenile delinquents from juvenile correctional institutions to state institutions for the mentally ill; and amending section 1, chapter 145, Laws of 1959 and RCW 72.01.390.

Referred to Committee on Public Institutions.

**Engrossed House Bill No. 279**, by Representatives Garrett, Testu and Taylor:

An Act relating to cities and towns; providing pension, relief, disability and retirement systems and funds; and amending section 3, chapter 71, Laws of 1947 as last amended by section 1, chapter 70, Laws of 1959 and RCW 41-44.030; amending section 8, chapter 71, Laws of 1947 as last amended by section 4, chapter 275, Laws of 1951 and RCW 41.44.080; amending section 11, chapter 71, Laws of 1947 as last amended by section 4, chapter 228, Laws of 1953 and RCW 41.44.110; amending section 13, chapter 71, Laws of 1947 as last amended by section 3, chapter 158, Laws of 1957 and RCW 41.44.130; amending section 14, chapter 71, Laws of 1947 as last amended by section 5, chapter 228, Laws of 1953 and RCW 41.44.140; amending section 15, chapter 71, Laws of 1947 as last amended by section 4, chapter 158, Laws of 1957 and RCW 41.44.150; amending section 17, chapter 71, Laws of 1947, as last amended by section 5, chapter 158, Laws of 1957, and RCW 41.44.170; amending section 18, chapter 71, Laws of 1947 and RCW 41.44.180; amending section 19, chapter 71, Laws of 1947 as amended by section 14, chapter 275, Laws of 1951 and RCW 41.44.190; and amending section 21, chapter 71, Laws of 1947 as amended by section 6, chapter 158, Laws of 1957 and RCW 41.44.210.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 286**, by Representatives Edwards, Hurley and Shropshire:

An Act relating to Washington state patrol retirement system, amending section 11, chapter 250, Laws of 1947, as last amended by section 2, chapter 162, Laws of 1957, and RCW 43.43.220; amending section 14, chapter 250, Laws of 1947, as last amended by section 3, chapter 162, Laws of 1957, and RCW 43.43.250; amending section 15, chapter 250, Laws of 1947 as last amended by section 4, chapter 162, Laws of 1957, and RCW 43.43.260; amending section 16, chapter 250, Laws of 1947 as last amended by section 6, chapter 140, Laws of 1951, and RCW 43.43.270; amending section 17, chapter 250, Laws of 1947 as last amended by section 7, chapter 140, Laws of 1951 and RCW 43.43.280; amending section 9, chapter 250, Laws of 1947 as last amended by section 3, chapter 244, Laws of 1955, and RCW 43.43.300; and declaring an emergency.

Referred to Committee on Social Security.

**Engrossed House Joint Memorial No. 20**, by Representatives Olsen, Garrett and Wedekind:

Requesting Congress to enact legislation recognizing Federal Employee Unions.

Referred to Committee on Labor and Industrial Insurance.

#### SECOND READING OF BILLS

**Senate Bill No. 105**, by Senators McCormack, Thompson, Jr. and Sandison:  
Relates to public lands.

The bill was read the second time by sections.

On motion of Senator Hess, the following amendments were adopted:

In section 3, page 3, line 31, after "sale" and before "of" insert "*at public auction*"

In section 6, page 6, line 17 after "*lands,*" strike "*is hereby*" and insert "*[is hereby] may be*"

On motion of Senator McCormack, the rules were suspended, Engrossed Senate Bill No. 105 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 105, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Foster, Lennart, Martin, Morgan, Raugust—5.

Engrossed Senate Bill No. 105, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 203**, by Senators Papajani, Happy and DeGarmo (by Insurance Commissioner request):

Relating to insurance.

The bill was read the second time by sections.

On motion of Senator Petrich, the following amendment was adopted:

On page 2, beginning on line 24, strike all of new section 3 and renumber the remaining sections consecutively.

On motion of Senator Petrich, the following amendment to the title was adopted:

In line 3 of the title after the semicolon following "48.05.240" strike all of the material down to and including the semicolon following "48.06 RCW" on line 4.

On motion of Senator Papajani, the rules were suspended, Engrossed Senate Bill No. 203 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 203, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—42.

Those absent or not voting were: Senators Cooney, Foster, Happy, Lennart, Morgan, Raugust, Thompson, Jr.—7.

Engrossed Senate Bill No. 203, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 251**, by Senators Washington, Lennart and Bargreen (by Departmental request):

Striking provision that highway franchise hearings have to be held in the transportation building at state capitol.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 251 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage:

The Secretary called the roll on the final passage of Senate Bill No. 251, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—42.

Those absent or not voting were: Senators Cooney, Durkan, Happy, Lennart, Morgan, Raugust, Thompson, Jr.—7.

Senate Bill No. 251, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 144**, by Senator Gissberg:

Relating to apprenticeship council and providing for a supervisor of apprenticeship.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 144 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 144, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Durkan, Foster, Lennart, Raugust—4.

Senate Bill No. 144, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 179**, by Senators Gissberg and Rasmussen:  
Increasing county travel expense.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 179 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 179, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—44.

Those absent or not voting were: Senators Durkan, Foster, Lennart, Raugust, Thompson, Jr.—5.

Senate Bill No. 179, having received the constitutional majority was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, the following bills remaining on the second reading calendar were ordered to retain their place on the second reading calendar for February 14, 1961: Senate Bill Nos. 142, 68, 9, 262, 211, 32, 65, 157, Senate Joint Memorial No. 6, Senate Bill No. 177, and Senate Joint Resolution No. 9.

#### POINT OF INQUIRY

Senator Gissberg:

"What order of business is scheduled for Senate Bill No. 21 for tomorrow?"

Senator Greive:

"Senator Gissberg, on February 8, when this bill was last before the Senate, a motion was made to bring this bill before the Senate as a special order of business on February 14, at the top of the third reading calendar."

#### MOTION

At 1:40 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m., Tuesday, February 14, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## THIRTY-SEVENTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, February 14, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Gissberg and Keefe.

On motion of Senator Greive, Senator Keefe was excused.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Susan Harris, presented the Colors.

Reverend Homer Kimmel, Pastor of the Church of the Brethren of Olympia, offered prayer as follows:

"Our Father, we have just been sobered by the symbols of our nation and our state—here are reminders of the struggles of honest men and women who have given all that they had against impossible odds, to carve out a way of life that elevates the good and the true. A way where young people may grow to maturity free from social pressures that pull down rather than lift up.

"Enable us to keep faith with Thee and the people, to not sacrifice what is best for what is good.

"Forgive us for what we have done in error or failed to do. For what we may yet do to establish justice upon the earth, quicken and strengthen us, and liberate our good impulses and greater our purposes until they become eager practices of Thy will. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### MOTION

On motion of Senator Greive, Senate Bill No. 21, scheduled for a special order of business on today's third reading calendar, was ordered to be scheduled as a special order of business to be considered prior to the second reading of bills on the calendar for February 15, 1961.

#### PRESIDENT'S PRIVILEGE

At the request of Senator Papajani, the President announced the presence of members of the Ballard Lions Club in the south gallery. Senator Papajani, along with the members, were asked to stand and be recognized.

A group of fishermen's wives from the Ballard area, and a group of gentlemen associated with the fishing industry, were also asked to stand and be recognized, together with Senator Papajani.

Thirty youngsters from Rainier High School were presented by the President, along with Messrs. Earl Boness, Kenneth Adamson, and Daman Bagley. Senator DeGarmo was asked to stand with the group and be recognized.

#### PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS

The Secretary read:

#### SENATE RESOLUTION

By Senators DeGarmo, Martin and Keefe:

WHEREAS, The residents of the city of Olympia and the many friends of Rudolph "Rudy" Naccarato are saddened by the news of his sudden death on Saturday, February 11th; and

WHEREAS, Rudolph Naccarato was for years a faithful public servant, as assistant secretary of state, serving in the Attorney General's Office of the state of Washington and as an employee of the Legislature; and

WHEREAS, Rudolph Naccarato worked hard promoting programs to serve the youth of this state, and of the local community; and

WHEREAS, Rudolph Naccarato earned the esteem of his fellow men, whether serving in public office, or in promoting civic, youth and fraternal programs throughout the state;

Now, Therefore, Be It Resolved, By the Senate, that our sincerest sympathy and condolences be expressed to each member of the family of Rudolph "Rudy" Naccarato, and our assurance expressed that "Rudy" Naccarato will be long remembered both for his service in public office and through his many good deeds through fraternal and youth work; and

Be It Further Resolved, That a copy of this resolution shall be sent by the Secretary of the Senate to his wife, Carrie, and to his two sons, John and Patrick Naccarato.

On motion of Senator Greive, the resolution was adopted.

#### PARLIAMENTARY INQUIRY

Senator Riley:

"Mr. President:

"Did you, or did you not, place the motion offered by Senator Greive for further consideration of Senate Bill No. 21 being placed over until tomorrow?"

#### RULING OF THE PRESIDENT

The President:

"The President placed the motion, Senator Riley, and there were no objections, so Senate Bill No. 21 has been ordered to retain its place as a special order of business prior to the second reading calendar for tomorrow."

#### POINT OF INQUIRY

Senator Riley:

"Will Senator McCutcheon yield to a question?"

Senator McCutcheon:

"I will."

Senator Riley:

"Senator McCutcheon, you will recall last Friday you wanted this bill held over until Tuesday, because you wanted all the Senators to be here? I am quite positive that you are going to have a difficult time in getting 49 Senators present. About the only time you can do that will be pay day.

"Are you prepared, and will you consent to have Senate Bill No. 21 discussed tomorrow without any further delays?"

Senator McCutcheon:

"I will be very glad to. Who is absent today?"

The Secretary reported that two Senators were absent, Senators Dore and Keefe.

Senator McCutcheon:

"I will promise Senator Riley that we will go forward tomorrow."

Senator Greive:

"For the benefit of Senator Riley, these Senators are at the funeral of Rudy Naccarato, and certainly that is nothing that can be foreseen."

Senator Riley:

"I am, of course, a respecter of those who are here and those who are gone. I still feel that there is quite a little time left on Tuesday to consider Senate Bill No. 21, but I am not going to belabor the point. I am just anxious that consideration be given as soon as possible as there are other measures in the Senate that deserve consideration."

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 105, also Senate Bill No. 203, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Gubernatorial Appointments:**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks to whom was referred the Governor's appointment of JAMES B. HOVIS, Yakima, to the State Parks and Recreation Commission appointed January 26, 1961, effective January 26, 1961, for the term ending December 31, 1966, succeeding Lyman J. Bunting, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, William D. Shannon, Albert C. Thompson, Jr., Nat. Washington.

Referred to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks to whom was referred the Governor's appointment of TED R. MCTIGHE, Spokane, to the State Parks and Recreation Commission appointed January 26, 1961, effective January 26, 1961, for the term ending December 31, 1966, succeeding Frank Warren, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, William D. Shannon, Albert C. Thompson, Jr., Nat. Washington.

Referred to Committee on Rules and Joint Rules.

**Senate Bill No. 7:**

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred Senate Bill No. 7, extending law against discrimination, particularly to all housing, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Nat. Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 182 (reported by Committee on Public Utilities):**

Do pass as amended.

FRED H. DORE, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, David C. Cowen, Frank W. Foley, H. B. Hanna, Karl V. Herrmann, James E. Keefe, George W. Kupka, Mike McCormack, John A. Petrich, Edward F. Riley, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 234:**Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 234, relating to industrial development districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Frank W. Foley, Al Henry, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 249:**Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control to whom was referred Senate Bill No. 249, relating to malt liquor and regulating the labeling of packages thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: Howard Bargreen, John L. Cooney, Victor F. DeGarmo, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, Al Henry, Louis E. Hofmeister, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 259:**Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Insurance to whom was referred Senate Bill No. 259, modifying law relating to health care services, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN PAPAJANI, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, John H. Happy, Karl V. Herrmann.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 272:**Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 272, authorizing attorney general to represent municipal corporations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, John Papajani, Edward F. Riley.

On motion of Senator Hallauer, the committee report was adopted and the bill was referred to the Committee on Ways and Means.

**Senate Bill No. 283:**Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 283, authorizing the appointment of boards of park and

recreation commissioners in cities of the second, third and fourth classes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 316:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 13, 1961.

We, a majority of your Committee on Cities, Towns and Counties to whom was referred Senate Bill No. 316, permitting cities to sell water outside its boundaries on firm contract, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 322** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 337:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 13, 1961.

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 337, relating to third class city and use of parking meter revenues as a base of revenue bonds, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 338:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 13, 1961.

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 338, authorizing fourth class counties under certain conditions to levy nine mills within the forty-mill limit, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 345:**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 345, prohibiting sales of young fowl and rabbits as toys, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, James E. Keefe, Reuben A. Knoblauch, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 369:**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 369, authorizing scenic protection, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 382:**

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Senate Bill No. 382, relating to the Washington State liquor control board, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: John L. Cooney, Victor F. DeGarmo, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, John H. Happy, Al Henry, Louis E. Hofmeister, James E. Keefe, Homer O. Nunamaker, John Papajani, W. C. Raugust, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

I, a minority of your Committee on Liquor Control, to whom was referred Senate Bill No. 382, relating to the Washington State liquor control board, have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

I concur in this report: Howard Bargreen.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 398:**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Insurance, to whom was referred Senate Bill No. 398, redefining insurance "premium," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN PAPAJANI, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, John H. Happy, Karl V. Herrmann.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 13:**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Joint Memorial No. 13, relating to a new highway from LaPush to Neah Bay, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, John A. Pétrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 22:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Joint Resolution No. 22, amending the constitution to relax residence requirements for voters, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 23:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Joint Resolution No. 23, providing annual legislative sessions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Frances Haddon Morgan, John Papajani, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 40:**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 40, authorizing police regulations concerning public use of port district facilities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 71:**Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Engrossed House Bill No. 71, providing additional method for cancelling registration of deceased voters, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 85:**Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 85, allowing cities to adopt by reference rules and regulations of state agencies in ordinances, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 149:**Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 149, authorizing off-street parking by towns, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 158:**Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 158, relating to repayment of delinquent local improvement district bonds, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 176:**Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 176, authorizing counties to lease or sell park property, have

had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DON L. TALLEY *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 259:**

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred House Bill No. 259, relating to malt liquor and regulating the labeling of packages thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. FRANK CONNOR, *Chairman*.

We concur in this report: Howard Bargreen, John L. Cooney, Victor F. DeGarmo, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, Al Henry, Louis E. Hofmeister, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of Senator Albert C. Thompson, Jr., of King County, the President would like to announce, at this time, the presence of thirty students from Bothell High School in the gallery. Would you please stand and be recognized, along with Senator Thompson."

(Applause.)

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 22; also Engrossed House Bill No. 75; also Engrossed House Bill No. 88; also Engrossed House Bill No. 130; also Engrossed House Bill No. 241; also House Bill No. 253; also Engrossed House Bill No. 264; also House Bill No. 288; also House Bill No. 299; also House Bill No. 404; also Engrossed House Joint Resolution No. 9, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 438**, by Senators Washington, Raugust and Bailey:

An Act relating to highways and establishing and designating certain highways; and amending sections 47.16.010, 47.16.080, 47.16.190, 47.20.090, 47.20.240, 47.20.330, 47.20.340 and 47.20.540, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.16.010, 47.16.080, 47.16.190, 47.20.090, 47.20.240, 47.20.330, 47.20.340 and 47.20.540.

Referred to Committee on Highways.

**Senate Bill No. 439**, by Senator McCormack:

An Act relating to public hospital districts; and adding new sections to chapter 264, Laws of 1945 and to chapter 70.44 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 440**, by Senators Rasmussen, Hallauer and Ryder:

An Act relating to nominating and election campaigns; providing penalties; and repealing section 30, chapter 209, Laws of 1907, as amended by section 9, chapter 82, Laws of 1909 and RCW 29.18.140.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 441**, by Senator Hallauer:

An Act relating to state lands and capitol grounds; repealing section 95, chapter 7, Laws of 1921 and RCW 43.24.010; repealing section 1, chapter 69, Laws of 1909 as amended by section 45, chapter 257, Laws of 1959 and RCW 79.24.080; and repealing section 7, chapter 62, Laws of 1957 and RCW 79.24.280.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 442**, by Senators Gissberg, Ryder and Bargreen:

An Act relating to metropolitan municipal corporations; amending section 53, chapter 213, Laws of 1957 and RCW 35.58.530; adding a new section to chapter 213, Laws of 1957 and chapter 35.58 RCW; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 443**, by Senators Riley, Rasmussen and Shannon:

An Act relating to a toll bridge between Fletcher Bay on Bainbridge Island and Brownsville on the Kitsap Peninsula; making an appropriation; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 444**, by Senators Thompson, Jr., Sandison and Hallauer (by request of Interim Committee on Education):

An Act relating to education; adding a new section to chapter 97, Laws of 1909 and to chapter 28.58 RCW; and repealing section 15, page 293, Laws of 1909, section 1, chapter 82, Laws of 1947, and RCW 28.62.170.

Referred to Committee on Education.

**Senate Bill No. 445**, by Senators Durkan, Herrmann and Cooney:

An Act prohibiting the business of budget planning; providing a penalty; and declaring an emergency.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 446**, by Senators Foley, Durkan and Neill:

An Act relating to education and apportionment of state funds; amending section 1, chapter 282, Laws of 1953 as amended by section 2, chapter 187, Laws of 1955 and RCW 28.41.010; amending section 2, chapter 282, Laws of 1953 as amended by section 3, chapter 187, Laws of 1955 and RCW 28.41.060; amending section 3, chapter 282, Laws of 1953 as amended by section 7, chapter 187, Laws of 1955 and RCW 28.41.080; repealing section 8, chapter 187, Laws of 1955 and RCW 28.41.090; and declaring an effective date.

Referred to Committee on Education.

**PERSONAL PRIVILEGE**

Senator Cowen:

"I believe there is a former member in the lobby who would like to do something for the Senate."

### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Cowen, Dore and Riley as a committee of honor to escort the distinguished visitor to a seat of honor upon the rostrum.

### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is an auspicious occasion when the members of the Senate find such an eminent and respected former member in the Senate chamber. It is quite appropriate on this Valentine's Day, the day of love and affection, that Patrick D. Sutherland should appear; he who used to foster so much love and affection as a member of the farm bloc.

"The appointment of Patrick Sutherland was recently confirmed by the members of the Senate as a member of the Public Service Commission. Of course, it was an extremely tough fight to get this appointment out of the Rules and Joint Rules Committee!

"Every member welcomes you in the warmest way possible and would especially request that at this time you address them."

Former Senator Sutherland:

"Thank you, Governor and fellow Senators. It is a real pleasure to come here this morning and interject a few words in your busy schedule, but I want you to know that the Washington Public Service Commission is very appreciative of you fine people and the wonderful work you are doing.

"And while I have a captive audience, I want you to know, ladies and gentlemen, that all my years in the Senate I did wield a very strong knife as to budgets. Our job will be tough in the Public Service Commission with three former senators having to cut to the bone. We hated to do it, operating on one-half staff, trying to get along with one secretary, and all, but we are doing it because that is the way you wanted things done.

"Seriously, I appreciated the introduction—just the way I wrote it, and you're very nice, Governor, to give it word for word that way.

"What about Rule 40? Do you still have it? If I were Senator Papajani, I would say, 'beware of Greeks bearing gifts.' I don't have any Greek in me, but I have a little surprise for you. You have always been so good to me, and just for that, you each get a little of everything. (The pages passed out life savers, crackerjacks, and bull durham tobacco to each Senator.)

"But, seriously, it is a pleasure to come back here and I am sure that you are all aware that I haven't tried to bother you, as I feel that once you step aside you should let the others carry the ball.

"Senator Dayton Witten and I are very appreciative. I understand some of the appointees ran into real trouble.

"I think, Mr. President and members of the Senate, I would like to tell you a little bit about all the goodies being passed out. There should be a little prize there too. (Referring to the crackerjacks.)

"People ask me all the time, what does it feel like to be out of the Senate? Do you miss it? I do have feelings of real emotion today, and I have sort of a list of things I miss most. One of the things I miss is Senator Herrmann's notes from the gallery. I don't know if Senator Riley is crystal clear any more, or not. I've wondered about that. I miss the way Senator Gallagher used to amend my bills. I miss Senator Woodall and, of course, Senator Neill on Washington State University's budget. John Happy sticking by the cities. I miss former friends on many occasions, working with the farm bloc. Senator McCutcheon, how are your prize cows coming along? Those are the things I miss at the Senate, and I enjoy very much coming back.

"If there is anything the Washington Public Service Commission can do for you, just let us know; that is, in the event that you don't abolish us altogether.

"I sure wish I could sit in on some of those tough votes!"

The President:

"Thank you, Senator Sutherland.

"In the introduction, of course, I was being quite facetious; yours and former Senator Dayton Witten's appointments were immediately confirmed with a suspension of the rules."

**PERSONAL PRIVILEGE****Senator Dore:**

"It is indeed a pleasure and an honor to have former Senator Patrick Sutherland join with us today, and I want to say what the Commissioners are doing is excellent. I notice Senator Sutherland refrained from passing out the bull durham until his appointment was confirmed.

"Seriously, you left behind you a record that I hope I will be able to live up to in the years to come.

"As I am the Senator occupying your seat, which I cherish, I felt that I should address these few remarks to you and tell you that we are all so happy that you could be here today."

**PRESIDENT'S PRIVILEGE**

At the request of Senator Chytil, the President announced the presence of fifty students from Napavine High School in the balcony, with their teacher, Gene F. Maxim. The group was asked to stand and be recognized, along with the Senator from their district, Senator Joe Chytil.

At the request of Senator William Gissberg, the President announced the presence of one hundred twenty students of Snohomish Senior High School in the north gallery, under the direction of Mr. Miles. The group was asked to stand along with Senator Gissberg.

**Senate Bill No. 447**, by Senators Nunamaker, Bailey and Dore:

An Act relating to the Puget Sound ferry system; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 3), and to chapter 47.60 RCW. Referred to Committee on Highways.

On motion of Senator Bargreen, the rules were suspended and the names of Senators Lennart and DeGarmo were added as sponsors of Senate Bill No. 447.

**Senate Bill No. 448**, by Senators Kupka, Thompson, Jr. and Gallagher:

An Act relating to the receipt, possession, and use of forged, counterfeit, stolen and revoked credit cards; and providing penalties.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 449**, by Senators Rasmussen, Ryder and Cowen:

An Act relating to money; and amending section 30.20.015, chapter 33, Laws of 1955 and RCW 30.20.015; and amending section 32.12.030, chapter 13, Laws of 1955 and RCW 32.12.030.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 450**, by Senators Gissberg, Ryder and Bargreen:

An Act relating to annexation of unincorporated areas by cities or towns not located in the same county.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 451**, by Senators Gissberg and Bargreen:

An Act providing an appropriation for construction of a new highway facility from Everett to Cavalero's Corner.

Referred to Committee on Highways.

**Senate Bill No. 452**, by Senators Henry, Angevine and Thompson, Jr.:

An Act relating to public school employees; and directing the superintendent of public instruction to review and submit a plan for classification and minimum salaries.

Referred to Committee on Education.

**Senate Bill No. 453**, by Senators Hess, Hallauer, Ryder, Sandison and Thompson, Jr. (by request of Interim Committee on Education):

An Act relating to the legislature; creating a joint committee on education; providing for the selection, term, and reimbursement of certain expenditures of the members of the committee, and conferring rights, powers, duties and prescribing the functions of the committee; providing for citizen participation; and declaring an emergency.

Referred to Committee on Education.

On motion of Senator Hess, the rules were suspended, and more than three sponsors were permitted on Senate Bill No. 453.

**Senate Bill No. 454**, by Senators Happy, Riley and Neill:

An Act relating to education.

Referred to Committee on Education.

**Senate Bill No. 455**, by Senators Gallagher, Riley and Happy:

An Act relating to sales of liquor; and providing for a referendum to the voters.

Referred to Committee on Liquor Control.

**Senate Joint Resolution No. 29**, by Senator McCormack:

Joint resolution to amend Constitution to give voting franchise to 18 year olds.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 22**, by Representatives Smith, Witherbee and Wedekind:

An Act relating to the law against discrimination; amending section 9, chapter 37, Laws of 1957 and RCW 49.60.180; amending section 10, chapter 37, Laws of 1957 and RCW 49.60.190; amending section 11, chapter 37, Laws of 1957 and RCW 49.60.200; amending section 10, chapter 183, Laws of 1949, as amended by section 26, chapter 37, Laws of 1957, and RCW 49.60.310; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Labor and Industrial Insurance.

**Engrossed House Bill No. 75**, by Representatives Flanagan and Clark:

An Act relating to irrigation district elections; providing ballots; prescribing a method of nominating candidates for director positions in certain situations; making it unnecessary for election of directors to be held under some circumstances; providing for absentee voting and for the procedure to be followed in connection therewith; amending section 2, chapter 171, Laws of 1941 and RCW 87.01.110; and adding four new sections to chapter 87.01 RCW.

Referred to Committee on Natural Resources.

**Engrossed House Bill No. 88**, by Representatives Bernethy, Witherbee and Wedekind (by Legislative Council request):

An Act relating to the operation, erection, installation, alteration and repair of elevators, escalators, dumbwaiters, belt manlifts, automobile parking elevators and moving walks; providing for the inspection, issuance of permits, collection of fees; prescribing certain powers and duties of certain

officials in connection therewith; providing penalties; and making an appropriation.

Referred to Committee on Labor and Industrial Insurance.

**Engrossed House Bill No. 130**, by Representatives Rickdall, Williams and Bigley (by Legislative Council request):

An Act relating to local improvement districts for library purposes.

Referred to Committee on Higher Education and Libraries:

**Engrossed House Bill No. 241**, by Representatives Adams and Garrett:

An Act relating to elections; amending section 1, chapter 48, Laws of 1939, as last amended by section 1, chapter 196, Laws of 1953, and RCW 29.42.010, 29.42.020, 29.42.030, 29.42.040 and 29.42.050; amending section 3096, Code of 1881, section 24, chapter 209, Laws of 1907 and RCW 29.27.100, 29.30.100, 29.62.010, 29.62.100 and 29.62.110; amending sections 3097 and 3104, Code of 1881 and RCW 29.62.080; amending section 8, chapter 94, Laws of 1937, section 19, chapter 14, Laws of 1950 extraordinary session and RCW 29.24.080; amending section 12, chapter 13, Laws of 1890, section 1, chapter 21, Laws of 1933, section 18, chapter 163, Laws of 1919 and RCW 29.18.110, 29.18.150 and 29.30.110; amending section 9, chapter 13, Laws of 1890 and RCW 29.27.050; amending section 18, chapter 14, Laws of 1950 extraordinary session and RCW 29.36.080; adding a new section to chapter 29.36 RCW; and repealing section 11, chapter 13, Laws of 1890, as last amended by section 8, chapter 161, Laws of 1949, and RCW 29.18.130; and repealing section 13, page 405, Laws of 1890 and RCW 29.30.120.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Bill No. 253**, by Representatives Burtch, Marsh and Gorton:

An Act relating to the uniform reciprocal enforcement of support act; and adding a new section to chapter 196, Laws of 1951 and to chapter 26.21 RCW.

Referred to Judiciary Committee.

**Engrossed House Bill No. 264**, by Representatives Henry and Siler:

An Act relating to regulating the practice of veterinary medicine, surgery and dentistry; amending section 13, chapter 71, Laws of 1941 and RCW 18.92.160; and amending section 4, chapter 92, Laws of 1959 and RCW 18.92.030.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 288**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to motor vehicles; providing for juvenile agricultural permits and amending section 46.20.070, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.20.070.

Referred to Committee on Highways.

**House Bill No. 299**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to revenue and taxation; and imposing an excise tax on the use of fuel to propel motor vehicles on the highways in the state; and amending sections 82.40.050, 82.40.060, 82.40.130, 82.40.220, 82.40.250

and 82.40.270, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.40.050, 82.40.060, 82.40.130, 82.40.220, 82.40.250 and 82.40.270.

Referred to Committee on Highways.

**House Bill No. 404**, by Representatives Mardesich, Litchman, Jr. and Shropshire:

An Act relating to public assistance; amending section 74.04.005 of chapter 26 of the Laws of 1959 and RCW 74.04.005.

Referred to Committee on Social Security.

**Engrossed House Joint Resolution No. 9**, by Representatives Backstrom, Metcalf and Bergh:

Amending Constitution to insure governmental continuity in war emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### SECOND READING OF BILLS

**Senate Bill No. 142**, by Senators Bargreen and Gissberg:

Relating to joint utilities by city and P.U.D.

The bill was read the second time by sections.

On motion of Senator Happy, the following amendment was adopted:

In section 1, page 1, line 21, after the comma following "aqueducts" and before "pipe" insert "water"

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 142 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 142, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Bailey, DeGarmo, Foster, Hanna, Papajani, Ryder—6.

Engrossed Senate Bill No. 142, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 68**, by Senators Sandison, Elway, Jr. and Knoblauch:

Expanding courses of instruction at Washington State University to include forest management.

The bill was read the second time by sections.

On motion of Senator Neill, the rules were suspended, Senate Bill No. 68 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No.

68, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Bailey, Foster, Hanna, Keefe, Ryder—5.

Senate Bill No. 68, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President announced the presence of 90 students from West High School in Bremerton visiting in the gallery. They were accompanied by their teacher, Mr. Beemis. Senator Morgan was asked to stand along with the group from Bremerton, in order to be recognized.

**Senate Bill No. 9**, by Senators Angevine, Keefe and Washington:  
Providing parking privileges for the handicapped.

Senate Chamber,  
Olympia, Wash., February 6, 1961.

#### MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 9, providing parking privileges for the handicapped, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, beginning on line 12, after the comma following "vehicle only" strike all of the matter down to and including "similar plates" in line 13 and insert "a special decal to be affixed to the vehicle in a conspicuous place designated by the director"

In section 1, page 1, line 16, after "vehicle, the" and before "shall be" strike "distinguishing plates" and insert "special decal"

In section 1, page 1, line 17, after "be removed" insert a period and strike all matter down to and including "if required," in line 20 and insert "Such person shall immediately surrender the decal to the director together with a notice of the transfer of interest in such vehicle. If another vehicle is acquired by such person, a new decal shall be issued by the director."

In section 1, page 1, line 22, after "of such" and before the period strike "plates" and insert "special decal"

In section 1, page 1, line 23, after "of such" and before the period strike "plates" and insert "special decal"

In section 1, page 1, line 26, after "such distinguishing" and before "shall constitute" strike "plates" and insert "decal"

In section 2, page 2, line 14, before "as provided" strike "license plate" and insert "decal"

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
....., *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, William A. Gissberg, H. B. Hanna, Louis E. Hofmeister, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, W. C. Raugust, Gordon Sandison, William D. Shannon.

The bill was read the second time by sections.

On motion of Senator Angevine, the committee amendments were adopted.

Senator Elway moved that the following amendment be adopted:

In section 2, page 2, line 7 of the bill after the comma following "chair" strike "shall" and insert "may"

The motion was lost and the amendment was not adopted.

On motion of Senator Angevine, the rules were suspended, Engrossed Senate Bill No. 9 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 9, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those absent or not voting were: Senators Foster, McCormack—2.

Engrossed Senate Bill No. 9, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

At the request of Senator Morgan, the President announced the presence in the gallery of a group of students of North Kitsap High School. The students were accompanied by Joseph Leopold, teacher and class advisor. Senator Morgan was asked to stand, along with the group, and be recognized.

**Senate Bill No. 262**, by Senators Bargreen and Gissberg:

Relating to state and local participation in flood control.

The bill was read the second time by sections.

On motion of Senator Bargreen, the rules were suspended, Senate Bill No. 262 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 262, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—42.

Those absent or not voting were: Senators Connor, Dore, Durkan, Foster, Herrmann, Keefe, Thompson, Jr.—7.

Senate Bill No. 262, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 211**, by Senators Petrich and Lennart:

Relating to limited access highway facilities through cities and towns and providing for law enforcement thereon by the state patrol, sheriff and local police officers.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Senate Bill No. 211 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 211, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Durkan, Gissberg, Shannon—3.

Senate Bill No. 211, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 32**, by Senators Rasmussen, Woodall and Riley:

Providing parents with notice of traffic citations of their minor children.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 32 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 32, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—43.

Those voting nay were: Senators Foley, Freise, Talley—3.

Those absent or not voting were: Senators Durkan, Herrmann, Woodall—3.

Senate Bill No. 32, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 65**, by Senators Rasmussen, Riley and Neill:  
Abolishing discriminatory wage rates based on sex.

Senator Neill moved that Senate Bill No. 65 be referred to the Judiciary Committee.

**POINT OF INQUIRY**

Senator McCormack:

"Will Senator Neill yield to a question?"

Senator Neill:

"Yes, I will."

Senator McCormack:

"Senator Neill, will you make every effort to get this bill out of the committee and on the floor again?"

Senator Neill:

"I am one of the sponsors. I certainly will make every effort to get it back on the floor."

Senator McCormack:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator McCormack:

"Will you make every effort to bring this bill out of the Judiciary Committee and back to the floor?"

Senator Petrich:

"The chairman of the committee takes pride in exercising all due efforts to expedite all things before the committee."

**MOTION**

Senator Rasmussen moved that Senate Bill No. 65 be ordered to retain its place on the second reading calendar for tomorrow.

**RULING OF THE PRESIDENT**

The President:

"Senator Rasmussen, your motion is not in order at this time the President is sorry to advise. A motion to commit is of equal rank with your motion and the President must put Senator Neill's motion since it was made first."

The President stated the question before the Senate to be, it has been moved that Senate Bill No. 65 be referred to the Judiciary Committee.

The motion carried. Senate Bill No. 65 was referred to the Judiciary Committee.

**Senate Bill No. 157**, by Senators Sandison and Bailey:  
Relating to exchanges of land.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, Senate Bill No. 157 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 157, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr.,

Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—47.

Those absent or not voting were: Senators Petrich, Washington—2.

Senate Bill No. 157, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Joint Memorial No. 6**, by Senator Riley:

Relating to earnings of persons receiving public assistance.

The memorial was read the second time in full.

On motion of Senator Riley, the rules were suspended, Senate Joint Memorial No. 6 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 6, and the memorial passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Bailey, Foster, Petrich—3.

Senate Joint Memorial No. 6, having received the constitutional majority, was declared passed.

**Senate Bill No. 177**, by Senators Hallauer, Foley, Washington and Chytil: Relating to investment of accumulated P.U.D. funds.

The bill was read the second time by sections.

On motion of Senator Hallauer, the rules were suspended, Senate Bill No. 177 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 177, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 4.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—44.

Those voting nay were: Senator Lennart—1.

Those absent or not voting were: Senators Angevine, Bailey, Morgan, Talley—4.

Senate Bill No. 177, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Joint Resolution No. 9**, by Senators McCormack, McCutcheon and Neill:

Relates to distribution of the voters' pamphlet.

Senate Chamber,  
Olympia, Wash., January 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Joint Resolution No. 9, relating to distribution of the voters' pamphlet, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In line 14, after "each" and before "place", insert "individual"

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust.

The resolution was read the second time in full.

On motion of Senator McCormack the committee amendment was adopted.

On motion of Senator McCormack, the rules were suspended, Senate Joint Resolution No. 9 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 9, and the resolution passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 4.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—44.

Those voting nay were: Senator Thompson, Jr.—1.

Those absent or not voting were: Senators Angevine, Bailey, Dore, Durkan—4.

Senate Joint Resolution No. 9, having received the constitutional majority, was declared passed.

#### MOTION

At 12:00 o'clock noon, on motion of Senator Greive, the Senate adjourned until 10:30 o'clock a. m. on Wednesday, February 15, 1961.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

## THIRTY-EIGHTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, February 15, 1961.

The Senate was called to order at 10:30 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Durkan.

On motion of President Cherberg, Senator Durkan was excused.

The Color Guard, consisting of Pages Joe Abel, Color Bearer, and Janis Kupka, presented the Colors.

Reverend Homer Kimmel, Pastor of the Church of the Brethren of Olympia, offered prayer as follows:

"Eternal Spirit, stream of living water, which flows to nourish the deeper hunger, supply us with the insight and wisdom without which no man can fully serve.

"We pray today for courage. Our fathers walked through days of tumult when the future was unsure. So do we. May we not be caught in the trap of self-deception. May we not fail in the ounce of prevention, and thus be saved from the pound of recovery and cure. We do not ask for easy tasks, but grant us fortitude to do the right.

"We pray today for vision. The great teacher taught us when the blind lead the blind all fall into the ditch. Raise up leaders today who are men of light who can see a little way ahead and know the way we ought to go.

"May Thy goodness be set free within us so that our deeds and our choices may reflect Thy will. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"At the request of the eminent Senator from Bremerton, the President would like to present 95 seniors from Bremerton High School who are present today in the north gallery. Would the group please stand and be recognized, along with Senator Morgan. Thank you for being with us today."

(Applause.)

Senators McCutcheon, Greive and Henry demanded a Call of the Senate. A Call of the Senate was ordered.

### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Durkan who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

### MOTIONS

On motion of Senator Angevine, the rules were suspended and the Committee on Social Security was ordered relieved of further consideration of House Bill No. 286.

On motion of Senator Angevine, House Bill No. 286 was referred to the Committee on Ways and Means.

#### SPECIAL ORDER OF BUSINESS

On motion of Senator Greive, the rules were suspended and Senate Bill No. 21 was immediately considered as a special order of business.

The President stated that Senate Bill No. 21 was now on third reading. Debate ensued.

The Secretary called the roll on the final passage of Senate Bill No. 21, and the bill failed to pass the Senate by the following vote: Yeas, 27; nays, 21; absent or not voting, 1.

Those voting yea were: Senators Chytil, Cooney, Cowen, Donohue, Dore, Freise, Gallagher, Hallauer, Hanna, Happy, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Petrich, Rasmussen, Raugust, Riley, Shannon, Washington—27.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, DeGarmo, Elway, Jr., Foley, Foster, Gissberg, Greive, Henry, Hess, Hofmeister, Moriarty, Jr., Nunamaker, Papajani, Ryder, Sandison, Talley, Thompson, Jr., Woodall—21.

Those absent and excused were: Senator Durkan—1.

Senate Bill No. 21, having failed to receive the constitutional two-thirds majority, was declared lost.

On motion of Senator Greive, the Call of the Senate was dispensed with.

#### PRESIDENT'S PRIVILEGE

The President announced, at the request of a group of Senators from Pierce County, the presence in the gallery of a group of ladies from the Auxiliary of the Brotherhood of Locomotive Firemen and Enginemen. Senators Knoblauch, Kupka, Petrich, McCutcheon and Rasmussen were asked to stand and be recognized with the group.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Joint Resolution No. 26, have compared same with the original bill and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 9; also Senate Bill No. 142; also Senate Joint Resolution No. 9, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### Senate Bill No. 11:

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 11, requiring court of jury to determine if accused in fact was armed

with deadly weapons, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman*.

We concur in this report: Herbert H. Freise, George W. Kupka, Charles P. Moriarty, Jr., Frances Haddon Morgan, Don L. Talley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 28:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 14, 1961.

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 28, relating to officers and employees of state institutions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

FRED J. MARTIN, *Chairman*.

We concur in this report: Herbert H. Freise, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, Don L. Talley, Perry B. Woodall.

On motion of Senator Riley, the committee report was adopted and the bill was referred to the Committee on Ways and Means.

**Senate Bill No. 148** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 149** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 162:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 12, 1961.

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 162, relating to compensation of juvenile probation counselors, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman*.

We concur in this report: Karl V. Herrmann, James A. Keefe, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, John A. Petrich, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 163:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 12, 1961.

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 163, allowing transfer to state hospital from state residential school for mentally deficient persons, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman*.

We concur in this report: Herbert H. Freise, Frances Haddon Morgan, John A. Petrich, Gordon Sandison, Don L. Talley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 164:**

Senate Chamber,

Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 164, authorizing transfer of equipment, livestock and supplies between institutions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman.*

We concur in this report: Herbert H. Freise, Reuben A. Knoblauch, Charles P. Moriarty, Jr., Frances Haddon Morgan, Don L. Talley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 168** (reported by Committee on Public Institutions):  
Do pass as amended.

FRED J. MARTIN, *Chairman.*

We concur in this report: Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 183** (reported by Committee on Education):  
Do pass as amended.

ANDY HESS, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, F. Stuart Foster, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, Charles P. Moriarty, Jr., John A. Petrich, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 184:**

Senate Chamber,

Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 184, reconciling rate for filing chattel mortgages to rate charged in later enactments, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 187** (reported by Judiciary Committee):  
Do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 212** (reported by Committee on Capitol Grounds, Public Buildings and Parks):

Do pass as amended.

VICTOR F. DEGARMO, *Chairman.*

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., William D. Shannon, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 228:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 228, prohibiting discrimination by reason of age, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Labor and Industrial Insurance.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Nat Washington, Perry B. Woodall.

On motion of Senator Petrich, the committee report was adopted and Senate Bill No. 228 was referred to the Committee on Labor and Industrial Insurance.

**Senate Bill No. 261:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 261, modifying law relating to aid to blind students, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 295:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 295, authorizing investment of school funds, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 346 (reported by Committee on Education):**

Do pass as amended.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, F. Stuart Foster, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, Charles P. Moriarty, Jr., W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 5 (reported by Committee on Education):**

Do pass as amended.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Dewey C. Donohue, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, John A. Petrich, Don L. Talley, Nat Washington.

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Education, to whom was referred Senate Joint Memorial No. 5, memorializing Congress for federal aid to education, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Joe Chytil, Charles P. Moriarty, Jr., Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 20:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Joint Resolution No. 20, permitting four year excess millage levies by school districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. *ANDY HESS, Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fréd H. Dore, Frank W. Foley, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 45:**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 45, increasing compensation of superior judge pro tempore, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. *JOHN A. PETRICH, Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 53:**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 53, permitting dismissal of action without payment of clerk's fee, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. *JOHN A. PETRICH, Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 61:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred House Bill No. 61, providing relative and estate responsibility for support of inmates of state penal and correctional institutions, have had the same under consideration,

and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman*.

We concur in this report: Herbert H. Freise, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Don L. Talley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 67:**

Senate Chamber,

Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 67, eliminating residence requirements for court commissioners, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 78:**

Senate Chamber,

Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred House Bill No. 78, redetermining minimum sentences of imprisoned persons and parolees in certain instances, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman*.

We concur in this report: Herbert H. Freise, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Don L. Talley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 155:**

Senate Chamber,

Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 155, relating to posting of notices in probate law matters, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of John T. Conlin, Tacoma, to the State Personnel Board, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1965, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

#### APPOINTMENT OF JOHN T. CONLIN

Senator Knoblauch moved that the report of the committee be adopted and that the appointment of John T. Conlin as a member of the State Personnel Board be confirmed.

The Secretary called the roll and the appointment of John T. Conlin as a member of the State Personnel Board was confirmed by the following vote: Yeas, 36, nays, 0; absent or not voting, 13.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, Dore, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Happy, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—36.

Those absent or not voting were: Senators Cooney, DeGarmo, Donohue, Durkan, Foley, Foster, Hallauer, Hanna, Henry, Herrmann, McCormack, Martin, Raugust—13.

Having received the confirmation of the Senate, the appointment of John T. Conlin as a member of the State Personnel Board was confirmed.

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 9, 1961.

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of Paul Coughlin, Seattle, to the State Personnel Board, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1963, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard S. Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Senators Greive, Papajani and Nunamaker demanded a Call of the Senate.  
A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Durkan who was excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

#### MOTIONS

On motion of Senator Greive, it was ordered that further consideration of gubernatorial appointments be made a special order of business to be considered tomorrow.

On motion of Senator Greive, the Call of the Senate was dispensed with.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,  
Olympia, February 14, 1961.

To the Honorable, the Senate of the State of Washington.

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bill, entitled:

**Senate Bill No. 374:**

An Act relating to the session laws of the state of Washington; amending section 3, chapter 136, Laws of 1907, as last amended by section 1, chapter 31, Laws of 1933 extraordinary session, and RCW 44.20.030; appropriating the sum of thirty thousand dollars, or so much thereof as may be necessary, for the temporary publication of session laws of the thirty-seventh session of the Washington state legislature; and declaring an emergency.

Very truly yours,

(signed) WARREN A. BISHOP,  
Assistant to the Governor.

**MOTION**

On motion of Senator Hess, the Senate reverted to the second order of business for the purpose of receiving standing committee reports:

The Secretary read:

**REPORTS OF STANDING COMMITTEES****Senate Bill No. 43 (reported by Committee on Education):**

Do pass as amended.

ANDY HESS, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, John A. Petrich, W. C. Raugust, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 410:**

Senate Chamber,

Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 410, providing for physical education in high schools and state colleges and universities as prescribed by state board of education, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Frank W. Foley, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 417:**

Senate Chamber,

Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 417, relating to school site acquisition, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Frank W. Foley, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, John Papajani, John A. Petrich, W. C. Raugust, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,

Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 129; also Engrossed House Bill No. 239; also

Engrossed House Bill No. 261; also  
 House Bill No. 292; also  
 House Bill No. 294; also  
 House Bill No. 302; also  
 House Bill No. 371; also  
 House Bill No. 468, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

The House has passed: Senate Joint Resolution No. 26, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Joint Resolution No. 26.**

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 456**, by Senators Gallagher, Bargreen and Knoblauch:

An Act relating to the department of commerce and economic development, the world fair commission and the production of a world fair or exposition; authorizing the issuance and sale of limited obligation bonds and making an appropriation; amending sections 1, 2 and 3, chapter 174, Laws of 1957 and RCW 43.31.500 through RCW 43.31.520; section 1, chapter 310, Laws of 1959 and RCW 43.31.525; section 2, chapter 307, Laws of 1955 as last amended by section 1, chapter 109, Laws of 1959 and RCW 43.96.020; adding thirteen new sections to chapter 174, Laws of 1957 and chapter 43.31 RCW; and declaring an emergency.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 457**, by Senators Hanna, Woodall and Dore:

An Act relating to judgments; removing time limitation as to when a judgment entered by consent or stipulation and obtained by fraud may be vacated or modified; amending section 4, chapter 27, Laws of 1891 and RCW 4.72.080; and declaring an emergency.

Referred to Judiciary Committee.

**Senate Bill No. 458**, by Senators Durkan, Thompson, Jr. and Henry:

An Act relating to elections; amending section 4, chapter 77, Laws of 1947 and RCW 29.59.040; and amending section 9, chapter 181, Laws of 1955 and RCW 29.59.070.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 459**, by Senators Washington and Shannon:

An Act relating to bonds of the state and any agency or institution thereof and to bonds of any county, city, district or other political subdivisions of the state; amending sections 1 and 3, chapter 151, Laws of 1923 and RCW 39.44.010 and 39.44.030; amending section 1, chapter 52, Laws of 1941 as amended by section 1, chapter 375, Laws of 1955, and RCW 39.44.100; amending sections 1 and 2, chapter 91, Laws of 1915 and RCW 39.44.110 and 39.44.120; and repealing chapter 20, Laws of 1923 and RCW 28.51.130 and 28.51.140.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 460**, by Senator Dore:

An Act extending firemen's pension benefits to doctors employed by fire departments; and adding a new section to chapter 382, Laws of 1955 and to chapter 41.18 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 461**, by Senator McCormack:

An Act relating to rates and charges for certain services of cities and towns and the disposition of funds resulting therefrom; and amending section 1, chapter 98, Laws of 1929, as amended by section 1, chapter 96, Laws of 1939, and RCW 35.27.510.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 462**, by Senator Bargreen:

An Act relating to issuing coins commemorating the Century 21 Exposition; providing for the sale and distribution of proceeds from the sale of such coins; and adding a new section to chapter 215, Laws of 1957 and to chapter 43.31 RCW.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Joint Resolution No. 30**, by Senator Hess:

Authorizing the Constitution to be amended by initiative.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 31**, by Senator Morgan:

Removing debt ceiling.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 32**, by Senator Morgan:

Authorizing state to loan money.

Referred to Committee on Constitution, Elections and Legislative Processes.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 129**, by Representatives Rickdall, Bigley and Ritner (by Legislative Council request):

An Act relating to fire protection district local improvement districts; amending section 40, chapter 34, Laws of 1939 and RCW 52.20.010; section 41, chapter 34, Laws of 1939 and RCW 52.20.020; adding a new section to chapter 52.20 RCW; and repealing sections 42 and 43, chapter 34, Laws of 1939 and RCW 52.20.030 and 52.20.040.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 239**, by Representatives Pence, McElroy and Anderson (by Departmental request):

An Act relating to fluid milk and fluid milk products; repealing section 15.36.010, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.36.010 and constituting the same as rules of the department of agriculture; amending section 15.36.020, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.36.020; amending section 15.36.040, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.36.040; amending section 15.36.080, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.36.080; amending sections 15.36.260 and 15.36.540, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.36.260

and 15.36.540; and adding two new sections to chapter ....., Laws of 1961 (House Bill No. 1), and chapter 15.36 RCW.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 261**, by Representatives Wang, Conner and Testu: An Act relating to real estate brokers.

Referred to Committee on Commerce, Manufacturing and Licenses.

**House Bill No. 292**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to motor vehicles; regulating the licensing of motor vehicle dealers; and amending section 46.70.010, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.70.010.

Referred to Committee on Highways.

**House Bill No. 294**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to passenger transportation by motor vehicle; and amending section 46.72.040, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.72.040.

Referred to Committee on Highways.

**House Bill No. 302**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to motor vehicles; amending section 46.16.270, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.16.270; and repealing section 46.16.005, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.16.005.

Referred to Committee on Highways.

**House Bill No. 371**, by Representatives Mardesich, Gorton and Uhlman:

An Act relating to state institutions of higher learning; amending sections 1 and 2, chapter 91, Laws of 1925 extraordinary session and section 4, chapter 66, Laws of 1915 as last amended by section 1, chapter 24, Laws of 1933 extraordinary session, sections 1 and 2, chapter 64, Laws of 1947 and section 1, chapter 17, Laws of 1950 extraordinary session, and RCW 28.76.180, 28.76.190, 28.76.200 and 28.76.210; and adding new sections to chapter 28.76 RCW.

Referred to Committee on Higher Education and Libraries.

**House Bill No. 468**, by Committee on Game and Game Fish:

An Act relating to free fishing licenses for veterans and blind persons; and amending section 77.32.230, chapter 36, Laws of 1955 as amended by section 2, chapter 245, Laws of 1959 and RCW 77.32.230.

Referred to Committee on Fisheries, Game and Game Fish.

#### PRESIDENT'S PRIVILEGE

The President announced the presence in the gallery of the Local and State Government class from Everett Junior College. The class is studying legislation and visiting the House and the Senate. The President announced that Everett Junior College has the number one junior college football championship team of this state.

Senator Bargreen was asked to stand along with the members of the class and be recognized.

(Applause.)

## SECOND READING OF BILLS

**House Bill No. 190**, by Representatives Olsen, Testu, and Mahaffey:  
Relating to city, town and county participation in fairs.

Senate Chamber,  
Olympia, Wash., February 3, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred House Bill No. 190, relating to county participation in fairs, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In new section 7, page 3, lines 23 and 24, after "municipalities," add a new paragraph as follows:

"Nothing in this act shall be construed as authorizing cities or towns to participate in any world fair or exposition held outside the state." A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

The bill was read the second time by sections.

Senator Rasmussen moved that the committee amendment be adopted.

## POINT OF INQUIRY

Senator Woodall:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Woodall:

"Senator Rasmussen, is it your thinking that you cannot trust the local municipality to use their own discretion, and that we should curtail their powers?"

Senator Rasmussen:

"The sponsors of the bill advised me that this was solely for the purpose of participating in the proposed world fair in Seattle."

Senator Woodall:

"I appreciate that, and I wondered if there was any reason that this might prohibit any municipality from participating; however, I really can't see any municipality under this law entering into out-of-state fairs."

## PERSONAL PRIVILEGE

Senator Talley:

"If some cities and towns are trying to promote industries, quite conceivably, some of them might want to enter exhibits, etc., pertaining to their industrial development in nearby out-of-state fairs."

Senator Rasmussen:

"I presume that you are right, Senator Talley.

"I might say that this amendment has been cleared with the sponsors."

A division was called for, and the amendment was not adopted on a rising vote.

## PERSONAL PRIVILEGE

Senator Gissberg:

"I am preparing an amendment for consideration, if I could engage the abilities of the Secretary for a moment."

**PRESIDENT'S PRIVILEGE**

The President announced at the request of Senator Sandison, the presence in the gallery of a former University of Washington All-American football great. This man has achieved great success in football and in business in Port Townsend. The President stated that he felt very fortunate to have played football with Merle Hufford, the esteemed visitor.

Senator Gissberg moved the following amendment be adopted:

In new section 2, page 1, line 13, after "exposition," and before "whether" insert the following: "sports arena, center or coliseum"

**POINT OF INQUIRY**

Senator Lennart:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Lennart:

"Will you not have to amend the title, also?"

Senator Gissberg:

"If this amendment is adopted, there will have to be numerous other amendments adopted."

Senator Dore:

"Senator Gissberg, would you mind if we put this over until tomorrow and then go over it when we've had time to analyze it more carefully?"

Senator Gissberg:

"I would prefer to see the amendment put on now and then brush up the language later."

**MOTION**

Senator Dore:

"I move that House Bill No. 190 be placed at the end of the second reading calendar for today."

The motion carried, and House Bill No. 190 was placed at the end of the second reading calendar for today.

**House Bill No. 40**, by Representatives Bigley, Rickdall, and Adams (by Legislative Council request):

Authorizing police regulations concerning public use of port district facilities.

The bill was read the second time by sections.

On motion of Senator Bailey, the following amendment was adopted:

In section 1, page 1, line 16, after "in a" and before "newspaper" strike "daily" and insert "legal"

On motion of Senator Henry, the rules were suspended, House Bill No. 40, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 40, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster,

Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Durkan, Keefe, Lennart, McCutcheon, Martin, Raugust—6.

House Bill No. 40, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 52**, by Representatives Bigley, Rickdall, and Adams (by Legislative Council request):

Coordinating port district administrative procedures and operations.

The bill was read the second time by sections.

On motion of Senator Kupka, the rules were suspended, House Bill No. 52 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 52, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Durkan, Lennart, McMillan, Martin—4.

House Bill No. 52, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, ladies and gentlemen:

"Please hear this!

"If there are no objections, the Senate will revert to the fifth order of business for the purpose of receiving a message from the Nisqually Indian Reservation."

The Secretary read:

February 15, 1961.

*To the Honorable, the Senate of the State of Washington.*

These fish are the results of a "Pow wow" last night on the Nisqually Indian Reservation. This reservation borders Senator McCutcheon's district.

Big Chief "Eat 'Em Up" wants Senator Silver Tip McCutcheon and Senator Curly Maple Nunamaker to realize they are being watched very closely. Our fish can't vote—but we can!

Remember the Steelhead Bill and the Cowlitz!

Big Chief "Eat 'Em Up".

## APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators DeGarmo, Knoblauch, Kupka, Rasmussen and Petrich to escort Senator "Silver Tip" McCutcheon and Senator "Curly Maple" Nunamaker to the bar of the Senate.

The President:

"Senator DeGarmo, would you please explain to the members of the Committee on Game and Game Fish what type of fish these are, and exactly how they were secured?"

Senator DeGarmo:

"Mr. President, one of the fish happens to be a steelhead with neck marks on it, and the other happens to be a prime female chum salmon."

The President:

"Senator DeGarmo, would you please explain how you can distinguish this fact?"

Senator DeGarmo:

"Well, the way you can distinguish if they are male or female is by looking at their mouth."

(The two large fish each had an arrow sticking out of their heads.)

Senator DeGarmo:

"I believe these are real arrows. Why don't you try to extract one, Senator McCutcheon?"

Senator McCutcheon:

"The Sergeant-at-Arms, I think will take care of the fish!"

"This female chum that Senator DeGarmo talks of—I don't think he knows what he's talking about. When I was a boy down on the farm, we used to call them 'Dog Salmon'."

"This is a steelhead fish, and this is a sport fish."

"Say, where did the Indians get these fish?"

"As for this Dog Salmon, they can have all they want. We oppose the shipping of these fish into other states for processing. Now, you or I are not legally supposed to have them. That is fishing out-of-season. I don't know how these fish got here, but they are the fish we are trying to protect. I am not pointing my finger at the Indians, because the Indians are not the ones to blame; you pointed your finger at the dam this morning."

"Dam funny thing, isn't it?"

"Do you feel that that's official?"

Senator DeGarmo:

"I very certainly do!"

Senator McCutcheon:

"That's fine, now I want to thank you for this very splendid informal interview."

## PERSONAL PRIVILEGE

Senator Riley:

"I would like to add a comment regarding the gender of the fish. It really doesn't make any difference—except to other fish!"

The President:

"Thank you. The Secretary will be empowered to relay a message to Big Chief 'Eat 'Em Up', and express the appreciation of the members and Senator 'Silver Tip' and Senator 'Curly Maple'."

## SECOND READING OF BILLS

**House Bill No. 94**, by Representatives Bernethy, King, and Wintler (by Departmental request):

Increasing amount of deposit or bond to assure compliance with forest practices.

The bill was read the second time by sections.

On motion of Senator McCormack, House Bill No. 94 was ordered to retain its place on the second reading calendar for Thursday, February 15, 1961.

#### MOTION

On motion of Senator Greive, Senator Angevine was excused.

**House Bill No. 162**, by Representatives Ackley, Gorton and Brink:

Correcting RCW 36.17.030 and 36.28.020 relating to county officers and employees.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, House Bill No. 162 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 162, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Angevine, Durkan, Martin, Talley—4.

House Bill No. 162, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 71**, by Representatives Hurley, Swayze, and Holmes:

Providing additional method for cancelling registration of deceased voters.

The bill was read the second time by sections.

Senator Woodall moved the following amendment be adopted:

On page 2 add a new section, reading as follows:

"It is hoped there shall never occur in the state of Washington the illegal voting that happened in Illinois and Texas."

Debate ensued.

#### PERSONAL PRIVILEGE

Senator Gallagher:

"In my district there are two of the largest cemeteries in the state of Washington, and if you don't think that's a job—getting out there in the morning and getting names off tombstones!"

The President stated the question before the Senate to be the adoption of the amendment by Senator Woodall.

The motion lost and the amendment was not adopted.

## POINT OF INQUIRY

Senator Nunamaker:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Nunamaker:

"Supposing that someone came along and they knew how I was going to vote and they wanted to eliminate my ballot. Why couldn't they just send a notice that I had died?"

Senator Gallagher:

"Under the laws they would be dealing with perjury and would be prosecuted. It would be illegal and you would be eligible to vote."

Senator Nunamaker:

"Could this happen?"

Senator Gallagher:

"There is a possibility, but it is rather remote."

## POINT OF INQUIRY

Senator Lennart:

"Does this bill say anything about people who are dead and don't know it?"

Senator Gallagher:

"Well, we can amend it to cover those."

On motion of Senator Gallagher, the rules were suspended, Engrossed House Bill No. 71 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 71, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Washington, Woodall—46.

Those absent or not voting were: Senators Angevine, Durkan, Morgan—3.

Engrossed House Bill No. 71, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"At the request of the esteemed Senator from Lewis County, Senator Joe Chytil, I would like to announce the presence of a group of Seniors from Mossyrock High School, accompanied by their teacher, Mr. Taylor.

"Would Senator Chytil please stand and be recognized along with the Senior Class from Mossyrock?"

(Applause.)

**House Bill No. 156**, by Representatives Moos and Bozarth:

Authorizing cooperative associations to form for a perpetual term.

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, House Bill No. 156 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 156, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Angevine, Durkan, Foster, Kupka, McCutcheon—5.

House Bill No. 156, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 149**, by Representatives Taylor, Braun and Jueling:

Authorizing off-street parking by towns.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 149 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 149, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Angevine, Durkan, Elway, Jr., Foster, Hanna—5.

Engrossed House Bill No. 149, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 13**, by Representatives Testu, Gorton and Goldmark (by Departmental request):

Clarifying and correcting the securities act.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendment was adopted:

In section 9, subsection (2), page 13, line 28, after "year" strike the period and insert the following: "PROVIDED, HOWEVER, That an issuer may upon the payment

*of a twenty-five dollar fee renew for an additional twelve month period the unsold portion for which the registration fee has been paid."*

On motion of Senator Freise, the rules were suspended, House Bill No. 13, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Freise yield to a question?"

Senator Freise:

"I will."

Senator Riley:

"Do you feel in your judgment, after having studied House Bill No. 13, that the director has too much power when he may, at his discretion, grant or deny an application? Do you think he should have so much discretion or power?"

Senator Freise:

"This bill—or rather, the Act, is two years old, and it has met with unusual acceptance by people in the industry and other people. To my knowledge there has been no abuse of the discretion. I don't think we have anything to worry about."

The Secretary called the roll on the final passage of House Bill No. 13, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Angevine, Durkan, Elway, Jr., Lennart—4.

House Bill No. 13, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 259**, by Representatives Chatalas and Leland:

Omitting necessity of showing maximum alcoholic content on packages of malt liquor.

The bill was read the second time by sections.

On motion of Senator Papajani, the rules were suspended, House Bill No. 259 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 259, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley,

Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Angevine, Durkan, Elway, Jr., Lennart, McCutcheon, Morgan—6.

House Bill No. 259, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Joint Memorial No. 2**, by Representatives Goldmark, Bozarth and Hurley:

Memorializing Congress to issue stamp commemorating establishment of Fort Okanogan.

The memorial was read the second time in full.

On motion of Senator Hallauer, the rules were suspended, House Joint Memorial No. 2 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

#### PERSONAL PRIVILEGE

Senator Henry:

"I would like to ask of 'Chief Little Sun' if any of his ancestors had trouble at Fort Okanogan and therefore would like to personally consider this memorial?"

#### RULING OF THE PRESIDENT

The President:

"'Chief Little Sun' has big memory but Senate rules preclude remarks!"

The Secretary called the roll on the final passage of House Joint Memorial No. 2, and the memorial passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Angevine, Durkan, Elway, Jr., Lennart, Morgan, Papajani, Sandison, Talley—8.

House Joint Memorial No. 2, having received the constitutional majority, was declared passed.

**House Bill No. 190**, by Representatives Olsen, Testu and Mahaffey:

Relates to city, town and county participation in fairs.

The bill was read the second time by sections.

The pending amendment by Senator Gissberg was withdrawn.

Senator Gissberg moved that the following amendment be adopted:

In new section 3, page 2, line 2, after "exposition" and before "to be" insert the following: ". sports arena, center or coliseum"

The motion carried and the amendment was adopted.

On motion of Senator Gissberg, the following amendments were adopted:

In new section 5, page 2, line 30, after "exposition," and before "are" insert the following: "sports arena, center or coliseum"

In new section 6, page 3, line 6, after "exposition" and before "is being" insert the following: ". sports arena, center or coliseum"

In new section 6, page 3, line 9, after "exposition" and before "and" insert the following: ", sports arena, center or coliseum"

In new section 6, page 3, line 11, after "exposition" and before "to the" insert the following: ", sports arena, center or coliseum"

In new section 6, page 3, line 17, after "exposition," insert the following: "sports arena, center or coliseum"

On motion of Senator Gissberg, the following amendment to the title was adopted:

In line 1 of the title after "expositions" and before "and the" insert the following: ", sports arena, center or coliseum"

On motion of Senator Gissberg, the rules were suspended, House Bill No. 190, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senators Greive, Nunamaker and Gissberg demanded the previous question.

#### PERSONAL PRIVILEGE

Senator Hallauer:

"I should like to speak on a point of personal privilege."

#### MOTION

On motion of Senator Greive, the rules were suspended in order that Senator Hallauer might speak on a point of personal privilege.

Senator Hallauer:

"Thank you, Senator Greive.

"I think the issue before us is largely the proper function of municipal government.

"Are we to take it for granted to include the provision of public spectacles in the sports field? Should city power be limited to what are primary functions such as we are already limited to? If you wish to widen the limitations, then you should vote for the bill, as amended. If you wish to limit the field and feel that the present conditions are sufficient, then you should not vote for it."

#### RULING OF THE PRESIDENT

The President:

"The President will consider the motion as having been sustained. The Secretary will call the roll on the final passage of House Bill No. 190."

The Secretary called the roll on the final passage of House Bill No. 190, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 12; absent or not voting, 8.

Those voting yea were: Senators Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Dore, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, McCormack, McMillan, Papajani, Rasmussen, Riley, Sandison, Talley, Thompson, Jr., Washington, Woodall—29.

Those voting nay were: Senators Chytil, Donohue, Hallauer, Happy, Hofmeister, McCutcheon, Moriarty, Jr., Nunamaker, Petrich, Raugust, Ryder, Shannon—12.

Those absent or not voting were: Senators Angevine, Durkan, Elway, Jr., Foley, Lennart, Martin, Morgan, Neill—8.

House Bill No. 190, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTION**

At 1:20 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:30 o'clock a. m. on Thursday, February 16, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## THIRTY-NINTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Thursday, February 16, 1961.

The Senate was called to order at 10:30 o'clock a. m. by President Cherberg.

The President announced that the Senate would be at ease for fifteen minutes.

The Senate was called to order at 10:45 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Nancy Christiansen, presented the Colors.

Reverend Homer Kimmel, Pastor of the Church of the Brethren of Olympia, offered prayer as follows:

"Our God, outwardly we bow with reverence in prayer, but you see how inwardly our disordered lives need your guidance.

"We ask, O God, that if man's behavior has caused us to come today with bitter and vindictive hearts, that you would raise us to a nobler mood.

"If the ill treatment, injustice, and hardship of the world have discouraged us, and if we feel whipped and beaten, set us on our feet again, revived and reinforced.

"If our deeds shame us so that we hold secrets in our souls that we would hide from our best friends, grant us forgiveness and restoration.

"And if the world has been kind to us and prosperity, success and honor have been ours, guard our lives from pride and selfishness. May our fortunate well-being make us all the more devoted to serving our generation.

"Open our eyes to see that we need humility and wisdom. May we not be enslaved by apathy nor possessed by trivial matters. Give us a new concern for the well-being of the state, and bless us with Thy guidance. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"At the request of the noted and dignified Senator from Bremerton, Mrs. Morgan, I would like to announce the presence in the gallery of members of the Kitsap County Democratic Central Committee, led by Chairman Frank Kellar and Vice-Chairwoman,

Dorothy Morrison, and relatives of Senator Morgan. Would Senator Morgan please stand, along with the group from Kitsap County, in order to be recognized.

"Ladies and Gentlemen, the members of the Senate and the President hope you enjoy your visit to Olympia.

(Applause.)

"The President would like to call your attention to a group of PTA representatives from the 34th District, representing twelve different schools. The group of sixty-seven is accompanied by Mrs. Anderson, local chairman. Would the group please stand, along with Senator Greive, in order to be recognized."

(Applause.)

The Secretary read:

#### SENATE RESOLUTION

By Senators Foley and Henry:

WHEREAS, The Washington state school for the blind was originally established on February 3, 1886, and has contributed greatly to the academic, vocational, and social education of our children; and

WHEREAS, The Washington Territorial Legislature originally established the first public school for defective youth in Vancouver on February 3, 1886; this public institution provided for the deaf, the blind, and the mentally deficient in one building; and

WHEREAS, In 1892 the mentally deficient were moved to the site now occupied by the blind school; and

WHEREAS, In 1905 the mentally deficient were again moved to a new site at Medical Lake in Spokane County, Washington; and

WHEREAS, In 1913 the school for the blind and the school for the deaf became separate institutions with separate managements; and that now the population of the school for the blind is 127 children; and

WHEREAS, The State Legislature feels that this school and its graduates have contributed greatly to our state; and

WHEREAS, This is their 75th anniversary this month;

Therefore Be It Resolved, On this 16th day of February, that the Senate of the State of Washington congratulate the school on its 75th anniversary and congratulate its graduates, students, instructors, and staff for the great contributions they have made to the state of Washington and its development.

Be It Further Resolved, That the Secretary of the Senate prepare and transmit a suitably inscribed copy of this resolution to the Washington State School for the Blind, Vancouver, Washington.

#### MOTIONS

On motion of Senator Foley, the resolution was adopted.

On motion of Senator Washington, Senate Bill No. 44 on the second reading calendar was referred to the Committee on Highways.

Senators Greive, Nunamaker and Hofmeister demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Bill No. 10 (reported by Committee on Public Institutions):

Do pass as amended.

FRED J. MARTIN, Chairman.

We concur in this report: Karl V. Herrmann, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 13:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 15, 1961.

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 13, restoring civil rights by board of prison terms and paroles, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 155:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 15, 1961.

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 155, authorizing police officers of municipal corporations of the second and fourth classes to pursue and arrest violators of city ordinances beyond the city limits, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill.

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 15, 1961.

I, a minority of your Judiciary Committee, to whom was referred Senate Bill No. 155, authorizing police officers of municipal corporations of the second and fourth classes to pursue and arrest violators of city ordinances beyond the city limits, have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

I concur in this report: Michael J. Gallagher.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 222:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 14, 1961.

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 222, relating to special permits to exceed 18,000 gross weight on a single axle whenever congress allows on national interstate roads, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, John L. Cooney, Dewey C. Donohue, Frank W. Foley, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Ernest W. Lennart, Mike McCormack, John A. Petrich, W. C. Raugust, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 288** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, John L. Cooney, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, Wilbur G.

Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister Reuben

A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 319:**

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 319, prohibiting transfer of liquor identification to minors, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 400:**

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 400, excluding certain apples from assessments under apple advertising commission assessment, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 408:**

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred Senate Bill No. 408, relating to registered mail, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 411:**

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred Senate Bill No. 411, relating to signing vouchers by certain public employees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 417:**

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules to whom was referred Senate Bill No. 417, relating to school site acquisition, have had the same under consideration,

and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

JOHN A. CHERBERG, *Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, John L. Cooney, David C. Cowen, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Louis E. Hofmeister, James E. Keefe, Reuben A. Knoblauch, Ernest W. Lennart, W. C. Raugust, Edward F. Riley, William D. Shannon, John H. Happy.

On motion of Senator Greive, the report of the committee was adopted and Senate Bill No. 417 was referred to Committee on Ways and Means.

**Senate Bill No. 422:**

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, your Committee on Social Security to whom was referred Senate Bill No. 422, relating to public assistance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 426:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture to whom was referred Senate Bill No. 426, controlling ragweed, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 73:**

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes to whom was referred Engrossed House Bill No. 73, raising fees of election officers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, John Papajani.

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Constitution, Elections and Legislative Processes to whom was referred Engrossed House Bill No. 73, raising fees of election officers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

We concur in this report: Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 152** (reported by Committee on Highways):  
Do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Highways to whom was referred Substitute House Bill No. 152, establishing a department of motor vehicles, abolishing department of licenses, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

We concur in this report: Wilbur G. Hallauer, John A. Petrich, A. L. Rasmussen.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 148:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture to whom was referred House Bill No. 148, revising law allocating state fair funds to qualifying agricultural fairs, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 196:**

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred House Bill No. 196, authorizing the creation of new code titles by statute law committee and permitting revolving fund, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 247:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture to whom was referred House Bill No. 247, regulating milk and milk products used for animal food, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 249:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture to whom was referred House Bill No. 249, enacting new fertilizer act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 320:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture to whom was referred House Bill No. 320, modifying law relating to custom slaughtering, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 351:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture to whom was referred House Bill No. 351, prescribing misappropriation of livestock to be grand larceny, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 354:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture to whom was referred House Bill No. 354, modifying law relating to registering of brands, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 21:**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses to whom was referred House Joint Memorial No. 21, petitioning retention of six per cent construction bid differential for Pacific Coast shipbuilders, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. GEORGE W. KUPKA, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, Fred H. Dore, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 15, 1961.  
MR. PRESIDENT:  
The Speaker has signed: Senate Joint Resolution No. 26, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 15, 1961.  
MR. PRESIDENT:  
The House has passed: Re-engrossed House Bill No. 207; also  
Engrossed House Bill No. 250; also  
Engrossed House Bill No. 260; also  
House Bill No. 266; also  
Engrossed House Bill No. 283; also  
House Bill No. 303; also  
House Bill No. 304; also  
House Bill No. 319; also  
Engrossed House Bill No. 333; also  
Substitute House Bill No. 345; also  
Engrossed House Bill No. 387; also  
House Bill No. 390; also  
House Bill No. 415; also  
House Bill No. 448; also  
Engrossed House Joint Resolution No. 16; also  
Engrossed House Concurrent Resolution No. 12, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 16, 1961.  
MR. PRESIDENT:  
The House has concurred in the Senate amendment to House Bill No. 40 and has passed the bill as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 16, 1961.  
MR. PRESIDENT:  
The House has concurred in the Senate amendments to House Bill No. 190 and has passed the bill as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 16, 1961.  
MR. PRESIDENT:  
The House has concurred in the Senate amendment to House Bill No. 13 and has passed the bill as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 16, 1961.  
MR. PRESIDENT:  
The Speaker has signed: House Bill No. 52; also  
House Bill No. 71; also  
House Bill No. 149; also  
House Bill No. 156; also  
House Bill No. 162; also  
House Bill No. 259; also  
House Joint Memorial No. 2, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

The President signed: House Bill No. 52; also  
House Bill No. 71; also  
House Bill No. 149; also  
House Bill No. 156; also

- House Bill No. 162; also
- House Bill No. 259; also
- House Joint Memorial No. 2.

#### APPOINTMENT OF SPECIAL COMMITTEES

The President:

"Ladies and Gentlemen of the Senate:

"At this time the President should like to request of Senators Washington, Cooney and Ryder that you act as a special committee to escort the Honorable Robert Hunter, Chief Justice of the Supreme Court, to a seat of honor upon the rostrum."

Chief Justice of the Supreme Court, Robert Hunter, was escorted to the rostrum by the special committee.

The President appointed Senators Henry, Chytil, Knoblauch, Morgan and Hofmeister to act as a special committee to escort the Honorable Dexter J. Kerstetter to a seat of honor upon the rostrum.

The special committee escorted Dexter J. Kerstetter to the rostrum.

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President is happy and proud to present the honored, respected and esteemed Chief Justice of the Supreme Court of the State of Washington, the Honorable Robert Hunter."

Chief Justice Hunter:

"Lieutenant Governor Cherberg, Members of the Senate:

"It is a real pleasure for me this morning to participate with the honored members of this Senate in extending recognition to the only Washington-born soldier who has received the Medal of Honor in the United States of America, Dexter J. Kerstetter.

"At this time I hold in my hand the original citation that was given to Dexter Kerstetter by Harry S. Truman, the President of the United States, in 1946, reading as follows:

"The President of the United States takes pleasure in awarding the Medal of Honor to Private First Class Dexter J. Kerstetter, Co. C, 130th Infantry, United States Army, for service as set forth in the following citation:

"Private Kerstetter was with his unit near Galiano, Luzon, Philippine Islands, on 13 April, 1945 in a dawn attack against hill positions approachable only along a narrow ridge paralleled on each side by steep cliffs which were heavily defended by enemy mortars, machine guns and rifles in well-camouflaged spider holes and tunnels leading to caves. When the leading element was halted by intense fire that inflicted five casualties, Private Kerstetter passed through the American line with his squad. Placing himself well in advance of his men, he grimly worked his way up the narrow, steep hogback, meeting the brunt of enemy action. With well-aimed shots of rifle and grenade fire, he forced the Japs to take cover. He left the trail and, moving down a cliff that offered only precarious footholds dropped among four Japs at the entrance to a cave, fired his rifle from his hip and killed them all. Climbing back to the trail, he advanced against intense enemy machine gun, rifle and mortar fire to silence a heavy machine gun by killing its crew of four with rifle fire and grenades. He expended his remaining ammunition and grenades on a group of approximately twenty Japs, scattering them, and returned to his squad for more ammunition and first aid for his left hand, which had been blistered by the heat from his rifle. Re-supplied, he guided a fresh platoon into a position from which a concerted attack could be launched, killing three hostile soldiers on the way. In all, he dispatched sixteen Japs that day. The hill was taken and held against the enemy's counter-attacks, which continued for three days. Private Kerstetter's dauntless and gallant heroism was largely responsible for the capture of this key enemy position, and his fearless attack in the face of great odds was an inspiration to his comrades in their dangerous task."

"And to bring you up-to-date, I will read briefly from a citation just given to Dexter J. Kerstetter by Governor Albert D. Rosellini which reads:

"Honored by the President Harry S. Truman in 1946 with a decoration for valor, he was honored by the Nation as an honorary soldier."

"Honored by the President John Kennedy, in 1961, when he was invited to the inauguration.

"Dexter Kerstetter is hereby further honored by the people of the state of Washington for the honor that will ever be shared."

(Signed) ALBERT D. ROSELLINI, *Governor.*"

The President:

"Members of the Senate, Ladies and Gentlemen:

"Thank you very much, Judge Hunter.

"It is a grand occasion to have with us this morning, a person of the stature of Mr. Dexter Kerstetter. Mr. Kerstetter, of course, is an inspiration to us all. The members of the Senate and the President join in extending to you the warmest welcome possible.

"Mr. Kerstetter, would you please address the members of the Senate at this time?"

Mr. Kerstetter:

"Lieutenant Governor, Good Friend Judge Hunter, Members of the Senate, Guests:

"It gives me great pleasure to be here today. This honor that has been bestowed upon me by the Governor and members of the Senate and House has given me great pleasure.

"I am not much of a speaker, but I am sure glad to be here. I would like to tell you that when I went back to Washington, D. C., I wouldn't trade one little part of our great state of Washington for the whole eastern part of our country.

"It always tickles me that people have said the eastern people know how to drive in the snow. There was a snow storm when I went back there, and three hours later, no one was driving.

"I got to meet the President's wife, mother, father, and the Vice-President, and was really treated fine while there.

"It gives me great pleasure to be here with you, and again, thank you very much."

The President:

"Thank you very much, Mr. Kerstetter."

The President:

"The President wishes to invite all of the delegation from Kitsap County, along with our honored guest, to the Lieutenant Governor's office for coffee immediately."

#### PRESIDENT'S PRIVILEGE

The President:

"At the request of Senator Wayne G. Angevine, the President would like to call attention to a group of forty students of the eighth grade at St. Benedict's School in Seattle, along with their teacher, Sister Marie Emmanuel."

The President announced the presence of four sisters and thirty-seven history students from Holy Names School of Seattle, at the request of Senator Dore. All were asked to stand and be recognized.

At the request of Senator Dore, a group from the seventh and eighth grades of the Seattle Hebrew Day School, along with their teacher, Mrs. H. Rosenbaum, were introduced.

At the request of Senator Gallagher, a group of attractive ladies from the Shoreline PTA were introduced.

The Secretary read:

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 463**, by Senators DeGarmo, Hallauer and Kupka:

An Act relating to acquisition of certain property in Thurston county;

designating same as Jones Salt Water State Park; and making an appropriation.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Senate Bill No. 464**, by Senators Martin and Kupka:

An Act relating to the department of institutions; establishing the division of juvenile rehabilitation, the division for handicapped children, the division of community services and the diagnostic and placement board; providing powers and duties, appointment and qualifications of supervisors; amending and recodifying section 72.05.130, chapter 28, Laws of 1959 and RCW 72.05.130; amending and recodifying section 72.05.140, chapter 28, Laws of 1959 and RCW 72.05.140; amending and recodifying section 72.05.150, chapter 28, Laws of 1959 and RCW 72.05.150; amending and recodifying section 72.05.160, chapter 28, Laws of 1959 and RCW 72.05.160; amending and recodifying section 72.05.170, chapter 28, Laws of 1959 and RCW 72.05.170; amending section 72.05.190, chapter 28, Laws of 1959 and RCW 72.05.190; amending section 72.05.200, chapter 28, Laws of 1959 and RCW 72.05.200; amending section 72.05.300, chapter 28, Laws of 1959 and RCW 72.05.300; amending section 72.05.310, chapter 28, Laws of 1959 and RCW 72.05.310; amending section 72.01.030, chapter 28, Laws of 1959 and RCW 72.01.030; repealing section 72.05.010, chapter 28, Laws of 1959 and RCW 72.05.010; repealing section 72.05.020, chapter 28, Laws of 1959 and RCW 72.05.020; repealing section 72.05.030, chapter 28, Laws of 1959 and RCW 72.05.030; repealing section 72.05.040, chapter 28, Laws of 1959 and RCW 72.05.040; and providing an effective date.

Referred to Committee on Public Institutions.

**Senate Bill No. 465**, by Senators Keefe, Rasmussen and Sandison:

An Act relating to public employment and retirement; and declaring an emergency.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 466**, by Senators Riley and Sandison:

An Act relating to shellfish; requiring a reporting thereof; adding new sections to chapter 12, Laws of 1955 and to chapter 75.24 RCW; and imposing penalties.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 467**, by Senators Herrmann, Ryder and Riley:

An Act relating to mutual savings banks; amending section 32.24.030, chapter 13, Laws of 1955, and RCW 32.24.030.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 468**, by Senators Ryder, Neill and Riley:

An Act relating to banks and trust companies; and amending section 30.04.090, chapter 33, Laws of 1955 as last amended by section 2, chapter 106, Laws of 1959 and RCW 30.04.090.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 469**, by Senators DeGarmo and Bailey:

An Act relating to pollution control; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Air and Water Pollution Control.

**Senate Bill No. 470**, by Senator Rasmussen:

An Act relating to motor vehicles; and amending section 46.16.310, chapter 12, Laws of 1961 and RCW 46.16.310.

Referred to Committee on Highways.

**Senate Bill No. 471**, by Senators Washington and Hallauer:

An Act relating to game and game fish; and amending section 14, chapter 176, Laws of 1957 and RCW 77.32.005.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 472**, by Senators Washington and Raugust:

An Act relating to cities and towns and providing for the investment of funds; amending section 4, chapter 45, Laws of 1935 and RCW 35.39.020; and amending section 1, chapter 92, Laws of 1943 and RCW 35.39.030.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 473**, by Senator Washington:

An Act relating to state funds.

Referred to Committee on Ways and Means.

**Senate Bill No. 474**, by Senators Durkan and Ryder:

An Act relating to certain financial institutions; requiring compliance with laws relating to savings and loan associations; and amending section 2, chapter 235, Laws of 1945, as last amended by section 1, chapter 280, Laws of 1959 and RCW 33.08.010.

Referred to Committee on Banks and Financial Institutions.

**Senate Bill No. 475**, by Senators Bargreen and Hofmeister:

An Act relating to the militia; and amending section 3, chapter 130, Laws of 1943 and RCW 38.08.020; adding a new section to chapter 130, Laws of 1943 and to chapter 38.12 RCW; and amending section 21, chapter 130, Laws of 1943 and RCW 38.12.030.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 476**, by Senators DeGarmo and Bailey:

An Act relating to water resources; establishing a privilege fee for discharging certain materials in state waters; fixing penalties; and adding a new chapter to chapter 15, Laws of 1961 and to Title 82 RCW.

Referred to Committee on Natural Resources.

**Senate Bill No. 477**, by Senators Greive and Durkan:

An Act relating to electricity and regulating electricians, electrical installation and electrical construction; transferring certain powers and duties; providing for certain licenses and fees; providing penalties; amending sections 1, 3 and 10, chapter 169, Laws of 1935 and RCW 19.28.010, 19.28.060 and 19.28.070; amending section 4, chapter 169, Laws of 1935 as amended by section 1, chapter 325, Laws of 1959 and RCW 19.28.120; amending section 5, chapter 169, Laws of 1935 and RCW 19.28.180; amending section 8, chapter 169, Laws of 1935 as amended by section 2, chapter 325, Laws of 1959 and RCW 19.28.210; amending sections 9, 12, 13, 7 and 18, chapter 169, Laws of 1935 and RCW 19.28.250, 19.28.270, 19.28.300, 19.28.310 and 19.28.330; amending section 3, chapter 130, Laws of 1913 as last amended by section 1, chapter 105, Laws of 1937, and RCW 19.29.030; amending sections 4, 5 and 6, chapter 130, Laws of 1913 and RCW 19.29.040, 19.29.050 and 19.29.060; amending

section 80, chapter 7, Laws of 1921 as amended by section 1, chapter 173, Laws of 1955, and RCW 43.22.050; and making an effective date.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 478**, by Senators Durkan and Keefe:

An Act relating to health and sanitation; and providing penalties.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 479**, by Senators Gallagher, Durkan and Bargreen (by Executive request):

An Act relating to elections; and amending section 3091, Code of 1881, section 10, chapter 156, Laws of 1895, and RCW 29.54.050.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Bill No. 480**, by Senators Hallauer and Foley (by Executive request):

An Act adopting the budget and making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1961, and ending June 30, 1963.

Referred to Committee on Ways and Means.

**Senate Bill No. 481**, by Senators Hallauer and Foley (by Executive request):

An Act providing for the financing of capital improvement projects from the proceeds of a bond issue repayable from a portion of the retail sales tax and such additional means as the legislature may provide.

Referred to Committee on Ways and Means.

**Senate Bill No. 482**, by Senators Washington, Foley and Hallauer (by Executive request):

An Act relating to highways; making appropriations, re-appropriations, and supplemental appropriations for the operation of the state highway commission and the Washington toll bridge authority and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 483**, by Senators Hallauer and Foley (by Executive request):

An Act adopting the capital budget and making appropriations for capital improvements for the fiscal biennium beginning July 1, 1961, and ending June 30, 1963.

Referred to Committee on Ways and Means.

**Senate Bill No. 484**, by Senators Hallauer and Foley (by Executive request):

An Act relating to education; providing funds for the construction of public school plant facilities; authorizing the issuance and sale of limited obligation bonds of the state and providing ways and means to pay said bonds; continuing the imposition of taxes; prescribing the powers and duties of certain officers; making an appropriation; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 485**, by Senators Durkan, Cooney and Petrich:

An Act relating to statements and publications concerning credit ratings

or financial responsibility; and adding a new section to chapter 183, Laws of 1949 and to chapter 49.60 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 486**, by Senator Washington:

An Act relating to crimes; defining crime of conspiracy against governmental entities; increasing penalties for certain collusion; amending section 3, chapter 12, Laws of 1921 and RCW 9.18.140; adding a new section to chapter 249, Laws of 1909 and to chapter 9.22 RCW; and providing penalties.

Referred to Judiciary Committee.

**Senate Bill No. 487**, by Senator Washington:

An Act relating to the obstruction of justice; amending section 420, chapter 249, Laws of 1909 and RCW 9.69.060; amending section 110, chapter 249, Laws of 1909 and RCW 9.69.070; amending section 1, chapter 17, Laws of 1901 as amended by section 111, chapter 249, Laws of 1909 and RCW 9.69.080; amending section 115, chapter 249, Laws of 1909 and RCW 9.69.090; and providing penalties.

Referred to Judiciary Committee.

**Senate Bill No. 488**, by Senator Washington:

An Act prescribing the limitations on criminal prosecution; and amending section 2, chapter 28, Laws of 1891 as amended by section 1, chapter 12, Laws of 1937 and RCW 10.01.020.

Referred to Judiciary Committee.

#### MOTION

On motion of Senator Washington, the rules were suspended and the names of Senators Petrich and Raugust were added as sponsors to Senate Bills Nos. 486, 487 and 488.

**Senate Bill No. 489**, by Senator Washington:

An Act relating to irrigation districts; permitting certain districts to become irrigation and rehabilitation districts; and adding a new chapter to Title 87 RCW.

Referred to Committee on Natural Resources.

#### MOTION

On motion of Senator Washington, the rules were suspended and the name of Senator Raugust was added as sponsor to Senate Bill No. 489.

**Senate Joint Memorial No. 20**, by Senator McCormack:

Memorializing Congress to modify the income tax for agricultural producers.

Referred to Committee on Agriculture and Horticulture.

**Senate Joint Memorial No. 21**, by Senators Hofmeister, Cooney, Herrmann, Rasmussen, Angevine, Papajani, Morgan, Keefe, Gissberg, Greive, Nunamaker, Kupka, Donohue, Sandison, Henry, Knoblauch and McCormack:

Relating to proposed merger of railroads.

#### MOTIONS

On motion of Senator Greive, the rules were suspended and additional names were added as sponsors of Senate Joint Memorial No. 21.

On motion of Senator Greive, the rules were suspended and Senate Joint

Memorial No. 21 was advanced to second reading and read the second time in full.

On motion of Senator Hofmeister, the rules were suspended, Senate Joint Memorial No. 21 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Senators Hofmeister, Kupka and Nunamaker demanded the previous question and the demand was sustained.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 21, and the memorial passed the Senate by the following vote: Yeas, 34; nays, 15; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Sandison, Talley, Washington, Woodall—34.

Those voting nay were: Senators Bargreen, Chytil, Cowen, Elway, Jr., Foster, Freise, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr.—15.

Senate Joint Memorial No. 21, having received the constitutional majority was declared passed.

#### NOTICE OF RECONSIDERATION

Senator Woodall, having voted on the prevailing side, gave notice that on the next legislative day he would move for reconsideration of the vote by which Senate Joint Memorial No. 21 passed the Senate.

#### PERSONAL PRIVILEGE

Senator Riley:

"My point of personal privilege on which I wish to speak is the fact that while I hate to say it, and I reluctantly do so in this instance, there was a bit of railroading done on this bill.

"I would like to call to your attention, Mr. President, that what has just now happened is indicated by a negative vote. This bill was rushed through without an opportunity to debate the question. While there was one negative vote, debate should be allowed.

"There is another division of opinion on this subject. Keep in mind, members of the Senate, that the Interstate Commerce Commission is the only one that can make these decisions. They are the ones to decide on these mergers. There are mergers going on every day in America. The present example is the corner grocery store." (Interruption.)

#### POINT OF ORDER

Senator Rasmussen:

"Mr. President, would this be classed under 'Personal privilege'? It sounds more like debate to me."

#### MOTION

Senator Greive:

"I move that the rules be suspended in order that Senator Riley might be allowed the privilege of making his speech."

Senator Riley:

"Mr. President, it is very gracious of the Senators to do this after the vote has been taken! At this time, of course, I appreciate the generosity! Even the winners do sometimes pass out something to the losers.

"In the question of the railroads, I would like for you to think for just five minutes. The railroads are on the highways today. The railroads are here in a straight jacket.

In business today, any time, you have rights. You are always allowed to get out of business, you have that right. The railroads don't have any rights. The poor railroad raised his hand for relief and did not get it.

"It has been mentioned here that we want the railroad merger prevented. Ladies and gentlemen, you have two choices. You have either the choice of merger or bankruptcy."

#### PERSONAL PRIVILEGE

Senator Raugust:

"I just want to object to the method that was used today in acting on as important a measure as this memorial."

The Secretary read:

**Senate Joint Resolution No. 33**, by Senators DeGarmo, Martin and Henry: Naming the dam across Deschutes waterway as George Yantis Dam.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Senate Joint Resolution No. 34**, by Senators Riley and Papajani: Commending House Un-American activities committee.

#### MOTION

Senator Riley moved that the rules be suspended, Senate Joint Resolution No. 34 be advanced to second reading, and read the second time in full.

A division was requested, and the motion lost on a rising vote.

Referred to Committee on State Government, Military Affairs and Civil Defense.

The Secretary read:

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Re-Engrossed House Bill No. 207**, by Representatives Avey, Meyers, Jr., and Henry:

An Act relating to the state aeronautics commission; and amending section 4, chapter 165, Laws of 1947 and RCW 14.04.040.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Engrossed House Bill No. 250**, by Representatives Pence, Taylor and McDougall (by Departmental request):

An Act relating to dairies and dairy products; repealing sections 15.32.020, 15.32.030, 15.32.040 and 15.32.050, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.32.020, 15.32.030, 15.32.040 and 15.32.050 and constituting the same as rules of the department of agriculture; amending section 15.32.100, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.32.100; repealing section 15.32.290, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.32.290; amending section 15.32.390, chapter ....., Laws of 1961 (House Bill No. 1), and RCW 15.32.390 and adding two new sections to chapter ....., Laws of 1961 (House Bill No. 1), and chapter 15.32 RCW.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 260**, by Representatives Klein, Litchman, Jr. and England:

An Act relating to disability and group disability insurance policies; and adding a new section to chapter 79, Laws of 1947 and chapter 48.18 RCW; and to chapter 79, Laws of 1947 and chapter 48.21 RCW.

Referred to Committee on Insurance.

**House Bill No. 266**, by Representatives Marsh, Morrissey and Olsen:

An Act relating to group health care and services and/or group insurance for county employees; and amending section 1, chapter 51, Laws of 1955, as amended by section 1, chapter 106, Laws of 1957, and RCW 36.32.400.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 283**, by Representatives Beierlein, Garrett and Shropshire (by Departmental request):

An Act relating to highways; prohibiting the deposit of glass, tacks, or other injurious objects and discarded matter thereon; providing a penalty; and amending section 1, chapter 36, Laws of 1909 as amended by section 1, chapter 73, Laws of 1931, and RCW 9.61.120.

Referred to Committee on Highways.

**House Bill No. 303**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to motor vehicles; amending section 46.16.135, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.16.135.

Referred to Committee on Highways.

**House Bill No. 304**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to motor vehicle excise tax; amending sections 82.44.050 and 82.44.060, chapter ....., Laws of 1961 and RCW 82.44.050 and 82.44.060.

Referred to Committee on Highways.

**House Bill No. 319**, by Representatives Avey, Goldsworthy and DeJarnatt (by Departmental request):

An Act relating to aeronautics; increasing the membership of the state aeronautics commission; and amending section 3, chapter 165, Laws of 1947 and RCW 14.04.030.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Engrossed House Bill No. 333**, by Representatives Pritchard, Litchman, Jr. and Klein:

An Act relating to educational, religious, benevolent, and charitable societies; and adding new sections to chapter 24.08 RCW.

Referred to Judiciary Committee.

**Substitute House Bill No. 345**, by Committee on Education:

An Act relating to education; establishing an educational research and information center; and adding a new chapter to Title 28 RCW.

Referred to Committee on Education.

**Engrossed House Bill No. 387**, by Representatives Witherbee, Ackley and Day:

An Act relating to ambulances and the drivers thereof; prescribing certain qualifications for drivers and certain equipment for ambulances; and amending section 1, chapter 65, Laws of 1945, and RCW 70.54.060.

Referred to Committee on Labor and Industrial Insurance.

**House Bill No. 390**, by Representatives Conner and McFadden:

An Act relating to state parks and recreation; and providing for the establishment and development of Juan de Fuca state park.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**House Bill No. 415**, by Representatives Olsen, Ackley and Morrissey:

An Act authorizing sewer districts and water districts to enter into contracts to provide health care services and/or group insurance for their employees; adding a new section to chapter 210, Laws of 1941 and to chapter 56.08 RCW; and adding a new section to chapter 114, Laws of 1929 and to chapter 57.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 448**, by Representatives Kink, Hood and King:

An Act relating to reef net fishing areas; and amending section 2, chapter 276, Laws of 1955, as amended by section 1, chapter 309, Laws of 1959 and RCW 75.12.140.

Referred to Committee on Fisheries, Game and Game Fish.

**Engrossed House Joint Resolution No. 16**, by Representatives Brouillet, Uhlman and Leland:

Authorizing school districts, port districts, cities and towns to exceed 40 mill limit.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Engrossed House Concurrent Resolution No. 12**, by Representatives Campbell, Morphis and Uhlman:

Requesting Fort George Wright be used for educational purposes.

Referred to Committee on Higher Education and Libraries.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Mr. President, have we completed the introduction and first reading calendar for today?"

#### RULING OF THE PRESIDENT

The President:

"The Senate should revert to the second order of business for the purpose of receiving reports of standing committees."

The President stated the question before the Senate to be the confirmation of the gubernatorial appointment of Mr. Paul Coughlin to the State Personnel Board.

The Secretary read:

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense to whom was referred the Governor's appointment of Paul Coughlin, Seattle, to the State Personnel Board, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1963, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

#### APPOINTMENT OF PAUL COUGHLIN

Senator Greive moved that the report of the committee be adopted and that the appointment of Paul Coughlin as a member of the State Personnel Board be confirmed.

The Secretary called the roll and the appointment of Paul Coughlin as a member of the State Personnel Board was confirmed by the following vote: Yeas, 36; nays, 13; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Washington—36.

Those voting nay were: Senators Chytil, Elway, Jr., Foster, Freise, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—13.

Having received the approval of the Senate, the appointment of Paul Coughlin as a member of the State Personnel Board was confirmed.

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of Robert L. Greenhalgh, Snohomish, to the Washington State Aeronautics Commission, appointed January 24, 1961, effective January 24, 1961, for the term ending December 31, 1965, succeeding himself, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

#### APPOINTMENT OF ROBERT L. GREENHALGH

Senator Greive moved that the report of the committee be adopted and that the appointment of Robert L. Greenhalgh to the Washington State Aeronautics Commission be confirmed.

The Secretary called the roll and the appointment of Robert L. Greenhalgh to the Washington State Aeronautics Commission was confirmed by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—48.

Those absent or not voting were: Senator Washington—1.

Having received the approval of the Senate, the appointment of Robert L. Greenhalgh to the Washington State Aeronautics Commission was confirmed.

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of DeWitt C. Rowland, Tacoma, to the Washington State Aeronautics Commission, appointed January 24, 1961, effective January 24, 1961, for the term ending December 31, 1964, succeeding H. R. Nichols, term expired, have had the same under consideration, and we respectfully

report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

#### APPOINTMENT OF DeWITT C. ROWLAND

Senator Rasmussen moved that the report of the committee be adopted and that the appointment of DeWitt C. Rowland to the Washington State Aeronautics Commission be confirmed.

The Secretary called the roll and the appointment of DeWitt C. Rowland to the Washington State Aeronautics Commission was confirmed by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Foley, Gissberg, Happy, Neill, Papajani, Petrich, Raugust—7.

Having received the approval of the Senate, the appointment of DeWitt C. Rowland to the Washington State Aeronautics Commission was confirmed.

Senate Chamber,

Olympia, Wash., February 9, 1961.

#### MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of Benjamin F. Smith, Kent, to the Washington State Aeronautics Commission, appointed January 24, 1961, effective January 24, 1961, for the term ending December 31, 1963, succeeding himself, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

#### APPOINTMENT OF BENJAMIN F. SMITH

Senator Rasmussen moved that the report of the committee be adopted and that the appointment of Benjamin F. Smith to the Washington State Aeronautics Commission be confirmed.

The Secretary called the roll and the appointment of Benjamin F. Smith to the Washington State Aeronautics Commission was confirmed by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Gallagher, Gissberg, Nunamaker, Papajani, Raugust, Riley—6.

Having received the approval of the Senate, the appointment of Benjamin F. Smith to the Washington State Aeronautics Commission was confirmed.

## MOTIONS

On motion of Senator Greive, the Call of the Senate was dispensed with.

Senator Greive moved that further confirmation of the gubernatorial appointments be held and considered as a Special Order of Business prior to the second reading calendar for tomorrow, and the Senate do now consider the calendar of the day.

The motion was carried.

## SECOND READING OF BILLS

**House Bill No. 94**, by Representatives Bernethy, King and Wintler (by Departmental request):

Increasing amount of deposit or bond to assure compliance with forest practices.

The bill was read the second time by sections.

On motion of Senator McCormack, the following amendment was adopted:

In section 1, page 1, line 22, before "dollars" strike "thirty-two" and insert "twenty-four"

On motion of Senator McCormack, the following amendment was adopted:

In section 1, page 2, line 25, before "dollars" strike "thirty-two" and insert "twenty-four"

On motion of Senator McCormack, the rules were suspended, House Bill No. 94, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 94, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Connor, Gissberg, Nunamaker, Raugust—4.

House Bill No. 94, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 16**, by Senators Talley, Riley and Freise (by Legislative Council request):

Relating to annexation of territory to cities.

The bill was read the second time by sections.

On motion of Senator Hess, the following amendment was adopted:

In new section 3, page 3, line 8, after "is less than" strike "fifty acres, or less than two hundred fifty thousand" and insert the following: "ten acres and less than two hundred thousand"

On motion of Senator Herrmann, the following amendments were adopted:

In new section 2, page 2, line 31, after subsection (3) insert a new subsection reading as follows: "(4) The chairman or chairmen of the board of school directors of any or all school districts situated in whole or in part of the area to be annexed."

In new section 2, page 2, strike all of the material in lines 32 and 33 and insert the following: "An additional member to be designated by a majority of the members above designated, who shall be a resident of and a property owner"

Senator Herrmann moved the adoption of the following amendment:

In new section 3, page 3, line 14, strike the period after "with" and insert the following: " : *Provided*, That a majority of school directors of any and all school districts situated in whole or in part of the area to be annexed may file with the mayor a request that review proceedings shall be held in which case a review board shall be convened and the review procedures of this act shall be carried out."

Senator Woodall moved that Senate Bill No. 16 be ordered to retain its place on the second reading calendar for the 17th of February.

A division was requested, and the motion was lost on a rising vote.

The President stated the question before the Senate to be the adoption of the amendment proposed by Senator Herrmann.

A division was requested, and the amendment was not adopted on a rising vote.

Senator Greive moved that Senate Bill No. 16 be ordered to take its place at the end of the second reading calendar for today.

A division was requested, and the motion carried on a rising vote.

#### MOTION

On motion of Senator Gallagher, the Senate immediately considered Senate Bill No. 382 on the second reading calendar.

Senator Greive demanded a Call of the Senate, which was sustained by Senators Martin and Herrmann.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Grieve, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded with consideration of Senate Bill No. 382 on second reading, subject to roll call.

**Senate Bill No. 382**, by Senators Herrmann, Connor, DeGarmo and Thompson, Jr.:

Relating to state liquor control board.

Senator Moriarty moved the following amendment be adopted:

In section 1, page 1, line 14, after the parenthesis and before the word "the" on line 15, strike "Immediately after this 1961 act takes effect" and insert "On January 15, 1964"

Senator Gallagher moved that the amendment proposed by Senator Moriarty be tabled.

The motion carried, and the amendment was tabled.

Senator Herrmann moved that the rules be suspended, Senate Bill No. 382 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A division was requested.

The motion carried on a rising vote, and Senate Bill No. 382 was placed on final passage.

Debate ensued.

The Secretary called the roll on the final passage of Senate Bill No. 382,

and the bill passed the Senate by the following vote: Yeas, 30; nays, 19; absent or not voting, 0.

Those voting yea were: Senators Angevine, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Papajani, Sandison, Thompson, Jr.—30.

Those voting nay were: Senators Bailey, Bargreen, Chytil, Elway, Jr., Happy, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Talley, Washington, Woodall—19.

Senate Bill No. 382, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, the Call of the Senate was dispensed with.

#### PRESIDENT'S PRIVILEGE

The President introduced a group of students from Forks High School visiting with the principal, Mr. Hall. The group was asked to stand and be recognized, along with Senator Gordon Sandison.

#### MOTIONS

On motion of Senator Gallagher, the Senate Hearing Room was granted to be used by the League of Women Voters while the Senate was in session.

On motion of Senator Greive, Senate Bill Nos. 16, 31, 38, 280, 218, 22, 354, 148, 149, 369, 250 and 210 were ordered to retain their places on the second reading calendar for Friday, February 17, 1961.

#### PERSONAL PRIVILEGE

Senator Papajani announced that the cigars being distributed were through the courtesy and with the compliments of State Representative Bill Chatalas on the passage of his first bill yesterday.

#### MOTION

At 1:10 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m. on Friday, February 17, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTIETH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH, Friday, February 17, 1961

The Senate was called to order at 10:00 a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Freise and Rasmussen.

On motion of Senator Happy, Senator Freise was excused.

The Color Guard, consisting of Pages Joe Abel, Color Bearer, and Susan Harris, presented the Colors.

Reverend Homer Kimmel, Pastor of the Church of the Brethren of Olympia, offered prayer as follows:

"O God, the Father of all people, we thank Thee for the heritage that has been given to us in this country.

"We remember leaders whose wisdom has saved us, whose devotion has challenged us, and whose depth of character has inspired us.

"Steady our hands to grasp the torch which they have handed to us.

"We thank Thee, too, O God, for the richness of our countrysides and the wealth of our resources. Grant us insight and vision that we may be wise in carrying out our trusteeship for the state.

"Speak to us through conscience. Startle us out of our complacency. Summon us to ideals that we may have forgotten, and give us a profound sense of obligation and responsibility.

"Save us, we pray, from the perils of mishandled power. Deepen in us the determination to serve the people we represent with equity and justice for all. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS

#### MOTION FOR RECONSIDERATION

Senator Woodall:

"Having given notice yesterday, I move that the Senate do now reconsider the vote by which Senate Joint Memorial No. 21 passed the Senate."

Senators Keefe, Greive and Papajani demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

Debate ensued.

Senator Greive demanded the previous question, and the demand was sustained by Senators Hofmeister and Herrmann.

The President stated the question before the Senate to be, shall the main question be now put, and the previous question was ordered.

The President stated the question to be that the Senate do now reconsider the vote by which Senate Joint Memorial No. 21 passed the Senate.

On motion of Senator Greive, the rules were suspended, in order that Senator Riley be allowed to speak.

#### POINT OF INQUIRY

Senator Riley:

"In your remarks, Senator Hofmeister, just now you stated that the memorial provided that the Congress take a good look at railroad consolidation. My question is: Is it not a fact, Senator Hofmeister, that your memorial, in written form, stated that there should not be a consolidation?"

Senator Hofmeister:

"What is that?"

Senator Riley:

"I guess I was right."

Senator Hofmeister:

"Yesterday, Senator Riley accused me of railroading the railroads, and yesterday I . . . (Interruption)."

The previous question having been ordered by the Senate, the President stated the question before the Senate to be, shall the Senate reconsider the vote by which Senate Joint Memorial No. 21 passed the Senate.

A division was requested.

Senator Riley demanded a roll call, which was sustained by Senators Chytil, Hallauer, Elway, Jr., Happy, Lennart, Moriarty, Jr., Neill, Raugust and Ryder.

On motion of Senator Greive, Senator Hess was excused under the Call of the Senate.

The Secretary called the roll on the motion to reconsider the vote by which Senate Joint Memorial No. 21 passed the Senate, and the motion lost by the following vote: Yeas, 17; nays, 30; absent and excused, 2.

Those voting yea were: Senators Chytil, Cowen, Donohue, Elway, Jr., Foster, Hallauer, Happy, Lennart, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—17.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Sandison, Talley, Washington—30.

Those absent and excused were: Senators Freise, Hess—2.

#### MOTIONS

On motion of Senator McCutcheon, the Committee on Constitution, Elections and Legislative Processes was ordered relieved of further consideration of Senate Joint Resolution Nos. 31 and 32.

On motion of Senator McCutcheon, Senate Joint Resolution Nos. 31 and 32 were referred to the Committee on Ways and Means.

On motion of Senator Greive, the Call of the Senate was dispensed with.

#### PRESIDENT'S PRIVILEGE

The President introduced fifty-two youngsters from Rochester School District. These sixth grade students from Grand Mound School were under

the direction of Mr. Creigh Campbell and Mrs. Lorraine Cooper, and were introduced at the request of Senator DeGarmo.

The President introduced, at the request of Senator Dore, eighty-one students and their teachers, Mr. Berge and Mr. Hoges, from Garfield High School and Washington Junior High School, of Seattle.

At the request of Senator Mike McCormack, fifty-two eighth grade students from Kiona-Benton City Junior High School were introduced, along with their teachers, Mrs. Biggs, Mrs. Holcomb, Mr. and Mrs. Pendleton, and Reverend Baldwin.

At the request of Senator Nunamaker, seventy-six Bellingham High School students, under the direction of Emil Hagon and Robert Safstem, were introduced.

A group of college students from Olympic College and Bremerton schools were introduced at the request of Senator Morgan.

#### RULING OF THE PRESIDENT

The President advised the members of the Senate that due to the great length of the calendar and the large number of bills, he must refuse to take any more requests for introductions unless a break in the proceedings should occur.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 4; also

Engrossed Senate Bill No. 95; also

Senate Bill No. 98; also

Engrossed Senate Bill No. 140; also

Senate Bill No. 254; also

Senate Joint Memorial No. 1, have compared same with the original and engrossed bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

#### Senate Bill No. 274:

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 274, relating to subsistence allowance for state officials and employees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Bill No. 285:

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 285, establishing liens for contributions to employee benefit

plans, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 321** (reported by Committee on State Government, Military Affairs and Civil Defense):

Do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 455:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Senate Bill No. 455, relating to sales of liquor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 455 be substituted therefor and that the substitute bill do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: Howard Bargreen, John L. Cooney, Victor F. DeGarmo, Martin J. Durkan, Michael J. Gallagher, John H. Happy, Al Henry, Louis E. Hofmeister, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani, Edward F. Riley.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

I, a minority of your Committee on Liquor Control, to whom was referred Senate Bill No. 455, relating to sales of liquor, have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that the attached Substitute Senate Bill No. 455 do not pass. ...., *Chairman*.

I concur in this report: W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 216** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 168** (reported by Committee on Higher Education and Libraries): Do pass as amended.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, John H. Happy, Mike McCormack, Frances Haddon Morgan, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 17, 1961.

**MR. PRESIDENT:**

The Speaker has signed: House Bill No. 13; also  
House Bill No. 40; also  
House Bill No. 190, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 16, 1961.

**MR. PRESIDENT:**

The House has passed: Senate Bill No. 4; also  
Engrossed Senate Bill No. 95; also  
Senate Bill No. 98; also  
Engrossed Senate Bill No. 140; also  
Senate Bill No. 254; also  
Senate Joint Memorial No. 1, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 16, 1961.

**MR. PRESIDENT:**

The House has passed: Engrossed House Bill No. 37; also  
Engrossed House Bill No. 136; also  
Engrossed House Bill No. 163; also  
House Bill No. 328; also  
House Bill No. 336; also  
House Bill No. 337; also  
Engrossed House Bill No. 356, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President has signed: Senate Bill No 4; also**  
**Senate Bill No. 95; also**  
**Senate Bill No. 98; also**  
**Senate Bill No. 140; also**  
**Senate Bill No. 254; also**  
**Senate Joint Memorial No. 1; also**  
**House Bill No. 13; also**  
**House Bill No. 40; also**  
**House Bill No. 190.**

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS, AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 490**, by Senators Dore, Moriarty, Jr. and Ryder:

An Act relating to school districts; and amending section 2, chapter 229, Laws of 1953 as last amended by section 3, chapter 262, Laws of 1959, and RCW 28.56.020; section 5, chapter 229, Laws of 1953 as last amended by section 5, chapter 262, Laws of 1959, and RCW 28.56.040; and section 6, chapter 229, Laws of 1953 as last amended by section 7, chapter 262, Laws of 1959, and RCW 28.56.060; and adding a new section to chapter 262, Laws of 1959 and chapter 28.56 RCW; and declaring an emergency.

Referred to Committee on Education.

**Senate Bill No. 491**, by Senator Washington:

An Act relating to highways and the operation of vehicles thereon; describing powers and duties of the Washington state highway commission, the Washington state toll bridge authority; and the interim committee on highways, streets and bridges, establishing and designating certain highways; providing for surveys and studies of proposed highway additions and proposed toll facilities; prescribing fees for certain motor vehicles; making appropriations; and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 492**, by Senator Washington:

An Act relating to the health and safety of persons employed underground; prescribing penalties; amending sections 1, 31 and 32, chapter 194, Laws of 1941 and RCW 49.24.080, 49.24.370 and 49.24.380; and declaring an emergency.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 493**, by Senators Riley and Shannon:

An Act relating to cities of the first class owning and operating public transportation systems; and authorizing the levy and collection of an annual excise tax upon owners or users of passenger motor vehicles therein for the use and benefit of such system.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 494**, by Senators Kupka, Herrmann and Thompson, Jr.:

An Act relating to cities and towns and authorizing the investment of certain pension funds in certain securities; and amending section 2, chapter 92, Laws of 1943 as amended by section 1, chapter 275, Laws of 1951, and RCW 35.39.040.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 495**, by Senator Washington:

An Act relating to state parks; establishing a prehistoric and stone age museum; and making an appropriation.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Senate Bill No. 496**, by Senator Gissberg:

An Act relating to the Washington state teachers' retirement system; and amending section 31, chapter 80, Laws of 1947 as amended by section 12, chapter 274, Laws of 1955 and RCW 41.32.310.

Referred to Committee on Social Security.

**Senate Bill No. 497**, by Senator Bargreen:

An Act relating to state government; and adding a new section to chapter 46.16 RCW.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 498**, by Senators Cooney and Durkan:

An Act relating to alcoholic beverages; prescribing a penalty; and adding a new section to chapter 62, Laws of 1933 extraordinary session and to chapter 66.28 RCW.

Referred to Committee on Liquor Control.

**Senate Bill No. 499**, by Senators Cooney and Durkan:

An Act relating to parks and recreation and the state parks and recrea-

tion commission; and amending section 10, chapter 7, Laws of 1921 as last amended by section 1, chapter 271, Laws of 1947, and RCW 43.51.020.

On motion of Senator DeGarmo, Senate Bill No. 499 was referred to the Committee on Capitol Grounds, Public Buildings and Parks.

**Senate Bill No. 500**, by Senators Talley, Elway, Jr. and Connor:

An Act relating to county officers' salaries; and amending section 3, chapter 219, Laws of 1957 and RCW 36.17.020; and section 4, chapter 219, Laws of 1957 and RCW 36.16.032; and repealing section 1, chapter 215, Laws of 1953 and RCW 36.17.025.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 501**, by Senators Angevine, Henry and Bailey:

An Act relating to unemployment compensation; amending section 80, chapter 35, Laws of 1945, as last amended by section 2, chapter 321, Laws of 1959 and RCW 50.20.120.

Referred to Committee on Social Security.

**Senate Bill No. 502**, by Senators Kupka, Greive and Thompson, Jr.:

An Act relating to fireworks; providing penalties; making an appropriation; repealing sections 1 through 11, chapter 174, Laws of 1951 as amended by sections 1 through 4, chapter 34, Laws of 1953 and RCW 70.77.010 through 70.77.110; and declaring an emergency.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 503**, by Senators Gallagher, Moriarty, Jr. and Riley:

An Act relating to municipal courts; and amending section 15, chapter 290, Laws of 1955 and RCW 35.20.150.

Referred to Judiciary Committee.

**Senate Bill No. 504**, by Senators Talley, Elway, Jr. and Bailey:

An Act relating to cities and towns and providing revenues therefor; adding two new sections to chapter 35.21 RCW; and amending section 1, chapter 98, Laws of 1929, as amended by section 1, chapter 96, Laws of 1939 and RCW 35.27.510.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 505**, by Senators Washington, Hallauer and Morgan:

An Act relating to toll bridges and ferries and the financing thereof; and making an appropriation.

Referred to Committee on Highways.

**Senate Bill No. 506**, by Senators Washington, Hallauer and Morgan:

Modifying licensing fees, accounts, relating to motor vehicles, highway commission and toll bridge authority.

Referred to Committee on Highways.

**Senate Bill No. 507**, by Senator Sandison:

An Act relating to certain public lands; and requiring information to be posted thereon.

Referred to Committee on Natural Resources.

**Senate Bill No. 508**, by Senators Foster, Hofmeister and Herrmann:

An Act relating to port and local utility districts; and amending section 1, chapter 87, Laws of 1941 and RCW 53.48.010.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 509**, by Senator Bargreen:

An Act relating to cities and towns; and amending section 154, page 201, Laws of 1890, as last amended by section 4, chapter 378, Laws of 1955, and RCW 35.27.370.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 510**, by Senator Hallauer:

An Act relating to state government; creating the office of auditor general; abolishing the office of state auditor; transferring powers, duties and functions; prescribing powers and duties; providing for the transfer and disposition of funds; making an appropriation; and declaring an emergency.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 511**, by Senator Gissberg:

An Act regulating judicial business; defining "nonjudicial days;" and amending section 2, chapter 51, Laws of 1927, as amended by section 1, chapter 54, Laws of 1933, and RCW 2.28.100.

Referred to Judiciary Committee.

**Senate Bill No. 512**, by Senator Henry:

An Act relating to food and beverage service workers' permits; and amending section 4, chapter 197, Laws of 1957 and RCW 69.06.040.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 513**, by Senators Hofmeister, Foster and Knoblauch:

An Act relating to the Naches Pass toll tunnel and highway; and making an appropriation.

Referred to Committee on Highways.

**Senate Bill No. 514**, by Senators Washington, Petrich and Raugust:

An Act relating to grand juries.

Referred to Judiciary Committee.

**Senate Bill No. 515**, by Senator Hess:

An Act relating to education; and amending section 18, chapter 266, Laws of 1947 and RCW 28.57.200.

Referred to Committee on Education.

**Senate Bill No. 516**, by Senator Talley:

An Act relating to revenue and taxation; and amending section 82.12.030, chapter 15, Laws of 1961 and RCW 82.12.030.

Referred to Committee on Ways and Means.

**Senate Bill No. 517**, by Senator Gissberg:

An Act relating to education and the consolidation of county superintendents' offices; and adding three new sections to chapter 157, Laws of 1955 and to chapter 28.29 RCW.

Referred to Committee on Education.

**Senate Bill No. 518**, by Senator Washington:

An Act relating to criminal procedure; providing for the service of subpoenas in foreign countries to compel witnesses to appear and testify before a grand jury, and in criminal proceedings, and providing penalties for failure to appear and testify.

Referred to Judiciary Committee.

**Senate Bill No. 519**, by Senator Washington:

An Act relating to public works and contracts; and adding a new chapter to Title 39 RCW, as set forth in sections 2 through 6 of this amendatory act.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 520**, by Senator Gallagher:

An Act relating to alcoholic beverages; repealing section 8, chapter 172, Laws of 1939 and RCW 66.28.030; and adding a section to chapter 66.28 RCW.

Referred to Committee on Liquor Control.

**Senate Bill No. 521**, by Senator Washington:

An Act relating to motor vehicles and the licensing of operators thereof; amending section 46.20.030, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.030; amending section 46.20.070, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.070; adding three new sections to chapter 46.20 RCW; and amending section 46.20.110, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.20.110.

Referred to Committee on Highways.

**Senate Bill No. 522**, by Senator Washington:

An Act relating to public officers and employees; regulating their conduct; prohibiting certain conduct, with certain exceptions; and adding a new chapter to Title 42 RCW.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 523**, by Senator DeGarmo:

An Act relating to beavers; amending section 77.20.010, chapter 36, Laws of 1955 and RCW 77.20.010; amending section 77.20.020, chapter 36, Laws of 1955 and RCW 77.20.020; amending section 77.20.030, chapter 36, Laws of 1955 and RCW 77.20.030; amending section 77.20.040, chapter 36, Laws of 1955 and RCW 77.20.040; amending section 77.20.045, chapter 36, Laws of 1955 and RCW 77.20.045; amending section 77.20.050, chapter 36, Laws of 1955 and RCW 77.20.050; amending section 77.32.190, chapter 36, Laws of 1955 as amended by section 11, chapter 176, Laws of 1957, and RCW 77.32.190; adding two new sections to chapter 36, Laws of 1955 and chapter 77.20 RCW; and providing penalties.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 524**, by Senator Washington:

An Act relating to surety bonds for certain public officers; and adding two new sections to chapter 42.08 RCW.

Referred to Judiciary Committee.

**Senate Bill No. 525**, by Senator DeGarmo:

An Act relating to powers of game commission in connection with rodent control and amending section 77.12.040, chapter 36, Laws of 1955 and RCW 77.12.040.

Referred to Committee on Fisheries, Game and Game Fish.

**Senate Bill No. 526**, by Senator Gallagher:

An Act relating to commercial driving schools; and prescribing penalties.

## MOTIONS

On motion of Senator Gallagher, Senate Bill No. 526 was ordered referred to the Committee on Commerce, Manufacturing and Licenses.

On motion of Senator Washington, the names of Senators Petrich and Raugust were added as sponsors of Senate Bill Nos. 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525 and 526.

**Senate Bill No. 527**, by Senator Washington:

An Act authorizing full time prosecuting attorneys in second, third, fourth, fifth, sixth, seventh, eighth and ninth class counties on a permissive basis and setting the salaries therefor.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 528**, by Senator Elway, Jr.:

An Act relating to budget procedures for local government.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 529**, by Senators McCormack and Foster:

An Act relating to state and local government; fixing salaries of elective state officers and judges; establishing a citizens' committee on salaries; amending section 1, chapter 48, Laws of 1949 as amended by section 1, chapter 316, Laws of 1959 and RCW 43.03.010; amending section 1, chapter 144, Laws of 1953 as amended by section 1, chapter 260, Laws of 1957 and RCW 2.04.090; amending section 2, chapter 144, Laws of 1953 as amended by section 2, chapter 260, Laws of 1957 and RCW 2.08.090; and declaring an effective date.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 530**, by Senator Bargreen:

An Act relating to the leasing of county property; and amending section 1, chapter 134, Laws of 1957 and RCW 36.34.145.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 531**, by Senators Cooney, Herrmann, Woodall and Durkan:

An Act relating to intoxicating liquor; and amending section 3, chapter 5, Laws of 1949, and RCW 66.24.420.

Referred to Committee on Liquor Control.

On motion of Senator Cooney, the rules were suspended, and the name of Senator Durkan was added as a sponsor of Senate Bill No. 531.

**Senate Bill No. 532**, by Senators Kupka, Thompson, Jr. and Cooney:

An Act relating to excise taxation; amending sections 82.36.020 and 82.36.100, chapter 15, Laws of 1961 and RCW 82.36.020 and 82.36.100; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.68 RCW.

Referred to Committee on Highways.

**Senate Bill No. 533**, by Senator Riley:

An Act relating to unemployment compensation; eliminating the double-dip; and amending section 80, chapter 35, Laws of 1945, as last amended by section 2, chapter 321, Laws of 1959, and RCW 50.20.120.

Referred to Committee on Social Security.

**Senate Bill No. 534**, by Senators Washington, Petrich and Raugust:

An Act relating to grand juries.

Referred to Judiciary Committee.

**Senate Bill No. 535**, by Senator Washington:

An Act relating to irrigation districts; amending section 8, page 675, Laws of 1890, section 12, page 678, Laws of 1890 as last amended by section 6, chapter 129, Laws of 1921, section 2, chapter 138, Laws of 1923 as last amended by section 1, chapter 57, Laws of 1943 and RCW 87.01.170, 87.01.210 and 87.08.080; and declaring an emergency.

Referred to Committee on Natural Resources.

**Senate Bill No. 536**, by Senator Washington:

An Act relating to state government; creating a new division in the department of the board of education; prescribing certain powers and duties of certain public officers; and adding a new section to chapter 43.63 RCW.

Referred to Committee on Education.

**Senate Bill No. 537**, by Senators Durkan and Cooney:

An Act relating to mechanics' and materialmen's liens; amending section 1, chapter 24, Laws of 1893 as last amended by section 1, chapter 279, Laws of 1959 and RCW 60.04.010.

Referred to Judiciary Committee.

**Senate Bill No. 538**, by Senator Sandison:

An Act relating to revenue and taxation, and providing for the assessment and equalization of property taxes levied on property within cities and towns.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 539**, by Senators Connor and Gallagher:

An Act relating to transportation of passengers for hire upon combination vehicles; and amending section 46.56.050, chapter 12, Laws of 1961 and RCW 46.56.050.

Referred to Committee on Public Utilities.

**Senate Bill No. 540**, by Senator Gallagher:

An Act relating to state trade fairs; providing for the disposition of certain licensees' fees paid to the state horse racing commission; amending section 9, chapter 55, Laws of 1933, as last amended by section 5, chapter 106, Laws of 1955 and RCW 67.16.100; and repealing sections 15.73.010, 15.73.020, 15.73.030 and 15.73.040, chapter 11, Laws of 1961 and RCW 15.73.010, 15.73.020, 15.73.030 and 15.73.040.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 541**, by Senator Sandison:

An Act relating to fire protection districts.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 542**, by Senator Washington:

An Act relating to evidence given by witnesses; amending section 392 of the Code of Washington of 1881 and RCW 5.60.060.

Referred to Judiciary Committee.

**Senate Bill No. 543**, by Senators Washington, Petrich and Raugust:

An Act relation to grand jury depositions.

Referred to Judiciary Committee.

**Senate Bill No. 544**, by Senators Morgan and Thompson, Jr.:

An Act relating to the practice of nursing; regulating professional nursing

and practical nursing; providing penalties; repealing sections 1 through 28, chapter 202, Laws of 1949 and RCW 18.88.010 through 18.88.280; repealing sections 1 through 7 and 9 through 19, chapter 222, Laws of 1949 and RCW 18.78.010 through 18.78.900; and providing an effective date.

Referred to Committee on Medicine and Dentistry.

**Senate Bill No. 545**, by Senators Donohue, Cooney and Herrmann (by Insurance Commissioner request):

An Act relating to standard form fire insurance policies; adding three new sections to chapter 79, Laws of 1947 and to chapter 48.18 RCW; and declaring an emergency.

Referred to Committee on Insurance.

**Senate Bill No. 546**, by Senator McCormack:

An Act relating to motor vehicles; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.16 RCW.

Referred to Committee on Cities, Towns and Counties.

#### MOTION

Senator Greive demanded a Call of the Senate, which was sustained by Senators Henry and Papajani.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

On motion of Senator Neill, Senators Woodall and Freise were excused from under the Call of the Senate.

**Senate Bill No. 547**, by Senator Dore:

An Act relating to streets and alleys in platted first class tidelands; and adding a new section to chapter 84, Laws of 1901, and to chapter 35.79 RCW.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 548**, by Senator McCormack:

An Act providing for the control or elimination of mosquitoes; and making an appropriation.

Referred to Committee on Natural Resources.

**Senate Bill No. 549**, by Senators Hallauer and Foley:

An Act relating to the construction, completion, remodeling, and equipping of buildings and facilities at the University of Washington; authorizing the board of regents thereof to construct and finance the same by the issuance of bonds; making an appropriation and a reappropriation; and declaring an emergency.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 550**, by Senators Durkan and Henry:

An Act relating to revenue and taxation; and amending section 82.08.080, chapter 15, Laws of 1961 and RCW 82.08.080.

Referred to Committee on Ways and Means.

**Senate Bill No. 551**, by Senator Dore:

An Act relating to public defenders.

Referred to Judiciary Committee.

**Senate Joint Memorial No. 22**, by Senators McMillan, Donohue and Lennart:

Memorial on foreign imports of zinc, lead and beef.

On motion of Senator McMillan, the rules were suspended, Senate Joint Memorial No. 22 was advanced to second reading, and read the second time in full.

On motion of Senator McMillan, the rules were suspended, Senate Joint Memorial No. 22 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 22, and the memorial passed the Senate by the following vote: Yeas, 42; nays, 5; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr.,—42.

Those voting nay were: Senators Hallauer, Hess, Nunamaker, Riley, Washington—5.

Those absent and excused were: Senators Freise, Woodall—2.

Senate Joint Memorial No. 22, having received the constitutional majority, was declared passed.

**Senate Joint Memorial No. 23**, by Senator Dore:

Memorial on Northwest airline strike.

Referred to Committee on Public Utilities.

#### MOTIONS

On motion of Senator Greive, Senators Lennart and McCormack were excused from under the Call of the Senate.

On motion of Senator Dore, the Senate reverted to the first order of business for the purpose of a motion.

On motion of Senator Dore, the Committee on Public Utilities was relieved of any further consideration on Senate Joint Memorial No. 23.

On motion of Senator Dore, the rules were suspended and Senate Joint Memorial No. 23 was advanced to second reading and considered immediately.

The memorial was read the second time in full.

Debate ensued.

On motion of Senator Dore, the rules were suspended, Senate Joint Memorial No. 23 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

A roll call was demanded by Senator Dore, and sustained by Senators Martin, Kupka, McCutcheon, Bailey, Talley, Connor, Rasmussen, Greive and Durkan.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 23 and the memorial passed the Senate by the following vote: Yeas, 37; nays, 8; absent and excused, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Ryder, Sandison, Talley, Thompson, Jr., Washington—37.

Those voting nay were: Senators Chytil, Cowen, Elway, Jr., Foster, Happy, Raugust, Riley, Shannon—8.

Those absent and excused were: Senators Freise, Lennart, McCormack, Woodall—4.

Senate Joint Memorial No. 23, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Greive, the Senate reverted to the sixth order of business.

**Senate Joint Memorial No. 24**, by Senators Nunamaker, Sandison, Connor, Hess and DeGarmo:

Relating to Blaine Freeway.

Referred to Committee on Highways.

On motion of Senator Greive, the rules were suspended and more than three sponsors were permitted on Senate Joint Memorial No. 24.

**Senate Concurrent Resolution No. 5**, by Senators Greive, Elway, Jr. and Hanna:

Creating joint interim committee on governmental cooperation.

On motion of Senator Hanna, the rules were suspended, Senate Concurrent Resolution No. 5 was advanced to second reading and read the second time in full.

On motion of Senator Gissberg, the following amendment was adopted:

On page 3, lines 6 and 7, after "upon" strike "funds appropriated generally by the Legislature for legislative expenses or upon"

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Concurrent Resolution No. 5 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 5, and the resolution passed the Senate by the following vote: Yeas, 47; nays, 0; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—47.

Those absent and excused were Senators Freise, Woodall—2.

Engrossed Senate Concurrent Resolution No. 5, having received the constitutional majority, was declared passed.

## MOTIONS

On motion of Senator McMillan, the Senate reverted to the first order of business for the purpose of motions.

On motion of Senator McMillan, the rules were suspended, the Committee on Natural Resources was relieved of further consideration of Senate Bill No. 476:

On motion of Senator McMillan, Senate Bill No. 476 was referred to the Committee on Air and Water Pollution Control.

On motion of Senator Greive, Senator Gallagher was excused from under the Call of the Senate.

## PARLIAMENTARY INQUIRY

Senator Rasmussen:

"Mr. President, could you advise me if we are going to have a session tonight?"

The President:

"There will be a night session convening at 8:00 o'clock p. m. this evening."

**Senate Concurrent Resolution No. 6**, by Senators Greive, Thompson, Jr. and Bailey:

Authorizing youth legislature to use legislative chambers and facilities.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 6 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 6 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage, and adopted.

## FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 37**, by Representatives Bigley, Rickdall and Adams (by Legislative Council request):

An Act relating to state government; creating a division of local affairs within the department of commerce and economic development; amending section 4, chapter 215, Laws of 1957 and RCW 43.31.040; adding four new sections to chapter 43.31 RCW; and repealing sections 1 and 2, chapter 157, Laws of 1957, and RCW 43.21.181 and 43.21.183.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Engrossed House Bill No. 136**, by Representatives Wedekind, Nicholson and Bernethy:

An Act relating to bond elections; and amending section 1, chapter 13, Laws of 1925, as amended by section 3, chapter 290, Laws of 1959, and RCW 39.40.010.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 163**, by Representatives Schaefer, Wintler and Olsen:

An Act relating to real property conveyances to be recorded; and amending section 2, chapter 278, Laws of 1927 and RCW 65.08.070.

Referred to Judiciary Committee.

**House Bill No. 328**, by Representatives Avey, Goldmark and Sawyer:

An Act relating to revenue and taxation; providing that certain real property used for airport facilities shall be exempt from taxation; and adding a new section to chapter ....., Laws of 1961 (House Bill No. 6), and chapter 84.36 RCW.

Referred to Committee on Public Utilities.

**House Bill No. 336**, by Representatives Meyers, Jr., McDougall and Clark:

An Act relating to aeronautics; and adding a new section to chapter 165, Laws of 1947 and chapter 14.04 RCW.

Referred to Committee on Public Utilities.

**House Bill No. 337**, by Representatives Klein, Burtch and Marsh:

An Act relation to family courts; and amending section 5, chapter 50, Laws of 1949 and RCW 26.12.050.

Referred to Judiciary Committee.

**Engrossed House Bill No. 356**, by Representatives Wedekind, Nicholson and Anderson:

An Act relating to crimes and punishment; and amending section 285, chapter 249, Laws of 1909 and RCW 9.66.050.

Referred to Committee on Air and Water Pollution Control.

#### MOTION

On motion of Senator Gissberg, all resolutions and memorials passed by the Senate thus far were immediately ordered transmitted to the House.

#### REPORT OF STANDING COMMITTEE

##### Gubernatorial Appointment:

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of Chester W. Ramage, Seattle, to the State Personnel Board, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1967, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Passed on Committee on Rules and Joint Rules for second reading.

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of J. Donald Sullivan, Seattle, to the Washington State Aeronautics Commission, appointed June 24, 1959, effective June 24, 1959, for the term ending December 31, 1963, succeeding himself, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

**APPOINTMENT OF J. DONALD SULLIVAN**

Senator Rasmussen moved that the report of the committee be adopted and that the appointment of J. Donald Sullivan to the Washington State Aeronautics Commission be confirmed.

The Secretary called the roll and the appointment of J. Donald Sullivan to the Washington State Aeronautics Commission was confirmed by the following vote: Yeas, 36; nays, 0; absent or not voting, 13.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Dore, Durkan, Elway, Jr., Foster, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—36.

Those absent or not voting were: Senators DeGarmo, Donohue, Foley, Freise, Gallagher, Hanna, Hess, Hofmeister, Lennart, McCormack, Nuna-maker, Papajani, Raugust—13.

Having received the approval of the Senate, the appointment of J. Donald Sullivan to the Washington State Aeronautics Commission was confirmed.

Senate Chamber,  
Olympia, Wash., February 1, 1961.

**MR. PRESIDENT:**

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred the Governor's appointment of James B. Hovis, Yakima, to the State Parks and Recreation Commission, appointed January 26, 1961, effective January 26, 1961, for the term ending December 31, 1966, succeeding Lyman J. Bunting, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

VICTOR F. DEGARMO, *Chairman.*

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, William D. Shannon, Albert C. Thompson, Jr., Nat Washington.

**APPOINTMENT OF JAMES B. HOVIS**

Senator Foster moved that the report of the committee be adopted and that the appointment of James B. Hovis to the State Parks and Recreation Commission be confirmed.

The Secretary called the roll and the appointment of James B. Hovis to the State Parks and Recreation Commission was confirmed by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foster, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Bargreen, Connor, DeGarmo, Foley, Freise, Gallagher, McCormack, McCutcheon, Neill, Papajani, Raugust—11.

Having received the approval of the Senate, the appointment of James B. Hovis to the State Parks and Recreation Commission was confirmed.

Senate Chamber,  
Olympia, Wash., February 1, 1961.

**MR. PRESIDENT:**

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred the Governor's appointment of Ted R. McTighe, Spokane, to the State Parks and Recreation Commission, appointed January 26, 1961, effective January 26, 1961, for the term ending December 31, 1966, succeeding Frank Warren,

term expired, have had the same under consideration and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

VICTOR F. DEGARMO, *Chairman.*

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, William D. Shannon, Albert C. Thompson, Jr., Nat Washington.

#### APPOINTMENT OF TED R. MCTIGHE

Senator Cowen moved that the report of the committee be adopted and that the appointment of Ted R. McTighe to the State Parks and Recreation Commission be confirmed.

The Secretary called the roll and the appointment of Ted R. McTighe to the State Parks and Recreation Commission was confirmed by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Bargreen, Connor, Durkan, Freise, Happy, McCormack, Raugust—7.

Having received the approval of the Senate, the appointment of Ted R. McTighe to the State Parks and Recreation Commission was confirmed.

#### SECOND READING OF BILLS

**Senate Bill No. 31**, by Senators Rasmussen, Talley and Foster:

Relates to cremating duties of fiscal agency in New York.

Senate Chamber,

Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, your Judiciary Committee, to whom was referred Senate Bill No. 31, relating to cremating duties of fiscal agency in New York, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, page 2, line 9, after "office," and before "such cancelled" insert "or whenever such redemption has been performed by the trustee of any revenue bond issue, and the cancelled instruments thereafter have been forwarded to said treasurer for recording,"

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendment was adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 31 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 31, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent and excused, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon—

eon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—46.

Those absent and excused were: Senators Freise, Gallagher, Woodall—3.

Engrossed Senate Bill No. 31, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 38**, by Senators Talley, Dore and Rasmussen:

Permitting the amendment of subsections of codifications of city ordinances.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 38 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 38, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—47.

Those absent and excused were: Senators Freise, Woodall—2.

Senate Bill No. 38, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 280**, by Senators Gissberg, Petrich and Elway, Jr.:

Authorizing publication of legal notices by television.

The bill was read the second time by sections.

Senator Bailey moved that the following amendment be adopted:

In section 1, page 1, line 12, restore the deleted matter in lines 12, 13 and 14.

Debate ensued.

#### POINT OF INQUIRY

Senator McCormack:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator McCormack:

"How many radio stations do we have in this state?"

Senator Petrich:

"Probably 100, I can't say for sure."

Senator McCormack:

"And TV stations?"

Senator Petrich:

"Not that many."

The President stated the question to be the adoption of the amendment by Senator Bailey to Senate Bill No. 280.

A division was requested and the amendment was not adopted on a rising vote.

On motion of Senator Petrich, the following amendment was adopted:

On page 1, section 1, line 15, after "[further]" strike all of the material down to and including "notice" on line 21 and insert the following:

"That the time, place and nature of such notice only be read or shown with no reference to any person by name then a candidate for political office, and that such [announcements] broadcasts shall be made only by duly employed personnel of the station from which such broadcasts emanate, and that [announcements] notices by political subdivisions may be made only by stations situated within the county of origin of the legal notice"

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 280 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 280, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—47.

Those absent and excused were: Senators Freise, Woodall—2.

Engrossed Senate Bill No. 280, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 218**, by Senators Hanna, Hallauer, and Elway, Jr.:

Relating to intercounty rural library districts.

The bill was read the second time by sections.

On motion of Senator Hanna, the rules were suspended, Senate Bill No. 218 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 218, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—46.

Those voting nay were: Senator Lennart—1.

Those absent and excused were: Senators Freise, Woodall—2.

Senate Bill No. 218, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 22**, by Senators Elway, Jr., Riley and Sandison (by Legislative Council request):

Relating to county cumulative reserve funds.

The bill was read the second time by sections.

On motion of Senator Elway, Jr., the rules were suspended, Senate Bill No. 22 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 22, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—47.

Those absent and excused were: Senators Freise, Woodall—2.

Senate Bill No. 22, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 354**, by Senators Herrmann, Cooney and Ryder:

Relating to savings and loan associations.

Senate Chamber,

Olympia, Wash., February 11, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Financial Institutions, to whom was referred Senate Bill No. 354, relating to savings and loan associations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 3, section 4, line 23 after "state" and before "on" insert "shall"; also after the comma following "year" and before "pay" strike "shall"

On pages 5 and 6, strike all of sections 6 and 7 and renumber section 8 to read "Sec. 6."

In line 3 of the title after the semicolon following "33.32.040" strike all the material down to and including "RCW 33.12.100;" on line 7

KARL V. HERRMANN, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Herrmann, the committee amendments were adopted.

On motion of Senator Ryder, the committee amendment to the title was adopted.

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 354 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary started to call the roll on the final passage of Engrossed Senate Bill No. 354.

**MOTION**

On motion of Senator Neill, the rules were suspended and Senator Moriarty was excused from under the Call of the Senate.

**MOTION**

Senator Greive moved that the rules be suspended and Senator Rasmussen be excused.

**PERSONAL PRIVILEGE**

Senator Hallauer:

"Mr. President, I know what the matter is. It is a matter coming up later on the second reading calendar. I know the interest of the Senator in this particular bill, and I feel strongly that he would like to be here."

The President stated the motion to be that Senator Greive had moved that the rules be suspended and Senator Rasmussen be excused from under the Call of the Senate.

**POINT OF ORDER**

Senator Hess:

"Is the motion in order, Mr. President?"

"Can a roll call be interrupted to make this motion, or for any purpose?"

Senator Greive:

"Since Senator Hallauer asked, there is no place in our rules that says you cannot interrupt roll call. To get to our rule you have to go to other rules. I can refer you specifically to Rule 28 which is the rule that says you can suspend the rules. This seems to be in order. I also suggest that you look at Rule 21."

**POINT OF INQUIRY**

Senator Hallauer:

"Mr. President, would you advise the Senate at what time it is intended to adjourn for lunch?"

The President:

"The President believes, at 1:00 o'clock p. m."

**POINT OF INQUIRY**

Senator Hallauer:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Hallauer:

"Do you feel that the matter impending can be disposed of between now and 1:00 o'clock?"

Senator Greive:

"Yes, if we have the votes."

**POINT OF INQUIRY**

Senator Riley:

"I am not sure, Mr. President, whether you ruled on a Point of Order."

The President:

"The President has not ruled yet."

Senator Riley:

"May I say this; the matter of the Point of Order regarding the interruption of roll call, the greatest precedent is past, and earlier this session we had such a precedent.

The answer then was no. Plus the interpretation of this session, plus previous precedents in other sessions, I would say, Mr. President, that on no basis, for no reason, can a roll call be interrupted."

#### RULING OF THE PRESIDENT

The President:

"This is a matter that requires some deliberation. The President, in a sense, did rule on a Point of Order and the President did say previously that the motion was in order. The President would like to study this subject, and will prepare a written ruling on the subject.

"Now, if you want an immediate ruling on this subject, the President shall retire to his chamber and make a study and it may take some time!"

#### POINT OF INQUIRY

Senator Hess:

"Mr. President, would it take about an hour?"

The President:

"That is about correct."

Senator Greive:

"Mr. President, if your ruling is that the roll call cannot be interrupted, the President cannot leave, because the Senate cannot be adjourned."

Senator Hess:

"I was going to suggest that the President may want to recess."

#### PERSONAL PRIVILEGE

Senator DeGarmo:

"I would like to inform the Senate that today we have a wonderful lunch of fried oysters, and it is very hard for even a good cook to put on a good oyster fry unless they have a little recognition too."

The President:

"The Senate will be at ease, subject to the call of the President, for approximately one hour. This does not mean that the President will give a ruling at that time."

#### AFTERNOON SESSION

The Senate was called to order at 2:00 o'clock p. m. by President Cherberg.

The Secretary continued to call the roll on the final passage of Engrossed Senate Bill No. 354, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—47.

Those absent and excused were: Senators Freise, Woodall—2.

Engrossed Senate Bill No. 354, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTIONS**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, the Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 129:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 129, changing membership of Washington toll bridge authority; modifying its powers and duties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

Senator Greive moved that Substitute Senate Bill No. 129 be substituted for Senate Bill No. 129, and the report of the committee be adopted.

**RULING OF THE PRESIDENT**

The President:

"Your motion is out of order, Senator Greive. The committee report was received and Senate Bill No. 129 was passed to the Committee on Rules and Joint Rules for second reading."

**Senate Bill No. 189:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 189, relating to outdoor advertising along highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

NAT WASHINGTON, *Chairman*,  
FRED J. MARTIN, *Vice-Chairman*,  
....., *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, William A. Gissberg, Wilbur G. Hallauer, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, Edward F. Riley, William D. Shannon.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Highways, to whom was referred Senate Bill No. 189, relating to outdoor advertising along highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the substitute bill do not pass.

....., *Chairman*,  
....., *Vice-Chairman*,  
....., *Vice-Chairman*.

We concur in this report: Frank Connor, F. Stuart Foster, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 314:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 314, establishing standards for investment of teachers' retirement funds, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, John Papajani, John A. Petrich, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 315:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Insurance, to whom was referred Senate Bill No. 315, modifying law relating to insurance rates, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN PAPAJANI, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Karl V. Herrmann, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 352:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 352, modifying attendance credit laws as to school districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, John Papajani, John A. Petrich, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 362:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 362, relating to joint school districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and that the substitute bill do pass.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 376:**Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 376, relating to actuarial help for the Insurance Commissioner and other state agencies, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. JOHN PAPAJANI, *Chairman*.

We concur in this report: Joe Chytil, John L. Cooney, Martin J. Durkan, John H. Happy, Karl V. Herrmann, John A. Petrich, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 453 (reported by Committee on Education):**

Do pass as amended.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Joint Memorial No. 20:**Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Joint Memorial No. 20, requesting Congress to enact legislation recognizing Federal Employee Unions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

On motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

**EVENING SESSION**

The Senate was called to order at 8:00 o'clock p. m. by President Cherberg. The Secretary called the roll and announced to the President that all members were present except Senators Freise, Gallagher, Raugust and Woodall, all of whom were excused.

Senators Greive, Angevine and Rasmussen demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

On motion of Senator Greive, the rules were suspended and Senator Gallagher was excused from under the Call of the Senate.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Bill No. 44 (reported by Committee on Highways):

Do pass as amended.

....., Chairman,  
....., Vice-Chairman,  
....., Vice-Chairman.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, A. L. Rasmussen, Edward F. Riley, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

Senate Bill No. 53 (reported by Committee on Commerce, Manufacturing and Licenses):

Do pass as amended.

GEORGE W. KUPKA, Chairman.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Karl V. Herrmann, James E. Keefe, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

Senate Bill No. 56 (reported by Committee on Commerce, Manufacturing and Licenses):

Do pass as amended.

GEORGE W. KUPKA, Chairman.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Fred H. Dore, Martin J. Durkan, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

Senate Bill No. 104:

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 104, providing for portion of horse racing fees to be distributed to counties for park and recreation purposes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

GEORGE W. KUPKA, Chairman.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Harry Elway, Jr., F. Stuart Foster, R. R. (Bob) Greive, Karl V. Herrmann, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

On motion of Senator Cowen, the committee report on Senate Bill No. 104 was adopted, and Senate Bill No. 104 was referred to Committee on Ways and Means.

Senate Bill No. 145:

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules, to whom was referred Senate Bill No. 145, relating to the insurance program in the state public school system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to Committee on Ways and Means.

JOHN A. CHERBERG, Chairman.

We concur in this report: Robert C. Bailey, Howard Bargreen, John L. Cooney, David C. Cowen, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, John H. Happy, Louis E. Hofmeister, James E. Keefe, Reuben A. Knoblauch, Ernest W. Lennart, W. C. Raugust, Edward F. Riley, William D. Shannon.

On motion of Senator Greive, the report of the committee was adopted, and Senate Bill No. 145 was referred to Committee on Ways and Means.

**Senate Bill No. 160:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 160, authorizing straight party voting, eliminating staggering of names, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.  
....., *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, John Papajani.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 160, authorizing straight party voting, eliminating staggering of names, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.  
JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 193** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice-Chairman,*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Howard Bargreen, Frank Connor, Fred H. Dore, Frank W. Foley, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 271:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 271, establishing North cross-state highway, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.  
NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice-Chairman,*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Howard Bargreen, Frank Connor, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 297** (reported by Committee on Medicine and Dentistry):

Do pass as amended.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Wayne G. Angevine, John L. Cooney, David C. Cowen, R. R. (Bob) Greive, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 302:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Medicine and Dentistry, to whom was referred Senate Bill No. 302, relating to the use of fluorides by water districts, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 308:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 308, relating to blind or partially blind, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

NAT WASHINGTON, *Chairman*,  
....., *Vice-Chairman*.  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, William A. Gissberg, R. R. (Bob) Greive, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 348:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 348, relating to conservation of archeological and historical resources, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, F. Stuart Foster, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 371:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 371, special license plates for use on consul or other representatives of foreign governments, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, Frank Connor, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, William A. Gissberg, Wilbur G. Hallauer,

H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 383:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 383, adding new requirements for qualification as legal newspaper, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Martin J. Durkan, Michael J. Gallagher, Al Henry, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 384** (reported by Committee on Constitution, Elections and Legislative Processes):

Do pass as amended.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Martin Durkan, Michael J. Gallagher, Al Henry, Mike McCormack, Frances Haddon Morgan, John Papajani, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 391:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 391, providing election judges, inspectors and ballot form be determined by gubernatorial elections, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, John Papajani.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 391, providing election judges, inspectors and ballot form be determined by gubernatorial elections, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

We concur in this report: Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 398:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules, to whom was referred Senate Bill No. 398, redefining insurance premiums, have had the same under consideration, and

we respectfully report the same back to the Senate with the recommendation that it be referred to Committee on Ways and Means. JOHN A. CHERBERG, *Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, John L. Cooney, David C. Cowen, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, John H. Happy, Louis E. Hofmeister, James E. Keefe, Reuben A. Knoblauch, Ernest W. Lennart, W. C. Raugust, Edward F. Riley, William D. Shannon.

On motion of Senator Cowen, the committee report was adopted, and Senate Bill No. 398 was referred to Committee on Ways and Means.

**Senate Bill No. 406:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 406, providing for budgets relating to highway construction from state highway commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Frank W. Foley, William A. Gissberg, R. R. (Bob) Greive, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 419:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 419, appointing a commission to study feasibility of water canals connecting Hood Canal, Puget Sound and Grays Harbor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Harry Elway, Jr., F. Stuart Foster, Al Henry, John T. McCutcheon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 429:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your committee on Medicine and Dentistry, to whom was referred Senate Bill No. 429, providing for exemption of non-habit forming narcotics, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: John L. Cooney, David C. Cowen, R. R. (Bob) Greive, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 3:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Joint Memorial No. 3, memorializing Congress to repeal restriction of president to two terms, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, John Papajani.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Joint Memorial No. 3, memorializing Congress to repeal restriction of president to two terms, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

We concur in this report: W. C. Raugust, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Joint Memorial No. 17:

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Joint Memorial No. 17, memorializing Congress to kill Senate Bill No. 174, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

MIKE MCCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Wilbur G. Hallauer, Al Henry, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Joint Memorial No. 18:

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred Senate Joint Memorial No. 18, petitioning Congress to pass Senate Bill No. 323 with suggested additions thereto, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman,*  
VICTOR F. DEGARMO, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, Herbert H. Freise, Karl V. Herrmann, Ernest W. Lennart, David E. McMillan, Fred J. Martin, John Papajani, A. L. Rasmussen, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Joint Resolution No. 25:

Senate Chamber,  
Olympia, Wash., February 8, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Joint Resolution No. 25, relating to publication of notice of proposed constitutional amendments, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. MCCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Martin J. Durkan, Michael J. Gallagher, Al Henry, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 36:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Engrossed House Bill No. 36, relating to toll bridges and existing adjacent bridges and authorizing the retirement of bonds from any funds available, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, Frank Connor, Frank W. Foley, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 47 (reported by Committee on Natural Resources):**

Do pass as amended.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., Wilbur G. Hallauer, Al Henry, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 62:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred House Bill No. 62, providing procedure for discharge of teachers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, F. Stuart Foster, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John A. Petrich, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 89:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred House Bill No. 89, authorizing educational use of recreational facilities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, F. Stuart Foster, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John A. Petrich, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 102:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Engrossed House Bill No. 102, relating to price paid to commissioner of public lands by highway commission for highway materials, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry

Elway, Jr., F. Stuart Foster, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 239:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 239, modifying law relating to fluid milk and fluid milk products, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Fred J. Martin, Mike McCormack.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 244:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Medicine and Dentistry, to whom was referred House Bill No. 244, authorizing the direction by written instrument of the use for medical purposes of the human remains or parts thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANCES HADDON MORGAN, *Chairman.*

We concur in this report: Wayne G. Angevine, John L. Cooney, David C. Cowen, R. R. (Bob) Greive, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 246:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 246, modifying law relating to crude fibre content in commercial feeds, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 284:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred House Bill No. 284, relating to history lessons for school teachers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, F. Stuart Foster, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John A. Petrich, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 300:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom

was referred House Bill No. 300, amending law permitting director of agriculture to condemn for slaughter diseased animals, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Fred J. Martin, David E. McMillan, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 318:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 318, enacting new law relating to weighmasters, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**SECOND READING OF BILLS**

**Senate Bill No. 148**, by Senators Greive, Kupka, Petrich, Dore and Keefe (by Legislative Council request):

Relating to obscene literature, objects and performances and providing penalties.

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 148, relating to obscene literature, objects and performances and providing penalties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, page 1, line 27 after "*thereof*" strike all of the material down to and including "*thereof*" on page 2, line 1

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendment was adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 148 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**POINT OF INQUIRY**

Senator Angevine:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Angevine:

"I am not an attorney trained at the University of Washington, nor the Florida School of Law, so I can't speak about the legal technicalities that you propose.

"I do have on my desk, a number of magazines and I would like to ask Senator Greive if he would discuss these magazines for a few minutes.

"I have one called, 'Stag'. Is this magazine obscene in your opinion?"

Senator Greive:

"Mr. President, in my opinion, 'Stag' is not obscene. Very few of these are obscene. In fact, a great deal of this evidence was to prove what type of magazine was obscene."

Senator Angevine:

"Now here is 'Three Day Blonde', and it shows some very stirring photographs and pictures. Is this obscene? That particular magazine was purchased in Puyallup, which is Senator Knoblauch's district."

Senator Greive:

"I think there is no question but what it would take a great deal more than a single passage to make any magazine obscene. When a magazine is devoted entirely to one subject; that of appealing to the lewd, or dealing entirely in each story with sex, then it is obscene."

Senator Angevine:

"Senator, would you consider this picture in the same magazine obscene? This is a picture of a nude woman."

Senator Greive:

"No, nudity itself is not obscene. When I was young I went to art school and there is anything but obscenity in the human form."

Senator Angevine:

(Holding up another magazine) "'Sex Habits of Women Who Kill.' Is this obscene?"

Senator Greive:

"In that particular case, the magazine was used to demonstrate that this particular article could be obscene, but the whole magazine could not be called obscene because of one article. This was one magazine that was used to show how difficult it is to get any kind of conviction for the magazines which are not entirely obscene."

Senator Angevine:

"'Real advantageous'—doesn't look too obscene to me."

#### RULING OF THE PRESIDENT

The President:

"The President begs your pardon, Senator Angevine, but the President feels that you are bordering on being out of order."

Debate ensued.

#### PERSONAL PRIVILEGE

Senator Angevine:

"I would like to put across my point. My objection to the bill was that this bill would restrict or prevent the sale of magazines and publications of all brands known as 'popular'. I am not taking the stand to protect the popular magazines. If I was to take the popular stand, Senator Greive, I would take the stand that you are taking. My position was that the magazines which were brought before us to demonstrate obscenity were magazines that could be found in the homes of most adults, and they could not be eliminated from the newsstands. My position is that they can't be classified as 'obscene', and I agree that many of them should definitely be eliminated. I, in no circumstance wish to urge that these should remain on the newsstand simply because they are popular. My stand is not the popular one—it is just the right one."

Extensive debate ensued.

Senator Foster demanded the previous question.

Senator Greive:

"Mr. President, I request the privilege of closing debate."

Senator Foster's demand for the previous question was sustained by Senators Ryder, Happy and DeGarmo.

The President:

"The question is shall the main question be now put?"

The motion carried.

Senator Greive:

"I move that the rules be suspended and I be permitted one minute to make a final answer to arguments as presented."

The motion carried, and Senator Greive was allowed to close the debate.

The President stated the question to be the final passage of Engrossed Senate Bill No. 148.

The Secretary called the roll and Engrossed Senate Bill No. 148 passed the Senate by the following vote: Yeas, 35; nays, 10; absent and excused, 4.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Foley, Foster, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—35.

Those voting nay were: Senators Angevine, Bailey, Donohue, Elway, Jr., Hallauer, Hess, Lennart, McCormack, Neill, Rasmussen—10.

Those absent and excused were: Senators Freise, Gallagher, Raugust, Woodall—4.

Engrossed Senate Bill No. 148, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 149**, by Senators Greive, Petrich, Dore, Keefe and Kupka (by Legislative Council request):

Creating a publications review board to assist in enforcement of obscene materials law.

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 149, creating a publications review board to assist in enforcement of obscene materials law, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 4, line 2, strike all of new section 8. JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr.

The bill was read the second time by sections.

On motion of Senator Dore, the committee amendment was adopted.

Senator Hallauer moved that the following amendment be adopted:

In section 5, page 3, line 8 after the words "this state." and before "The board" insert the following:

"These publications shall include all movies, television programs, hard cover books, paper back books and magazines. The executive secretary shall each month prepare and mail to each member of the board a comprehensive list of such publications."

Senator Greive moved that the amendment by Senator Hallauer be laid on the table.

A division was requested.

The motion carried and the amendment by Senator Hallauer was laid on the table.

Senator Hallauer moved that the following amendment be adopted:

In section 5, page 3, line 18, after the words "The circumstances." and before "The board" insert the following:

"No recommendation shall be made unless a majority of the board have (1) personally evaluated the publications concerning which a recommendation is to be made and (2) concurred in the recommendation at a regular monthly meeting."

On motion of Senator Greive, the amendment by Senator Hallauer was laid on the table.

Senator Rasmussen moved that Senate Bill No. 149 be referred to the Committee on State Government, Military Affairs and Civil Defense.

Debate ensued.

#### POINT OF ORDER

Senator Greive:

"Senator Rasmussen is hardly discussing the motion."

#### RULING OF THE PRESIDENT

The President:

"The President believes that Senator Greive's point of order is well taken. If you are to continue, Senator Rasmussen, you must confine your remarks to the motion to refer."

Senator Greive:

"I move to suspend the rules and permit Senator Rasmussen to have his day in court."

The motion carried, and Senator Rasmussen was allowed to speak.

#### POINT OF ORDER

Senator Greive:

"Mr. President, I can see no relation or bearing, in what Senator Rasmussen is saying, which has anything to do with the question before the Senate. I don't believe Senator Rasmussen has read the bill."

Senator Rasmussen:

"It is suggested by Senator Greive that I did not touch on the bill, even though he moved to suspend the rules and I was given the courtesy to speak."

Senator Greive:

"Nothing, including the last remarks of Senator Rasmussen, leads me to believe that he has read the bill. The bill sets up a board to screen materials and thereby obtain a knowledge of what is obscene. There is no one who claims of having knowledge of what is in these magazines. The publisher, the newsstands, no one claims any knowledge of what the magazines contain. How else could we find out what are in the magazines, and which are obscene, unless we have a reviewing board for the purpose?"

"It would seem that Senator Rasmussen's remarks are not touching on the merits of the bill."

Debate ensued.

#### MOTION

Senator Riley moved that the motion by Senator Rasmussen be tabled.

A division was requested.

Senator Greive demanded a roll call which was sustained by Senators Happy, Riley, Bargreen, Knoblauch, Herrmann, Kupka, Thompson, Petrich, and Dore.

The President stated that the motion before the Senate to be that Senator Riley moved the motion by Senator Rasmussen to refer Senate Bill No. 149 to the Committee on State Government, Military Affairs and Civil Defense, be laid on the table.

The Secretary called the roll and Senator Rasmussen's motion was laid on the table by the following vote: Yeas, 30; nays, 15; absent and excused, 4.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Foley, Foster, Greive, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Riley, Sandison, Talley, Thompson, Jr.—30.

Those voting nay were: Senators Angevine, Bailey, Donohue, Elway, Jr., Gissberg, Hallauer, Hanna, Hess, Lennart, McCormack, Neill, Rasmussen, Ryder, Shannon, Washington—15.

Those absent and excused were: Senators Freise, Gallagher, Raugust, Woodall—4.

Senator McCormack moved that Senate Bill No. 149 be placed on second reading calendar for next Wednesday, February 22.

On motion of Senator Kupka, the motion was laid on the table.

Senator Hallauer moved that the following amendment be adopted:

In section 6, page 3, line 26, after the period insert the following:

*"Provided, That no recommendation of a local advisory committee or other group shall become a recommendation of the board unless a majority of the board have personally evaluated the publications which are the subject of the recommendation of such local advisory committee or other group."*

The President stated the question to be the adoption of the amendment proposed by Senator Hallauer.

The motion lost and the amendment was not adopted.

Senator Kupka moved that the following amendment be adopted:

In section 2, page 1, line 25, after "of" and before "members" strike "twenty-one" and insert "twenty-two"

Debate ensued.

The motion lost and the amendment was not adopted.

On motion of Senator Riley, the rules were suspended, Senator Riley granted authority for the Secretary to submit, subject to his review, the following amendment to the title of Senate Bill No. 149:

On page 1, line 1 of the title, after "board" strike the semicolon, insert a period and strike the remainder of the title.

The motion carried, and the amendment to the title was adopted.

Senator Dore moved that the rules be suspended, Engrossed Senate Bill No. 149 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A division was requested.

Senator Greive demanded a roll call, which was sustained by Senators Thompson, Jr., Foster, Chytil, Nunamaker, Petrich, Rasmussen, Martin and Morgan.

The President stated the question to be it has been moved that the rules be suspended, Engrossed Senate Bill No. 149 be advanced to third reading,

the second reading considered the third, and the bill be placed on final passage.

The Secretary called the roll and the motion having failed to receive a two-thirds majority, was lost by the following vote: Yeas, 26; nays, 19; absent and excused, 4.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cooney, Cowen, Dore, Durkan, Foster, Greive, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Riley, Sandison, Talley, Thompson, Jr.—26.

Those voting nay were: Senators Angevine, Bailey, DeGarmo, Donohue, Elway, Jr., Foley, Gissberg, Hallauer, Hanna, Hess, Lennart, McCormack, McCutcheon, Moriarty, Jr., Neill, Rasmussen, Ryder, Shannon, Washington—19.

Those absent and excused were: Senators Freise, Gallagher, Raugust, Woodall—4.

Engrossed Senate Bill No. 149 was passed to Committee on Rules and Joint Rules for third reading.

**MOTIONS**

On motion of Senator Greive, Senate Bill Nos. 210, 250 and 369 were ordered to retain their place on the second reading calendar for Saturday, February 18, 1961.

On motion of Senator Hess, the Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

**Senate Bill No. 72** (reported by Judiciary Committee):  
Do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, William A. Gissberg, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 167:**

Senate Chamber,  
Olympia, Wash., January 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 167, relating to policemen's pensions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, John Papajani.

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 167, relating to policemen's pensions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: John H. Happy, Edward F. Riley, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 190** (reported by Committee on Education):  
Do pass as amended.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, F. Stuart Foster, William A. Gissberg, Al Henry, Reuben A. Knoblauch, David E. McMillan, Donald L. Talley, Albert C. Thompson, Jr., Nat Washington.

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Education, to whom was referred Senate Bill No. 190, relating to the licensing of certain schools and their representatives, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass as amended.

....., *Chairman*.

We concur in this report: H. B. Hanna, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 436:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 436, authorizing cities to lease store space, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Michael J. Gallagher, John H. Happy, Al Henry, Andy Hess, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, Edward F. Riley, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 444:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 444, relating to purchase and repair of school property and supplies and requesting bids, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 461:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 461, allowing cities and towns to fix certain utility charges in excess of amount required to own and operate such utilities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Al Henry, Andy Hess, George W. Kupka, Mike McCormack, Homer O. Nunamaker, A. L. Rasmussen, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 31:**

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Substitute House Bill No. 31, authorizing county commissioners to transfer surplus public health funds to public hospital districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Al Henry, Andy Hess, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 279:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 279, increasing city retirement benefits, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 10:40 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:30 o'clock a. m. Saturday, February 18, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-FIRST DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, February 18, 1961.

The Senate was called to order at 10:30 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Freise, McCormack, Raugust, Washington and Woodall.

On motion of Senator Ryder, Senators Raugust, Woodall and Freise were excused.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Cherry Clark, presented the Colors.

Reverend Homer Kimmel, Pastor of the Church of the Brethren of Olympia, offered prayer as follows:

"O God, the source of wisdom, whose statutes are good and just, and whose law is truth; unto Thee we give the allegiance and loyalty of our lives.

"We invoke Thy help as we take up the responsibilities that are ours, taking nothing for granted but accepting everything as a trusteeship for the people of the state and for succeeding generations.

"We may be misunderstood by men, but we are accountable to Thee for the use of our powers and privileges.

"Guide us, we pray, that by wise legislation and faithful administration Thy purposes may be fulfilled. Amen."

The President:

"Thank you, Reverend Kimmel. Your prayers this week have been a source of inspiration to the members of the Senate. We hope you will come again very soon."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the noted and respected Senator from King County, Honorable Martin J. Durkan, we have present this morning, a troop of stalwart, brave and well-mannered Boy Scouts from King County, along with other prominent citizens of that area. The President would like to comment that the leader, Rider Sumstad, was a student of the President at one time. The President likes to feel that perhaps the way in which these young men are conducting themselves may in some small way have something to do with the lessons of the President.

"Will the Eastgate Boy Scout Troop and guests please stand in order that you may be recognized, along with the honorable Senator Martin Durkan."

(Applause.)

The Secretary read:

**MESSAGE FROM FORMER PRESIDENT EISENHOWER**

Gettysburg, Pa.,  
February 4, 1961.

To the Honorable Members of the Washington State Senate, Olympia, Washington.

GENTLEMEN:

I have just had an opportunity to read the certified copy of the Resolution adopted by the Washington State Senate on the day I left the office of the Presidency. This note, inadequate as it is, brings to all the members of the Senate of the State of Washington my lasting appreciation of your more than kind appraisal of my efforts in the nation's interest.

With best wishes,

Sincerely,  
DWIGHT D. EISENHOWER.

**MOTIONS**

On motion of Senator Papajani, the rules were suspended and the Committee on Insurance was relieved of further consideration of Senate Bill No. 208.

On motion of Senator Papajani, Senate Bill No. 208 was referred to the Committee on Social Security.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 229** (reported by Judiciary Committee):

Do pass as amended.

....., *Chairman.*

We concur in this report: John L. Cooney, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a minority of your Judiciary Committee, to whom was referred Senate Bill No. 229, enforcing of judgments, execution sales, and redemption of property, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Fred H. Dore, Martin J. Durkan, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 306** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 344:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 344, creating exemplary damages, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, F. Stuart Foster, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 377:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Financial Institutions, to whom was referred Senate Bill No. 377, relating to industrial loan companies, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

KARL V. HERRMANN, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, George W. Kupka, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, William D. Shannon, Don L. Talley.

Senator Ryder moved that the report of the Committee on Banks and Financial Institutions to Senate Bill No. 377 be adopted.

**RULING OF THE PRESIDENT**

The President:

"Senator Ryder, your motion is out of order. This will be a matter to come up when the bill is on second reading."

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 428:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Senate Bill No. 428, relating to beer, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, Al Henry, Louis E. Hofmeister, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 434:**

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 434, enlarging powers of port districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, Michael J. Gallagher, Al Henry, Andy Hess, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 449:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Financial Institutions, to whom was referred Senate Bill No. 449, relating to money, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

KARL V. HERRMANN, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, George W. Kupka, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 467:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Financial Institutions, to whom was referred Senate Bill No. 467, relating to mutual savings banks, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

KARL V. HERRMANN, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, George W. Kupka, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Concurrent Resolution No. 3:**

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Concurrent Resolution No. 3, providing for legislative review of administrative rules and laws relating thereto, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 46** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 88:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Bill No. 88, regulating the installation and operation of elevators, escalators, and other similar "conveyances", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Harry Elway, Jr., F. Stuart Foster, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 164** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, F. Stuart Foster, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 224:**Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 224, requiring court on denial of relinquishment to enter order for welfare of child, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 231:**Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 231, requiring court on denial of adoption to enter order for welfare of child, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Resolution No. 6 (reported by Judiciary Committee):**

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate:

"At the request of the eminent Senator Mike McCormack, the President would like at this time to introduce another splendid group of Boy Scouts.

"The President would like to also compliment this group on the splendid way in which they are conducting themselves, and ask them to please stand, along with Senator McCormack, and be recognized."

(Applause.)

The Secretary read:

**MESSAGES FROM THE HOUSE**House of Representatives,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 4; also  
Senate Bill No. 95; also  
Senate Bill No. 98; also  
Senate Bill No. 140; also  
Senate Bill No. 254; also  
Senate Joint Memorial No. 1, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 94, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Substitute House Bill No. 140; also  
Substitute House Bill No. 146; also  
Engrossed House Bill No. 182; also  
Engrossed House Bill No. 269; also  
House Bill No. 277; also  
Engrossed House Bill No. 296; also  
House Bill No. 352; also  
House Bill No. 363; also  
House Bill No. 402; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: House Bill No. 94.**

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 552**, by Senators Foley, Petrich and Chytil:

An Act relating to county hospitals; amending section 1, chapter 256, Laws of 1951 and RCW 36.62.252; and amending section 4, chapter 256, Laws of 1951 and RCW 36.32.280.

Referred to Committee on Ways and Means.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Substitute House Bill No. 140**, by Committee on Agriculture and Livestock:

An Act relating to agricultural pesticides; providing penalties; adding a new chapter to chapter ....., Laws of 1961 (House Bill No. 1) and to Title 15 RCW; and repealing section 15.56.010 through 15.56.190, chapter ....., Laws of 1961 (House Bill No. 1) and chapter 15.56 RCW.

Referred to Committee on Agriculture and Horticulture.

**Substitute House Bill No. 146**, by Committee on Agriculture and Livestock:

An Act relating to the application of agricultural pesticides; providing penalties; and repealing section 2, chapter 120, Laws of 1945 as last amended by sections 1, 2, 3 and 4, chapter 261, Laws of 1953 and RCW 17.20.010 through 17.20.040, sections 3 and 4, chapter 120, Laws of 1945 and RCW 17.20.050 and 17.20.060 and section 5, chapter 61, Laws of 1951 and RCW 17.20.070.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 182**, by Representatives Morrissey and Pence:

An Act relating to metropolitan park districts; amending section 1, chapter 264, Laws of 1943, as last amended by section 1, chapter 45, Laws of 1959 and RCW 35.61.010; amending section 2, chapter 264, Laws of 1943 and RCW 35.61.020 and 35.61.030; amending section 3, chapter 264, Laws

of 1943 and RCW 35.61.040, 35.61.050, 35.61.060, 35.61.070, 35.61.080, 35.61.090 and 35.61.150; amending section 20, chapter 264, Laws of 1943 and RCW 35.61.250, 35.61.260, 35.61.270 and 35.61.280; and adding two new sections to chapter 264, Laws of 1943 and to chapter 35.61 RCW.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 269**, by Representatives Testu, Goldsworthy and Avey:

An Act relating to schools; relating to the national anthem and display of the United States flag in schools; and amending section 180, chapter 118, Laws of 1897, as last amended by section 1, chapter 8, Laws of 1955 and RCW 28.02.030.

Referred to Committee on Education.

**Engrossed House Bill No. 296**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to motor vehicles; regulating the licensing of motor vehicle dealers; amending section 46.70.070, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.70.070.

Referred to Judiciary Committee.

**House Bill No. 277**, by Representatives Huntley, Bozarth and Beierlein (by Departmental request):

An Act relating to state highways; authorizing the award of certain contracts; and amending section 47.28.030, chapter ....., Laws of 1961 (House Bill No. 3), and RCW 47.28.030.

Referred to Committee on Highways.

**House Bill No. 352**, by Representatives Adams and McFadden:

An Act relating to midwifery; and repealing sections 1 through 12, chapter 160, Laws of 1917 and RCW 18.50.010 through 18.50.130 and 18.50.900.

Referred to Committee on Medicine and Dentistry.

**House Bill No. 363**, by Representatives Conner, Wintler and Klein:

An Act relating to the investment of funds by the county treasurer; and amending section 1, chapter 73, Laws of 1895, and RCW 36.29.020.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 402**, by Representatives Day, May and Campbell:

An Act relating to municipal corporations; and amending sections 14 and 16, chapter 207, Laws of 1939 and RCW 41.28.130 and 41.28.150.

Referred to Committee on Cities, Towns and Counties.

## SECOND READING OF BILLS

**Senate Bill No. 369**, by Senators Papajani, Shannon and Greive:

Authorizing scenic protection.

The bill was read the second time by sections.

On motion of Senator Papajani, the following amendments were adopted:

In new section 15, page 7, line 21, after "change." insert a new sentence reading as follows: "Their terms of office shall be two years with one commissioner being elected at each general election after the forming election. The commissioners elected at the forming election shall serve terms as follows: the person receiving the highest number of votes, four years; the person receiving the next highest number of votes, two years; and the person receiving the third highest number of votes, until the next general election; thereafter, each commissioner shall be elected for a term of two years with one commissioner being elected at each general election."

In new section 18, page 8, line 14, after "one" and before "of" strike "percent" and insert "mill"

On motion of Senator Hess, the following amendment was adopted:

In new section 11, page 5, line 9, after "commissioners" insert the following: "shall in instances of arbitrary and capricious spot zoning by the governing planning authority"

Senator Papajani moved that the rules be suspended, Senate Bill No. 369 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A division was requested, and the motion lost on a rising vote.

Senate Bill No. 369 was referred to Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 250**, by Senators Rasmussen, Hofmeister, Washington, Morgan and Foster (by Highway Interim Committee request):

Creating toll facility aid districts.

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 250, creating toll facility aid districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 14, page 4, line 4, following "proposed district" and before the period, insert "and shall transmit such resolution to the toll bridge authority forthwith"

On page 4 add three new sections following section 15 to read as follows:

**NEW SECTION.** Sec. 16. In the event the authority shall find that sufficient territory remains to form a feasible toll facility aid district, it may, by resolution, declare such territory to be incorporated as ..... (inserting name of the toll facility) aid district.

**NEW SECTION.** Sec. 17. The incorporation of the district shall be complete upon the filing of a certified copy of the authority's resolution declaring it so in the office of the secretary of state.

**NEW SECTION.** Sec. 18. Sections 19 through 23 are declared to be an alternative and additional method of completing the incorporation of a toll facility aid district following the approval of boundaries by the respective boards of county commissioners as provided in section 14.

Renumber the remaining sections consecutively.

NAT W. WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 250 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator Lennart:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Lennart:

"Will this allow a county, by itself, to contract for a toll bridge?"

Senator Washington:

"Yes, it will."

#### POINT OF INQUIRY

Senator McMillan:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator McMillan:

"What use is made of funds that are raised by the toll of any district?"

Senator Washington:

"They will be used to supplement the toll which is paid on the bridge itself.

"If the people find through a survey that it would be feasible if they raised an additional sum of money for some purpose; for example, the Naches Pass Tunnel shows it will be short of being able to meet the indebtedness. In that way, there will be a vote in the district to see if the people wish to bond themselves to raise that money."

Senator McMillan:

"That would indicate, then, that residents of an area would be sufficiently interested to tax themselves for this toll facility?"

Senator Washington:

"Yes, if they were sufficiently interested, or if they could afford to tax themselves for that purpose."

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 250, and the bill passed the Senate by the following vote: Yeas, 38; nays, 1; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Washington—38.

Those voting nay were: Senator Foley—1.

Those absent or not voting were: Senators Cowen, Dore, Freise, Happy, McCormack, Martin, Raugust, Shannon, Thompson, Jr., Woodall—10.

Engrossed Senate Bill No. 250, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 210**, by Senators Talley, Henry and Chytil:

Relating to part time third class city engineers.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Senate Bill No. 210 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 210 and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington—41.

Those absent or not voting were: Senators Cowen, Freise, Happy, McCormack, Petrich, Raugust, Shannon, Woodall—8.

Senate Bill No. 210, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of the noted and honored Senator Reuben Knoblauch, the President would like to present a group of young students from Woodland School in Puyallup, who just arrived in Olympia via private cars. Seventy-five fifth grade students with their principal, George Sanders, and twenty parents, are visiting in the north gallery.

"Would this group please stand, along with Senator Knoblauch, in order that you may be properly recognized."

(Applause.)

**MOTION**

Senator Papajani moved that Senate Bill No. 369 be placed on the calendar on Monday for the purpose of clarifying an amendment.

**RULING OF THE PRESIDENT**

The President:

"Senate Bill No. 369 has been passed to third reading and is now in the Committee on Rules and Joint Rules."

Senator Papajani:

"May I make the request that the Committee be relieved of further consideration of the bill?"

Debate ensued.

**POINT OF ORDER**

Senator Rasmussen:

"Could Senator Greive advise just what he is talking about?"

The President:

"Does Senator Greive yield to a question?"

Senator Greive:

"Senator Rasmussen, I think you should recall that I have been very generous to you when you wanted to discuss things close to your heart. I know I am a little out of order but I am trying to make an explanation for Senator Papajani."

**RULING OF THE PRESIDENT**

The President:

"The President realizes this has been in the form of an explanation. The rules do not permit the merits of the bill to be discussed except in the form of an explan-

ation. However, the President realizes that Senator Greive prefaced his remarks with an explanation."

Further debate ensued.

Senator Papajani withdrew his motion.

#### PERSONAL PRIVILEGE

Senator Morgan:

"As a first termmer in the Senate, along with some of the other members in the back row, I would like to know when bills come out of Rules. I would like to see some with my name on them come out!"

**Senate Bill No. 16**, by Senators Talley, Riley and Freise (by Legislative Council request):

Relating to annexation of territory to cities.

The bill was read the second time by sections.

On motion of Senator Herrmann, the following amendment was adopted:

In new section 4, subsection (7), page 4, line 11 after "of" and before "special" insert "school districts and"

Senator Herrmann moved that the following amendment be adopted:

In new section 3, page 3, line 11, after "commissioners" and before "that" strike "can agree unanimously" and insert "and county superintendents of schools can agree by majority"

#### PERSONAL PRIVILEGE

Senator Herrmann:

"I want to say to Senator Dore that I resent the statement that I have in any way attempted to delay this bill for any other purpose than having a proper amendment added that would be in conformity with the wishes of all the people, including the cities. This particular amendment was agreed upon by the representatives of the Association of Washington Cities, and they have no resentment whatsoever to this amendment being added."

#### POINT OF INQUIRY

Senator Petrich:

"Will Senator Herrmann yield to a question?"

Senator Herrmann:

"I will."

Senator Petrich:

"As I understand the proposed amendment, it requires the agreement of the county commissioners and county superintendent of schools. Would that make the county superintendent of schools the final authority on any of this annexation?"

"It seems to me, then, that the county superintendent has the last word on the decisions."

Senator Herrmann:

"Not at all. If you read the amendment, the mayor of the city or town can agree with the inclusion of the county superintendent of schools. We have the county superintendent of schools and we also strike 'unanimously' and insert 'by majority'.

"This amendment was taken up with the Association of Washington Cities and in view of the other amendment, they thought this was very proper.

"There is no attempt on my part to pass anything over. I am merely trying to have amendments adopted in keeping with amendments already acted upon."

Senator Petrich:

"Would the Secretary read the amendment again, please?"

The Secretary read the amendment.

**POINT OF INQUIRY**

Senator Moriarty:

"Will Senator Herrmann yield to a question?"

Senator Herrmann:

"I will."

Senator Moriarty:

"What would happen where you had two counties involved? Which county superintendent would be sitting on the bottom?"

Senator Herrmann:

"I don't believe that situation would arise, where a city goes over into the other county. Under present law, I believe that you cannot annex across county lines."

Debate ensued.

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Herrmann yield to a question?"

Senator Herrmann:

"Yes, I will."

Senator Riley:

"I want to submit the question asked by Senator Moriarty. I want to ask a direct question. Are you positive that there cannot be an occasion when two districts might consolidate and two school superintendents could be involved?"

Senator Herrmann:

"I am reasonably sure, yes."

**POINT OF INQUIRY**

Senator Elway:

"Will Senator Herrmann yield to a question?"

Senator Herrmann:

"I will."

Senator Elway:

"For my record, Senator Herrmann, are you trying to kill this bill?"

Senator Herrmann:

"Senator Elway, I have expressed my feelings on that subject many times before the group. I am merely trying to make it more workable and more equitable to all people and organizations involved. I think in its original state it might have walked on the toes of some innocent parties, and I wanted to bring about a meeting of the minds, and after talking with the proponents of the bill and getting them to agree upon it, I am absolutely amazed that I ran into what I have here."

Further debate ensued.

**RULING OF THE PRESIDENT**

The President:

"Members of the Senate:

"The President, at this time, should like to remind each Senator of Rule 16. Particular attention is invited to the part that says 'no senator shall impeach the motives of any other member . . .'. The President should like each to be fully aware of that particular portion of the rule."

The President stated the question before the Senate to be the adoption of the amendment proposed by Senator Herrmann.

A division was requested.

Senator Herrmann demanded a roll call, which was sustained by Senators Nunamaker, Lennart, Herrmann, McCutcheon, Donohue, Bailey, Greive, Dore and Gallagher.

The Secretary called the roll, and the amendment by Senator Herrmann to Senate Bill No. 16, was adopted by the following vote: Yeas, 23; nays, 19; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Cooney, DeGarmo, Donohue, Durkan, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hofmeister, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani—23.

Those voting nay were: Senators Chytil, Connor, Dore, Elway, Jr., Foley, Foster, Happy, Keefe, Knoblauch, Moriarty, Jr., Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—19.

Those absent or not voting were: Senators Cowen, Freise, Hallauer, Hess, McCormack, Raugust, Woodall—7.

Senator Elway moved that the rules be suspended, Senate Bill No. 16 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A division was requested and the motion lost on a rising vote.

Senate Bill No. 16 was passed to Committee on Rules and Joint Rules for third reading.

#### MOTIONS

On motion of Senator Bargreen, the Senate reverted to the first order of business for the purpose of making a motion.

On motion of Senator Bargreen, it was ordered that on Wednesday, February 22, at 7:00 o'clock p. m., in Hearing Room 1, the Sergeant-at-Arms of the Senate arrange for the showing of a film called, "Communism on the Map", so that members of the Senate who so desire, or any other members of the legislature who wish to see this film will have an opportunity to do so.

The Sergeant-at-Arms was so instructed.

**Senate Bill No. 285**, by Senator Gissberg:

Establishing liens for contributions to employee benefit plans.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 285 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 285, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—40.

Those voting nay were: Senator Talley—1.

Those absent or not voting were: Senators Elway, Jr., Foster, Freise, McCormack, McCutcheon, Martin, Raugust, Woodall—8.

Senate Bill No. 285, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 119**, by Senators Nunamaker, Papajani and Rasmussen:

Relating to common carriers to transport game and game fish illegally offered for sale.

The bill was read the second time by sections.

Senator Lennart moved that the following amendment be adopted:

In section 1, page 1, line 16, after the colon following "thereof" and before "Provided" insert "Provided, That nothing contained in this section shall affect the existing rights of Indians granted to them by treaty nor prohibit them from transporting by common or contract carrier any such game animal, game bird, fish or any part thereof;"

Debate ensued.

Senator Greive demanded a Call of the Senate, which was sustained by Senators Hofmeister and Nunamaker.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

Senator Nunamaker moved that the amendment by Senator Lennart be laid on the table.

The motion carried, and the amendment was laid on the table.

On motion of Senator Nunamaker, the rules were suspended, Senate Bill No. 119 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Mr. President, I would like to inquire of the Chair, before we start calling the roll, just who has been excused."

The President:

"Senator Greive, Senators Freise, Raugust and Woodall have been excused."

#### MOTION

On motion of Senator Greive, Senator McCormack was excused.

Debate ensued.

#### POINT OF INQUIRY

Senator Talley:

"Will Senator Lennart yield to a question?"

Senator Lennart:

"I will."

Senator Talley:

"I am not against your position at all. I think you are very sincere, but don't you think, Senator Lennart, when this treaty was made the original idea was to provide food for the Indians and not to expect them to sell, ship, and commercialize on it?"

Senator Lennart:

"I am not sure what the intent was, but I am saying this. That the United States Supreme Court has said that the treaty guarantees them shipping rights in gratuity, and that is a pretty broad grant."

"I realize what Senator McMillan said might be true. There might be places where this sort of thing could come about, but I am only concerned with legislation and the treaty is a solemn obligation of the government, and we can't go against it."

Further debate ensued.

Senator Hanna demanded the previous question, which was sustained by Senators Nunamaker, Neill, and Elway, Jr.

The President stated the question before the Senate to be shall the main question be now put.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 119, and the bill passed the Senate by the following vote: Yeas, 37; nays, 8; absent and excused, 4.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—37.

Those voting nay were: Senators Angevine, Bailey, Donohue, Elway, Jr., Happy, Lennart, McCutcheon, Riley—8.

Those absent and excused were: Senators Freise, McCormack, Raugust, Woodall—4.

Senate Bill No. 119, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 137**, by Senators Raugust, McCormack and Washington: Regulating damage claims against irrigation districts.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 137 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 137, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent and excused, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—45.

Those absent and excused were: Senators Freise, McCormack, Raugust, Woodall—4.

Senate Bill No. 137, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 338**, by Senators Bargreen, Gissberg and Ryder:

Authorizing fourth class counties under certain conditions to levy nine mills within the forty-mill limit.

The bill was read the second time by sections.

On motion of Senator Bargreen, the rules were suspended, Senate Bill No. 338 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 338, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent and excused, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—45.

Those absent and excused were: Senators Freise, McCormack, Raugust, Woodall—4.

Senate Bill No. 338, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Nunamaker announced that the cigars being distributed were through the courtesy of John Biggs, Director of the Department of Game.

**Senate Bill No. 287**, by Senators Hofmeister, Knoblauch and Lennart (by Departmental request):

Enacting new law relating to horticultural plants and nursery inspection.

On motion of Senator Rasmussen, Senate Bill No. 287 was ordered placed at the end of the second reading calendar for today.

**Senate Bill No. 92**, by Senators Woodall, Greive and Henry:  
Limiting juvenile court jurisdiction in traffic cases.

The bill was read the second time by sections.

On motion of Senator Foster, the rules were suspended, Senate Bill No. 92 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 92, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent and excused, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—43.

Those voting nay were: Senators Petrich, Talley—2.

Those absent and excused were: Senators Freise, McCormack, Raugust, Woodall—4.

Senate Bill No. 92, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 143**, by Senators Neill and McCormack:

Authorizing exchanges and leases of certain real property by the board of regents of WSU.

The bill was read the second time by sections.

On motion of Senator Neill, the rules were suspended, Senate Bill No. 143 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 143, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent and excused, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—45.

Those absent and excused were: Senators Freise, McCormack, Raugust, Woodall—4.

Senate Bill No. 143, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 299**, by Senators Henry, Foley and Raugust:

Lowering inhabitant requirement of cities.

On motion of Senator Greive, Senate Bill No. 299 was ordered to retain its place on the second reading calendar for Monday, February 20.

**Senate Joint Resolution No. 23**, by Senator Riley:

Providing annual legislative sessions.

The resolution was read the second time in full.

Senator Riley moved that the rules be suspended, Senate Joint Resolution No. 23 be advanced to third reading, the second reading considered the third, and the resolution be placed on final passage.

Senator Greive requested a division.

#### RULING OF THE PRESIDENT

The President:

"The President has already announced that the motion carried."

Debate ensued.

Senator Kupka:

"Will Senator Riley yield to a question?"

Senator Riley:

"I will."

Senator Kupka:

"This is coming on the calendar rather suddenly. I wonder why you didn't ask for a little more time at the regular session. I notice at each session we just can't get enough committee hearings and there is something wrong. I just thought maybe an amendment to make regular sessions a little bit longer might help this situation."

Senator Riley:

"Members of the Senate:

"It is a long question and a good statement that Senator Kupka has made. I will try to answer some of them for you, Senator Kupka, and for all the good senators.

"The question of getting on the calendar rather suddenly—the answer is 'no'. This resolution was first referred to the Committee on Constitution, Elections and Legislative Processes, then the Committee on Rules and Joint Rules placed the bill on the calendar for today. A flash calendar was issued and the bill appears on this calendar like any other bill, in orderly fashion. Now, as to why I did not ask for additional days to be added to the regular session, the answer is clear. Provided Senate Joint Resolution No. 23 passes this legislature, it will go to the people and there will be no need for a longer session now. In the odd numbered years, the session shall not be for more than sixty days and will not be concerned with revenues and appropriations. During the even numbered years, a thirty day session will be held at which time only revenue and appropriation matters will be considered. The facts are very clear as to the purpose of this resolution. We are clearly budgeting now for just about three years in advance, because the budget you are considering today was made up and approved about October, 1960, and this budget goes to June 30, 1963.

"Everyone of the members present have some sort of business if it is only managing your own business, and certainly, you budget your own affairs for a period of no longer than one year.

"The state of Washington is over a billion dollar business and I think it is intelligent that we come here at least that often.

"It took me a long time to convince myself of this, but I have been convinced, and that is the reason for the resolution."

#### PRESIDENT'S PRIVILEGE

The President:

"May the President remind the members in making remarks of his request at the beginning of the 1961 session regarding committee requests. The President remembers very well that he asked that Senators all confine themselves to requests of no more than six committees.

"At a later time the President should like to offer certain suggestions for the members of the Senate."

The Secretary called the roll on the final passage of Senate Joint Resolution No. 23, and the resolution passed the Senate by the following vote: Yeas, 34; nays, 11; absent and excused, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Thompson, Jr., Washington—34.

Those voting nay were: Senators Chytil, Cowen, Elway, Jr., Foster, Greive, Happy, Hofmeister, Moriarty, Jr., Neill, Ryder, Shannon—11.

Those absent and excused were: Senators Freise, McCormack, Raugust, Woodall—4.

Senate Joint Resolution No. 23 having received the constitutional two-thirds majority, was declared passed.

On motion of Senator Dore, Senate Joint Resolution No. 23 was ordered immediately transmitted to the House.

#### POINT OF INQUIRY

Senator Dore:

"Where now is Senate Joint Resolution No. 23?"

The President:

"On the Secretary's desk, Senator Dore."

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate; Ladies and Gentlemen:

"Today marks a heartwarming and enjoyable occasion. The President should like to call attention to the visit of one of the state's outstanding Senator's attractive and pleasant family.

"Will the Sergeant-at-Arms escort the illustrious Senator from Clark, Jefferson and Mason Counties to the bar of the Senate, in order that he might be presented with the lovely Mrs. Sandison and their handsome young sons.

"The President has been waiting patiently to do honor to this wonderful family and did not know that Senator Sandison had left the chamber.

"Senator Sandison, would you please stand along with the lovely members of your family."

(Applause.)

**MOTIONS**

On motion of Senator Foster, Senate Bill No. 213 was ordered to retain its place on the second reading calendar for Monday, February 20.

On motion of Senator Rasmussen, Senate Bill No. 287 was ordered to retain its place on the second reading calendar for Monday, February 20.

On motion of Senator Greive, the Call of the Senate was dispensed with.

At 1:15 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:30 o'clock a. m. on Monday, February 20, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-THIRD DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Monday, February 20, 1961.

The Senate was called to order at 10:30 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Gary Gilbert, Color Bearer, and Margaret Cooney, presented the Colors.

Reverend W. A. MacArthur, Pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Let us pray:

"The day's work proves too much for us, Great God, unless we seek and find Divine help. And so, we seek a clearer light to shine upon our troubled way. The decisions with which we are faced are too great for us to make alone, the pressures too severe.

"We seek then, at the beginning of this day, Thy presence and Thy favor. Grant us wisdom, grant us courage, for the living of this day and the facing of these hours.

"Sufficient unto this day, be the God thereof. Through Christ, our Lord, we pray. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the illustrious and dignified Senator from the forty-fifth district, the President wishes to present to the members of the Senate, a group of very attractive and personable young ladies. Will these members of the P.T.A., and Mrs. Hal Terry, area chairman for the group, please stand, along with Senator Gallagher.

"Everyone present in the Senate Chamber today appreciates your visit and hopes that you enjoy your day in Olympia."

The President announced the presence of a group of ten Republicans from Stevens County, at the request of Senator McMillan. The group, led by Mr. Gene West, was asked to stand along with Senator McMillan and be recognized.

The President:

"As a matter of personal privilege, the President should like to present a guest from Vancouver, Washington, Master Thomas Craig Foley, the proud son of the Honorable Senator and Mrs. Frank Foley."

(Applause.)

### MOTION

Senator Greive:

"I would like to move that use of the Senate Chamber be granted to the Senate pages on Tuesday evening for the mock session."

The motion carried.

## MOTION

Senator McCormack moved that he might be allowed to enter in the record what his vote would have been if he had been present to vote on Senate Joint Resolution No. 23.

## RULING OF THE PRESIDENT

The President ruled that Senator McCormack's request be sent to the Secretary's desk in writing.

## PRESIDENT'S PRIVILEGE

The President:

"At the request of the stately and dignified Senator from Adams, Ferry and Lincoln Counties, the Honorable W. C. Raugust, the President should like to present a group of visitors. These visitors are Senator Raugust's brother, sister-in-law, and several friends. The President should like to have this group stand along with Senator Raugust in order that they may be properly recognized."

(Applause.)

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 16; also

Senate Bill No. 148; also

Senate Bill No. 250; also

Senate Bill No. 369, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

## Senate Bill No. 3:

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 3, relating to counties, providing for purchasing departments and purchasing agents, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Michael J. Gallagher, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, John Papajani, A. L. Rasmussen, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

## Senate Bill No. 23:

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 23, restricting modifications or waivers of seller's implied warranties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, F. Stuart Foster, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 245:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred Senate Bill No. 245, relating to use of state owned lands for game and game fish, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that do pass.

HOMER O. NUNAMAKER, *Chairman*,  
VICTOR F. DEGARMO, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, Harry Elway, Jr., Karl V. Herrmann, Fred J. Martin, John A. Petrich, A. L. Rasmussen, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 267** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr.

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

I, a minority of your Judiciary Committee, to whom was referred Senate Bill No. 267, providing attorney fees and witness fees for successful condemnees, have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*,

I concur in this report: Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 368** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 389** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, R. R. (Bob) Greive, H. B. Hanna, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 404:**

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 404, changing requirement that applicant for civil service job in city must be resident for one year to state residence for one year, have had the same under consideration and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 404 be substituted therefor and the substitute bill do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Dewey C. Donohue, Michael J. Gallagher, Al Henry, Andy Hess, James Keefe, George W. Kupka, John Papajani, A. L. Rasmussen, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 430:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 430, providing for the filing of a restatement of articles of incorporation of business corporations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: Fred H. Dore, F. Stuart Foster, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 435:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred Senate Bill No. 435, repealing law necessitating quarterly reports by game farmers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman,*  
VICTOR F. DEGARMO, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, Harry Elway, Jr., Karl V. Herrmann, David E. McMillan, Fred J. Martin, John Papajani, John A. Petrich, A. L. Rasmussen, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 457** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 471:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred Senate Bill No. 471, redefining resident for game and game fish regulatory purposes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman,*  
VICTOR F. DEGARMO, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, Harry Elway, Jr., Karl V. Herrmann, David E. McMillan, Fred J. Martin, John Papajani, John A. Petrich, A. L. Rasmussen, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 20:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom

was referred Senate Joint Memorial No. 20, memorializing Congress to modify the income tax for agricultural producers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 17:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 17, prescribing penalties for communicating with child for immoral purposes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: F. Stuart Foster, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 151:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 151, authorizing the state department of agriculture to control rodents, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Louis Hofmeister, Reuben A. Knoblauch, Mike McCormack, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 250:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Engrossed House Bill No. 250, modifying law relating to dairies and dairy products, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 468:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred House Bill No. 468, providing free fishing licenses for veterans and blind persons, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman*,  
VICTOR F. DEGARMO, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, Harry Elway, Jr., Karl V. Herrmann, David E. McMillan, Fred J. Martin, John Papajani, John A. Petrich, A. L. Rasmussen, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

#### EXPLANATION OF VOTE

In explanation of vote, I wish to state that I was excused from the Senate on Saturday, February 18, 1961 and that if I had been present I would have voted "Aye" on Senate Joint Resolution No. 23, providing annual legislative sessions.

(signed) MIKE McCORMACK.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

The House has passed: House Joint Memorial No. 40, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

The House has passed: Senate Concurrent Resolution No. 6, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 70; also  
Engrossed House Bill No. 138; also  
Engrossed House Bill No. 242; also  
House Bill No. 254; also  
House Bill No. 271; also  
House Bill No. 276; also  
House Bill No. 353; also  
Engrossed House Bill No. 355; also  
Engrossed House Bill No. 367, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Senate reverted to the second order of business to receive a report of a standing committee.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Concurrent Resolution No. 6, have compared same with the original resolution and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

#### SIGNED BY THE PRESIDENT

The President signed: Senate Concurrent Resolution No. 6.

#### PRESIDENT'S PRIVILEGE

The President:

"At this time, members of the Senate; ladies and gentlemen, the President should like to present a group of students from Woodrow Wilson Junior High School in Seattle, under the direction of their teacher, Stan McEachran. Would this group and Senator Gallagher please stand in order to be recognized."

(Applause.)

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 553**, by Senators Martin, Elway, Jr. and Donohue:

An Act relating to revenue and taxation; increasing the motor vehicle fuel tax.

Referred to Committee on Highways.

**Senate Joint Memorial No. 25**, by Senators Lennart and Durkan:

Requesting that a national monument be established at Point Roberts.

On motion of Senator Lennart, Senate Joint Memorial No. 25 was advanced to second reading and read the second time in full.

On motion of Senator Lennart, the rules were suspended, Senate Joint Memorial No. 25 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 25, and the memorial passed the Senate by the following vote: Yeas, 41; Nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Gissberg, Hanna, Hess, McCormack, McCutcheon, Martin, Rasmussen, Shannon—8.

Senate Joint Memorial No. 25, having received the constitutional majority, was declared passed.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 70**, by Representatives Burns, Litchman and Shropshire:

An Act relating to conditional sales of personal property; and amending section 1, chapter 106, Laws of 1893, as last amended by section 1, chapter 196, Laws of 1937, and RCW 63.12.010.

Referred to Judiciary Committee.

**Engrossed House Bill No. 138**, by Representatives Wang, Campbell and Marsh:

An Act relating to fees of public officers.

Referred to Judiciary Committee.

**Engrossed House Bill No. 242**, by Representatives Bozarth, Anderson and Canfield (by Departmental request):

An Act authorizing the state department of agriculture to control birds injurious to agriculture; and making an appropriation.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 254**, by Representatives Rickdall, Conner and Ritner:

An Act authorizing joint, cooperative, or the contractual performance of duties and functions by counties, cities and towns, special districts, and quasi-municipal corporations.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 271**, by Representatives McCormick, Schaefer and Wintler:

An Act relating to regional planning; amending section 6, chapter 201, Laws of 1959 and RCW 36.70.060; amending section 40, chapter 201, Laws of 1959 and RCW 36.70.400; amending section 60, chapter 201, Laws of 1959 and RCW 36.70.600; amending section 61, chapter 201, Laws of 1959 and RCW 36.70.610; amending section 63, chapter 201, Laws of 1959 and RCW 36.70.630; and adding a new section to chapter 201, Laws of 1959 and to chapter 36.70 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 276**, by Representatives Poff, McElroy and Moos:

An Act relating to privately owned and operated game bird shooting preserves; providing for the licensing and regulation thereof; prescribing fees, qualifications, and penalties; adding twelve new sections to chapter 36, Laws of 1955 and creating a new chapter in Title 77 RCW; and declaring an emergency.

Referred to Committee on Fisheries, Game and Game Fish.

**House Bill No. 353**, by Representatives England, Marsh and Morrissey:

An Act relating to contractor's bond on public works and improvements; and amending section 3, chapter 207, Laws of 1909 as last amended by section 2, chapter 28, Laws of 1915, and RCW 39.08.030.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 355**, by Representatives Wedekind, Anderson and King:

An Act relating to forest products and booming equipment; regulating the branding and transportation thereof; amending section 1, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.010; amending section 2, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.020; amending section 11, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.110; and amending section 14, chapter 154, Laws of 1925 extraordinary session, as amended by section 8, chapter 36, Laws of 1957, and RCW 76.36.140.

Referred to Committee on Natural Resources.

**Engrossed House Bill No. 367**, by Representatives Folsom, Brouillet and Mahaffey:

An Act relating to school districts; and amending section 2, chapter 68, Laws of 1955 and RCW 28.58.100.

Referred to Committee on Education.

**House Joint Memorial No. 40**, by Representatives Hood, Kink and Edwards:

Requesting that a national monument be established at Point Roberts.

Senator Lennart moved that the rules be suspended and House Joint Memorial No. 40 be advanced to second reading and read in full.

The motion carried.

On motion of Senator Lennart, the rules were suspended, House Joint Memorial No. 40 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of House Joint Memorial No. 40, and the memorial passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Woodall—44.

Those absent or not voting were: Senators Bargreen, Dore, Gissberg, Thompson, Jr., Washington—5.

House Joint Memorial No. 40, having received the constitutional majority, was declared passed.

#### PRESIDENT'S PRIVILEGE

The President announced the presence of a group of students that comprise the Washington State History Class of Foster High School in Seattle, at the request of the eminent and esteemed Senator, Andy Hess. Senator Henry was asked to stand with the students, and the President announced to the group that since Senator Hess was the Senate chairman of the Committee on Education and was holding a committee meeting that he would be represented by Senator Henry.

The President announced the presence in the gallery of a group of Associated Republican Women from Seattle, under the direction of Mrs. Doris Tripp. The introduction was made at the request of Senator Charles P. Moriarty, Jr. The group was asked to stand, along with Senator Moriarty, to be recognized.

(Applause.)

#### SECOND READING OF BILLS

**Senate Bill No. 299**, by Senators Henry, Foley and Raugust:

Lowering inhabitant requirement of cities.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Senate Bill No. 299 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 299, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those absent or not voting were: Senators Durkan, Petrich—2.

Senate Bill No. 299, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Greive, Angevine and Kupka demanded a Call of the Senate.

A Call of the Senate was ordered.

## CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

**Senate Bill No. 213**, by Senators Foster, Chytil, Hanna and Hallauer:

Excluding certain agricultural and horticultural commissions from civil service act.

The bill was read the second time by sections.

On motion of Senator Foster, the following amendment was adopted:

On page 3, following subsection (17) add a new subsection reading as follows: "*(18) Officers and employees of the state wheat commission formed under the provisions of chapter ....., Laws of 1961 (Senate Bill No. 305).*"

On motion of Senator Greive, Senate Bill No. 213 was ordered placed at the end of the second reading calendar for today.

## MOTION

Senator Angevine moved that the Senate dispense with Call of the Senate. The motion lost.

**Senate Bill No. 287**, by Senators Hofmeister, Knoblauch and Lennart (by Departmental request):

Enacting new law relating to horticultural plants and nursery inspection.

The bill was read the second time by sections.

On motion of Senator Gallagher, the following amendment was adopted:

In section 2, page 3, strike all of lines 6, 7 and 8.

Senator Gallagher moved that the following amendment be adopted:

In new section 20, page 9, line 9, after "act" and before "guilty" strike "or rules adopted hereunder is" and insert "shall be"

## POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"I will."

Senator Rasmussen:

"Senator Gallagher, apparently other people were also looking at this bill. Your amendment would say merely, that a party who would have no knowledge of the rules and regulations, could be guilty of a misdemeanor and the way you propose to amend it would be that he would have to have knowledge of the rule or regulation before he could be guilty. Is this correct?"

Senator Gallagher:

"I am not sure that it would go that far, but he would not be guilty of a gross misdemeanor if he was not aware of the rule."

The motion carried, and the amendment was adopted.

On motion of Senator Lennart, Senate Bill No. 287 was ordered placed at the end of the second reading calendar for the day.

**Senate Bill No. 234**, by Senators Kupka, Henry, Shannon, Talley, Bailey, Knoblauch, Petrich and Gissberg:

Relating to industrial development districts.

The bill was read the second time by sections.

On motion of Senator Kupka, the rules were suspended, Senate Bill No. 234 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 234, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—47.

Those voting nay were: Senators Elway, Jr., Woodall—2.

Senate Bill No. 234, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"The President should like to remark that when the Senate is proceeding under the Call of the Senate, in the interest of orderly procedure, the President respectfully urges each Senator to remain within the Senate Chamber.

"Thank you very much."

Applause from guests in the gallery.

#### RULING OF THE PRESIDENT

The President:

"The lady and gentlemen of the Senate and the President are delighted that you are in the gallery today. The President should like to respectfully remind you that you are guests and would appreciate it if you would please refrain from any further kind of demonstration whatsoever. We hope that you are enjoying your visit and hope that you will please comply with the Senate Rules at the request of the President."

**Senate Bill No. 306**, by Senators Dore, Gallagher and Durkan:

Relates to regulation of firearms and prescribes penalties.

On motion of Senator Dore, Senate Bill No. 306 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 44**, by Senators Rasmussen, Happy and Gallagher:

Making provisions as to refunds of and exemptions from the motor vehicle fuel tax for urban transportation systems permanent.

Senate Chamber,

Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Senate Bill No. 44, relating to refunds of motor vehicle fuel tax and exemptions from use fuel tax for certain urban transportation systems, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 2, line 2, after "granted" strike all of the material down to, and including "city." on line 9 and insert the following:

"[to] on fuel used by any urban transportation [system] vehicle [which hereafter operates motor vehicles a distance exceeding] on any trip where any portion of said trip is more than five road miles beyond the corporate limits of the city in which [the original starting point of such motor vehicles is located: *Provided further*, That this section shall expire June 30, 1961] said trip originated."

In section 2, page 2, line 27, after "granted", strike all of the material down to and including "city." on line 33 and insert the following:

"[to] on fuel used by any urban transportation [system] vehicle [which hereafter operates motor vehicles a distance exceeding] on any trip where any portion of said trip is more than five road miles beyond the corporate limits of the city in which [the original starting point of such motor vehicles is located: *Provided further*, That this section shall expire June 30, 1961] said trip originated."

FRED H. DORE, Chairman.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Frank W. Foley, John H. Happy, George W. Kupka, John T. McCutcheon, John A. Petrich, A. L. Rasmussen, Don L. Talley.

Senate Chamber,

Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 44, making provisions as to refunds of and exemptions from the motor vehicle fuel tax for urban transportation systems permanent, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 22, before "persons, over" strike "twenty" and insert "fifteen"

In section 1, page 2, line 2, after "granted" strike all of the matter down to and including "city" on line 9 and insert the following:

"[to] on fuel used by any urban transportation [system] vehicle [which hereafter operates motor vehicles a distance exceeding] on any trip where any portion of said trip is more than five road miles beyond the corporate limits of the city in which [the original starting point of such motor vehicles is located: *Provided further*, That this section shall expire June 30, 1961] said trip originated: *PROVIDED FURTHER*, That this section shall expire June 30, 1963"

In section 2, page 2, line 20, before "persons, over" strike "twenty" and insert "fifteen"

In section 2, page 2, line 27, after "granted" strike all of the matter down to and including "city" on line 33 and insert the following:

"[to] on fuel used by any urban transportation [system] vehicle [which hereafter operates motor vehicles a distance exceeding] on any trip where any portion of said trip is more than five road miles beyond the corporate limits of the city in which [the original starting point of such motor vehicle is located: *Provided further*, That this section shall expire June 30, 1961] said trip originated: *PROVIDED FURTHER*, That this section shall expire June 30, 1963"

....., Chairman.  
....., Vice-Chairman.  
....., Vice-Chairman.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, A. L. Rasmussen, Edward F. Riley, Gordon Sandison.

The bill was read the second time by sections.

On motion of Senator Dore, the amendments by the Committee on Public Utilities were laid on the table.

On motion of Senator Dore, the first amendment by the Committee on Highways was adopted as follows:

In section 1, page 1, line 22, before "persons, over" strike "twenty" and insert "fifteen"

Senator Dore moved adoption of the following committee amendment:

In section 1, page 2, line 2, after "granted" strike all of the matter down to and including "city" on line 9 and insert the following:

"[to] on fuel used by any urban transportation [system] vehicle [which hereafter operates motor vehicles a distance exceeding] on any trip where any portion of said trip is more than five road miles beyond the corporate limits of the city in which [the original starting point of such motor vehicles is located: *Provided further*, That this section shall expire June 30, 1961] said trip originated: *PROVIDED FURTHER*, That this section shall expire June 30, 1963"

#### POINT OF INQUIRY

Senator McCutcheon:

"Will Senator Dore yield to a question?"

Senator Dore:

"I will."

Senator McCutcheon:

"This five-mile limitation, is that in the city limits?"

Senator Dore:

"No, Senator McCutcheon, that is wrong. It is five miles beyond the city limits."

Senator McCutcheon:

"Senator Dore, I would like to ask if your committee would object to making that six miles?"

Senator Dore:

"Well no, I don't think there would be any objection. I have no personal objection, but I think this might expand on public transportation for fuel tax. They didn't ask for additional mileage, but if there is some reason for it, I don't personally care."

On motion of Senator McCutcheon, the following amendment to the amendment by the Committee on Highways was adopted:

In line 4 of the second paragraph of the committee amendment to section 1, page 2, line 2, after "than" strike "five" and insert "[five] six"

On motion of Senator Hofmeister, the following amendment by the Committee on Highways was adopted:

In section 2, page 2, line 20, before "persons, over" strike "twenty" and insert "fifteen"

Senator Ryder moved the following amendment by the Committee on Highways be adopted:

In section 2, page 2, line 27, after "granted" strike all of the matter down to and including "city" on line 33 and insert the following:

"[to] on fuel used by any urban transportation [system] vehicle [which hereafter operates motor vehicles a distance exceeding] on any trip where any portion of said trip is more than five road miles beyond the corporate limits of the city in which [the original starting point of such motor vehicles is located: *Provided further*, That this section shall expire June 30, 1961] said trip originated: *PROVIDED FURTHER*, That this section shall expire June 30, 1963"

#### POINT OF INQUIRY

Senator Dore:

"Does Senator McCutcheon have an amendment to the amendment?"

Senator McCutcheon:

"Yes, we do have. The amendment is being prepared by Senator Freise."

Discussion ensued regarding the Freise amendment to the amendment.

On motion of Senator Freise, the following amendment to the fourth amendment by the Committee on Highways was adopted:

In line 4 of the second paragraph of the committee amendment to section 2, page 2, line 27, after "than" strike "five" and insert "[five] six"

The President stated the question to be the adoption of the fourth committee amendment by the Committee on Highways as amended. The motion carried and the amendment as amended was adopted.

On motion of Senator McCutcheon, the following amendments were adopted:

In section 1, page 1, line 26, after "exceeding" and before "road" strike "five" and insert "[five] six"

In section 2, page 2, line 24, after "exceeding" and before "road" strike "five" and insert "[five] six"

On motion of Senator Dore, the rules were suspended, Engrossed Senate Bill No. 44 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 44, and the bill passed the Senate by the following vote: Yeas, 41; nays, 8; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr.—41.

Those voting nay were: Senators Hallauer, Lennart, McCormack, Martin, Neill, Raugust, Washington, Woodall—8.

Engrossed Senate Bill No. 44, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At this time, at the request of the worthy and respected Senator, Honorable Albert C. Thompson, Jr., the President would like to present the personable and attractive group of Republican women from Bellevue, Kirkland and Houghton. Would you ladies please stand, along with Senator Thompson, in order that you may be recognized. Thank you very much for being in attendance today."

(Applause.)

**Senate Bill No. 167**, by Senators Connor, Cooney and Gallagher:

Relates to policemen's pensions.

The bill was read the second time by sections.

On motion of Senator Freise, as amended by Senator Gallagher, Senate Bill No. 167 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 379**, by Senators Durkan, Herrmann and Elway, Jr.:

Repealing authority for department of natural resources to sell certain real property to city of Seattle.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Senate Bill No. 379 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 379, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—49.

Senate Bill No. 379, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 14**, by Senators Kupka, Freise and Keefe (by Legislative Council request):

Transferring supervision of parolees and probationers to director of institutions.

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, Senate Bill No. 14 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Riley:

"Senator Freise, this is my question: Are you convinced that this is the best philosophy? In other words, if we were discussing this in 1971 would you still believe it, or are we a little influenced by the people who make up the Department of Institutions and the Department of Prison Terms and Paroles."

Senator Freise:

"I can say this. I have lived in Walla Walla for eleven years and I have learned quite a little about the institution there. Since the Department of Institutions has instituted many measures, the atmosphere is altogether different. The type of treatment is altogether different and the results are very gratifying. They take inmates committed for a low type of criminal behavior and place them in the minimum security building, after so much progress has been made and their attitudes have really changed, they release them on parole and throw them to the wolves.

"That is when they really need the extra help which the Department of Institutions, who has really worked with these people, can give them. But they are put under the direction of the Board of Prison Terms and Paroles who do not have the time to give to these people and the rehabilitation program is not carried on because they are not familiar with the individual cases.

"To answer your question, this would be my feeling in 1971. Yes, my feeling would still be the same."

Debate ensued.

The Secretary commenced to call the roll on the final passage of Senate Bill No. 14.

**MOTION**

Senator Greive moved that the rules be suspended and Senator Connor be excused.

Senator Rasmussen:

"I object because I think it is the duty of every Senator to make himself available while under the Call of the Senate."

Senator Gallagher:

"I rise on a point of personal privilege."

**POINT OF ORDER**

Senator Woodall:

"Senator Gallagher, you can't interrupt a roll call for a point of personal privilege."

Senator Greive:

"Senator Woodall is in error. You can, under Rule 21, interrupt a roll call for a point of personal privilege."

Senator Connor having entered the Senate Chamber, Senator Greive withdrew his motion to excuse Senator Connor, with the permission of the Senate.

The Secretary continued to call the roll on the final passage of Senate Bill No. 14, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those voting nay were: Senators Gissberg, Greive—2.

Senate Bill No. 14, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**RULING OF THE PRESIDENT**

The President:

"The President should like to remark that a hasty perusal of the rules indicates that there are many occasions when a roll call may be interrupted. The President is in the process of preparing a written report and will read it to you when it is complete."

**PRESIDENT'S PRIVILEGE**

The President:

"The President should like to call to the attention of the members of the Senate, a group of ladies from the Seattle City-Wide Women's Democratic Club, Incorporated. These ladies are under the direction of Mrs. Afton Nelson, their President. The President should like to ask this group to stand, along with any of the King County Senators that may care to join them, in order that they may be properly recognized."

(Applause.)

**Senate Joint Resolution No. 20**, by Senators Hofmeister, Talley, and Papajani:

Permitting four year excess millage levies by school districts.

The resolution was read the second time in full.

Senator Riley moved that the following amendment be adopted:

On page 1, line 14 after the word "of" and before the word "years" strike "four" and insert "two"

Debate ensued.

#### MOTION

On motion of Senator Greive, Senator Woodall was excused from the Call of the Senate due to an important engagement.

Senator Hofmeister moved that the amendment proposed by Senator Riley be tabled.

A division was requested.

Senator Herrmann demanded a roll call, which was sustained by Senators Greive, Washington, Knoblauch, DeGarmo, Hanna, Cooney, Nunamaker, Rasmussen and Connor.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Would the President be good enough to state the question."

The President stated the question to be: It has been moved that the amendment proposed by Senator Riley be tabled. An "aye" vote will be to table the amendment; a vote "no" will keep the amendment before the body.

The Secretary called the roll and the amendment by Senator Riley was laid on the table by the following vote: Yeas, 33; nays, 15; absent and excused, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Rasmussen, Sandison, Talley, Thompson, Jr., Washington—33.

Those voting nay were: Senators Chytil, Cowen, Donohue, Elway, Jr., Foster, Happy, Lennart, McMillan, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Shannon—15.

Those absent and excused were: Senator Woodall—1.

On motion of Senator Hess, the rules were suspended, Senate Joint Resolution No. 20 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 20, and the resolution passed the Senate by the following vote: Yeas, 48; nays, 0; absent and excused, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—48.

Those absent and excused were: Senator Woodall—1.

Senate Joint Resolution No. 20, having received the constitutional majority, was declared passed.

**MOTION**

On motion of Senator Greive, the following bills were ordered to retain their places on the second and third reading calendars for tomorrow, and it was ordered that they all be considered before any further bills are considered: Senate Joint Memorial No. 13; also Senate Bills Nos. 167, 314 and 42; also Engrossed Senate Bill Nos. 149, 213, 287 and 369.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Connor, the President introduced a group of students from Franklin High School in Seattle. The group was asked to stand along with Senator Connor, in order that they be properly recognized.

(Applause.)

**MOTION**

At 1:30 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m., on Tuesday, February 21, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-FOURTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, February 21, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Gary Gilbert, Color Bearer, and Susan Harris, presented the Colors.

Reverend W. A. MacArthur, Pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Let us pray:

"We speak to Thee in this opening moment of our day's work, O God; we would hear from Thee words of courage and wisdom, for the hard experiences and difficult decisions we must sometimes make.

"We seek of Thee determination to stand steady and true when the temptation to be less than our best is upon us.

"Grant unto each of us a clear vision of duty and a sure sense of responsibility. We ask no easy way, but we do ask that Thy grace be sufficient unto our need. In Jesus' name. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESIDENT'S PRIVILEGE

The President:

"At the request of the eminent Senator from Thurston County, the Honorable Victor F. DeGarmo, the President would like to present fifty-two young students from the fifth grade at Grand Mound and Rochester Schools, with their instructor, Mr. Van Liew. Would this group please stand along with Senator DeGarmo in order that you may be properly recognized.

"Also, at the request of Senator DeGarmo, in the north gallery, are thirty members of the Washington State History Class of Rainier High School, with their instructor, Mr. Boness. Would this group please stand also.

"The President hopes that both groups, guests of Senator DeGarmo, enjoy today's proceedings."

(Applause.)

#### PRESENTATION OF PETITIONS, MEMORIALS AND RESOLUTIONS

The Secretary read:

#### SENATE RESOLUTION

By Senators Martin, Hallauer and Connor:

*Be It Resolved, By the Senate:*

WHEREAS, The director of institutions has determined that the state should not acquire the Martha Washington school for girls at Seattle pursuant to RCW 72.05.300 as a permanent facility for the care, custody, treatment and rehabilitation of girls found delinquent by the juvenile courts; and

WHEREAS, It appears that the Martha Washington school for girls is inadequate for the purpose of proper care, custody, treatment and rehabilitation of girls due to inadequate design, equipage and size of such facility and is undesirably situated on small acreage in a densely populated area;

Now, Therefore, Be It Resolved, That the state legislative council subcommittee on state institutions and youth control be, and it is hereby directed, to study, investigate and submit its recommendations to the thirty-eighth regular session of the state legislature, the Governor and the director of institutions of a suitable site for the relocation and establishment of a juvenile correctional institution for girls in replacement of the Martha Washington school for girls.

On motion of Senator Martin, the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 44 have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 31; also

Senate Bill No. 52; also

Senate Bill No. 149; also

Senate Bill No. 280; also

Senate Bill No. 354; also

Senate Concurrent Resolution No. 5, have compared same with the original bills and resolution and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 17:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means to whom was referred Senate Bill No. 17, creating the charitable, educational, penal and reformatory institutions account in the general fund and from such, or by sale of bonds, authorizes the financing of the correctional institution established by chapter 72.13 RCW, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 330:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses

to whom was referred Senate Bill No. 330, relating to accountancy, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, David C. Cowen, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 392:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security to whom was referred Senate Bill No. 392, requiring continuation of pension rights for retained employees when PUD buys private utility, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Edward F. Riley, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 418:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security to whom was referred Senate Bill No. 418, protects pension rights of employees of urban transportation system taken over by a first class city, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, W. C. Raugust, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 448:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses to whom was referred Senate Bill No. 448, prohibiting credit card frauds, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, David C. Cowen, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, Reuben A. Knoblauch, John Papajani, William D. Shannon.

On motion of Senator Riley, the report was adopted and Senate Bill No. 448 was referred to the Judiciary Committee.

**Senate Bill No. 463:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks to whom was referred Senate Bill No. 463, acquiring Jones Salt Water State Park, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 33:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, your Committee on Capitol Grounds, Public Buildings and Parks to whom was referred Senate Joint Resolution No. 33, naming the dam across Deschutes waterway as George Yantis Dam, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., William D. Shannon, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 19:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks to whom was referred House Bill No. 19, authorizing executory conditional sales contracts for public parks and libraries, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 72:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 72, relating to salaries of second class city officials, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Joe Chytil, Victor F. DeGarmo, Fred H. Dore, Harry Elway, Jr., Michael J. Gallagher, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, Edward F. Riley, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 101** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 292:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 292, amending definition of dealer under motor vehicle dealer licensing act, have

had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblach, Mike McCormack, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 294:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 294, raising amount of bonds for "for hire operators" of motor vehicles, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblach, Mike McCormack, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 302:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 302, amending fees for replacement of lost or defaced vehicle license plates, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblach, Mike McCormack, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 303:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 303, providing for fractional reduction of quarterly licenses issued for trucks and trailers over 20,000 pounds and making all quarterly licenses expire December 31st, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblach, Mike McCormack, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 304:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways to whom was referred House Bill No. 304, relating to motor vehicle excise taxes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 390** (reported by Committee on Capitol Grounds, Public Buildings and Parks):

Do pass as amended.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Joint Resolution No. 9:**

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Engrossed House Joint Resolution No. 9, amending Constitution to insure governmental continuity in war emergency, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Frances Haddon Morgan, John Papajani, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 10:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred House Concurrent Resolution No. 10, directing legislative council to study timber evaluation and taxation problems, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

#### PRESIDENT'S PRIVILEGE

The President introduced, at the request of Senator Charles P. Moriarty, Jr., a group of students from Catherine Blaine Junior High School under the direction of their teacher, Robert H. Rancich. The President asked this group from his home district, Magnolia Bluff, to stand in order that they might be properly recognized.

The President introduced, at the request of Senator W. C. Raugust, thirty-six students in the state government class of Ritzville High School, visiting with their principal, parents and friends. This group was also asked to stand. The President thanked this group for attending and making this long trip to Olympia; hoped that it was worthwhile and that they enjoyed viewing the legislative processes.

(Applause.)

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

The House passed: Engrossed House Bill No. 26; also

Engrossed House Bill No. 91; also

Engrossed House Bill No. 110; also

Engrossed Substitute House Bill No. 180; also

House Bill No. 237; also

Engrossed House Bill No. 366; also

Engrossed House Bill No. 397; also

Engrossed House Bill No. 433; also

Engrossed House Bill No. 449; also

House Concurrent Resolution No. 15, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 554**, by Senators Durkan and Gissberg:

An Act relating to revenue and taxation; amending section 84.40.210, chapter 15, Laws of 1961, and RCW 84.40.210; and adding two new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW.

Referred to Committee on Ways and Means.

**Senate Concurrent Resolution No. 7**, by Committee on Rules and Joint Rules:

Concurrent resolution relating to terminal dates for the consideration of certain legislative measures.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 7 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 7 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 26**, by Representatives Campbell, Andersen and Bergh (by Legislative Council request):

Reorganizing, clearing obsolete matter from juvenile laws.  
Referred to Judiciary Committee.

**Engrossed House Bill No. 91**, by Representatives Bernethy, Witherbee and Meyers, Jr. (by Legislative Council request):

An Act relating to explosives; amending section 9, chapter 111, Laws of 1931 and RCW 70.74.090; amending section 254, chapter 249, Laws of 1909 and RCW 70.74.300; amending section 46.37.460, chapter ....., Laws of 1961 and RCW 46.37.460; and amending section 20, chapter 111, Laws of 1931 and RCW 70.74.190.

Referred to Committee on Labor and Industrial Insurance.

**Engrossed House Bill No. 110**, by Representatives Garrett, Evans and Schaefer (by Departmental request):

An Act relating to cemeteries; amending section 30, chapter 290, Laws of 1953 and RCW 68.05.280; and amending section 118, chapter 247, Laws of 1943 as amended by section 4, chapter 290, Laws of 1953, and RCW 68.40.010.

Referred to Judiciary Committee.

**Engrossed Substitute House Bill No. 180**, by Committee on Aviation and Transportation:

An Act relating to aeronautics; and prescribing the civil liability of owners and operators of private aircraft.

Referred to Judiciary Committee.

**House Bill No. 237**, by Representatives Henry, Copeland and McDougall (by Departmental request):

An Act relating to the Uniform Washington Food, Drug and Cosmetic Act; amending section 39, chapter 257, Laws of 1945 and RCW 69.04.210; amending section 57, chapter 257, Laws of 1945 and RCW 69.04.390; amending section 58, chapter 257, Laws of 1945 and RCW 69.04.400; and adding ten new sections to chapter 69.04 RCW; and repealing section 41, chapter 257, Laws of 1945 and RCW 69.04.230; and repealing section 94, chapter 257, Laws of 1945 and RCW 69.04.760.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 366**, by Representatives O'Connell, Leibold and Copeland:

An Act relating to school district elections.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Engrossed House Bill No. 397**, by Representatives Ahlquist, Schaefer and Canfield:

An Act providing for formation and establishing procedures for soil and water conservation districts.

Referred to Committee on Natural Resources.

**Engrossed House Bill No. 433**, by Representatives Litchman, Jr., Ackley and Leland:

An Act relating to cities, towns and counties and to minimum housing standards therein; extending chapter 82, Laws of 1959 and chapter 35.80 RCW to include counties; amending section 1, chapter 82, Laws of 1959 and RCW

35.80.010; amending section 2, chapter 82, Laws of 1959 and RCW 35.80.020; and amending section 3, chapter 82, Laws of 1959 and RCW 35.80.030.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 449**, by Representatives Day, McCormick and Perry:

An Act relating to industrial insurance and medical aid contracts thereunder; and repealing sections 51.40.010 through 51.40.070, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.40.010 and 51.40.070.

Referred to Committee on Labor and Industrial Insurance.

**House Concurrent Resolution No. 15**, by Committee on Industrial Insurance:

Calling for study of House Bill No. 50 by Legislative Council.

Referred to Committee on Labor and Industrial Insurance.

#### SECOND READING OF BILLS

**Senate Bill No. 306**, by Senators Dore, Gallagher and Durkan:

Relates to regulation of firearms and prescribes penalties.

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 306, relating to regulation of firearms and prescribing penalties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 7, add a new section following section 13 to read as follows:

**NEW SECTION.** Sec. 14. Section 21, chapter 172, Laws of 1935 is amended to read as follows:

Certain Acts Repealed. All laws or parts of laws of the State of Washington, its subdivisions and municipalities inconsistent herewith are hereby pre-empted and repealed.

In line 13 of the title after "9.41.160;" and before "and" insert "amending section 21, chapter 172, Laws of 1935;"

JOHN A. PETRICH, Chairman.

We concur in this report: John L. Cooney, Martin J. Durkan, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

The bill was read the second time by sections.

On motion of Senator Freise, the committee amendment was adopted.

On motion of Senator Woodall, the following amendment was adopted:

In section 4, page 2, lines 21 and 22, after "unloaded" and before "or" strike "and is locked in a compartment or container in the vehicle"

On motion of Senator Freise, further consideration of Senate Bill No. 306 was ordered to continue after Senate Bill No. 314 on the second reading calendar for today.

**Senate Joint Memorial No. 13**, by Senators Sandison and Gissberg:

Relating to a new highway from LaPush to Neah Bay.

The memorial was read the second time in full.

On motion of Senator Sandison, the rules were suspended, Senate Joint Memorial No. 13 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 13, and the memorial passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Papajani, Raugust, Talley—3.

Senate Joint Memorial No. 13, having received the constitutional majority, was declared passed.

**Senate Bill No. 314**, by Senators Hanna, Knoblauch and Neill:

Establishing standards for investment of teachers' retirement funds.

On motion of Senator Greive, Senate Bill No. 314 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 306**, by Senators Dore, Gallagher and Durkan:

Relates to regulation of firearms and prescribes penalties.

The bill was read by sections.

On motion of Senator Neill, the committee amendment to the title was adopted.

On motion of Senator Dore, the rules were suspended, Engrossed Senate Bill No. 306 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 306, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those voting nay were: Senator Martin—1.

Those absent or not voting were: Senators Hallauer, Papajani, Raugust—3.

Engrossed Senate Bill No. 306, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Greive, Foster and Martin demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

**Senate Bill No. 213**, by Senators Foster, Chytil, Hanna and Hallauer:

Excluding certain agricultural and horticultural commissions from civil service act.

The bill was read the second time by sections.

On motion of Senator Foster, the rules were suspended, Engrossed Senate Bill No. 213 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 213, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papanjani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those voting nay were: Senators Foley, Hess—2.

Engrossed Senate Bill No. 213, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Greive, Engrossed Senate Bill No. 213 was ordered immediately transmitted to the House.

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of the esteemed and respected Senator from Whatcom County, Senator Ernest W. Lennart, the President would like to introduce a group of ladies from Mount Baker PTA. The President would like to ask the group to stand along with Senator Lennart, in order to be properly recognized."

(Applause.)

**PERSONAL PRIVILEGE**

Senator Cowen:

"This is the youngest and most attractive group of girls I've seen during the thirty-seventh session!"

**MOTION**

On motion of Senator Greive, the Call of the Senate was dispensed with.

**Senate Bill No. 287**, by Senators Hofmeister, Knoblauch and Lennart (by Departmental request):

Enacting new law relating to horticultural plants and nursery inspection.

The bill was read the second time by sections.

**RULING OF THE PRESIDENT**

The President stated that Senate Bill No. 287 would take its place at the end of the second reading calendar for today, with the permission of the Senate.

**Senate Bill No. 167**, by Senators Connor, Cooney and Gallagher:

Relating to policemen's pensions.

The bill was read the second time by sections.

**PARLIAMENTARY INQUIRY**

Senator Greive:

"Mr. President, what is before the Senate at this time?"

The President:

"An amendment by Senator Riley, Senator Greive."

The Secretary read the following amendment by Senator Riley:

In section 1, page 2, line 5, strike "minimum"

On motion of Senator Riley, this amendment was withdrawn.

On motion of Senator Riley, the following amendment was adopted:

In section 1, page 2, strike all of lines 4 and 5 and insert the following:

*"As of July 1, 1961, a surviving spouse not otherwise covered by the provisions of section 2, chapter 78, Laws of 1959, shall be entitled to a pension of one hundred fifty dollars per month."*

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Riley yield to a question?"

Senator Riley:

"Yes, I will."

Senator Rasmussen:

"Do I understand your amendment now limits a surviving spouse to one hundred fifty dollars including whatever Social Security they might receive?"

Senator Riley:

"My amendment simply states that they shall receive one hundred fifty dollars per month. There is no provision here for a surviving spouse that might be covered by Social Security. My amendment would give this in addition to anything else."

Senator Rasmussen:

"I have an amendment. I move that Senate Bill No. 167 be placed at the end of the second reading calendar for today in order that I may have time to consult with the sponsors."

The motion carried.

Senate Bill No. 167 was ordered placed at the end of the second reading calendar for today.

**Senate Bill No. 42**, by Senator Gissberg:

Authorizing water districts to convey system to other water districts.

The bill was read the second time by sections.

On motion of Senator Gissberg, the following amendments were adopted:

In section 1, page 1, line 24, after "bonds" and before the period insert "*and general obligation bonds*"

Add a new section following section 1 reading as follows:

"Sec. 2. Section 2, chapter 142, Laws of 1933 and RCW 57.08.030 are each amended to read as follows:

"Should the commissioners of any such water district decide that it would be to the advantage of the water consumers of such water district to make the conveyance provided for in RCW 57.08.020, they shall cause the proposition of making such conveyance to be submitted to the electors of the water district at any general election or at a special election to be called for the purpose of voting on the same. If at any such election a majority of the electors voting at such election shall be in favor of making such conveyance, the water district commissioners shall have the right to convey to such city, [or] town, or other water district the mains and laterals belonging to the water district upon such city, [or] town, or other water district entering into a contract satisfactory to the water commissioners to maintain and repair the same."

Senator Gissberg moved that the following amendment to the title be adopted:

In line 3 of the title after "RCW 57.08.020" and before the period insert "; and amending section 2, chapter 142, Laws of 1933 and RCW 57.08.030"

## POINT OF INQUIRY

Senator Riley:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Riley:

"Senator Gissberg, the language says the 'water commissioners'. Does that mean all of them, or the majority, when you make reference to the 'water commissioners'?"

Senator Gissberg:

"Well, I am sure it must mean a majority, as in any group. When you say the senators decided, it means a majority of the senators. I don't think any group could be expected to decide unanimously; it would have to be a majority."

Senator Riley:

"I would assume that. It is plural, so it must be a majority."

The motion carried, and the amendment to the title was adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 42 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 42, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Riley, Ryder Sandison, Shannon, Talley, Thompson, Jr., Washington—43.

Those absent or not voting were: Senators Connor, McCutcheon, Nunamaker, Rasmussen, Raugust, Woodall—6.

Engrossed Senate Bill No. 42, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## PRESIDENT'S PRIVILEGE

The President announced the presence of a group of sixth grade pupils from Kessler School in Kelso visiting in the north gallery. Senator Talley was asked to stand and be recognized, along with the group.

At the request of Senator DeGarmo, a group of fifty seniors from Yelm High School, under the direction of E. A. Prescott and Bill Ward, was presented. This group was asked to stand with Senator DeGarmo.

(Applause.)

## THIRD READING OF BILLS

**Engrossed Senate Bill No. 149**, by Senators Greive, Petrich, Dore, Keefe and Kupka (by Legislative Council request):

Creating a publications review board to assist in enforcement of obscene materials law.

**POINT OF INQUIRY**

Senator Riley:

"Has there been any motion that I didn't hear about passing up the rest of the bills on the second reading calendar?"

**RULING OF THE PRESIDENT**

The President:

"Yesterday the motion was made that Engrossed Senate Bill No. 149 be placed on the third reading calendar for today, along with Engrossed Senate Bill No. 369. The bills put over from the day before are to be acted on before any new bills."

**MOTION**

Senator Gissberg moved that Engrossed Senate Bill No. 149 be referred to the Judiciary Committee with instructions to amend section 5.

Senator Hallauer demanded a Call of the Senate, and the demand was not sustained.

Senators Hallauer, Riley and Greive demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

**POINT OF INQUIRY**

Senator Kupka:

"Will Senator Lennart yield to a question?"

Senator Lennart:

"Yes, I will."

Senator Kupka:

"If this is such a bad bill and it has such a bad effect upon the Constitution, do you have any suggestions for the handling of this problem in some other way?"

Senator Lennart:

"Yes, I do. In exact relation to the schools and the church. The relationship to the problem comes from the home and parents. How this is handled in the home will determine the delinquency in your children. That is the problem.

"We have our problems by setting up two standards. It is only by the books we accept in the home that good reading habits are obtained in the home. This determines the attitudes of our children. Good habits in the home are not lost."

**PERSONAL PRIVILEGE**

Senator Happy:

"I just want to make one observation. I only wish Senator Lennart was as liberal on his drinking as he is on his reading!"

Extensive debate ensued.

Senators Greive, Papajani and Keefe demanded the previous question.

The President stated the question to be, shall the main question be now put, and the motion carried.

Senator Greive demanded a roll call, which was sustained by Senators Knoblauch, DeGarmo, McCutcheon, Sandison, Dore, Hofmeister, Martin, Papajani and Angevine.

The Secretary called the roll on the motion to refer Senate Bill No. 149 to the Judiciary Committee for the purpose of amending section 5, and the

motion was lost by the following vote: Yeas, 24; nays, 25; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Hallauer, Hanna, Henry, Hess, Lennart, McCormack, Moriarty, Jr., Neill, Rasmussen, Riley, Ryder, Shannon, Washington, Woodall—24.

Those voting nay were: Senators Bargreen, Chytil, Connor, Cooney, Dore, Durkan, Foster, Greive, Happy, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Raugust, Sandison, Talley, Thompson, Jr.—25.

Senator Bargreen moved that the rules be suspended and Engrossed Senate Bill No. 149 be returned to second reading for the purpose of amendments.

A division was requested.

Senator Kupka demanded a roll call, which was sustained by Senators Greive, DeGarmo, Rasmussen, Dore, Martin, Bargreen, Washington, Cooney, Durkan and Raugust.

The Secretary called the roll on the motion to suspend the rules and return Engrossed Senate Bill No. 149 to second reading, and failing to receive a two-thirds majority, the motion was lost by the following vote: Yeas, 25; nays, 24; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Hallauer, Henry, Hess, Lennart, McCormack, Moriarty, Jr., Neill, Rasmussen, Riley, Ryder, Shannon, Talley, Washington, Woodall—25.

Those voting nay were: Senators Bailey, Connor, Cooney, Dore, Durkan, Foster, Greive, Hanna, Happy, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Raugust, Sandison, Thompson, Jr.—24.

On motion of Senator Woodall, Senator Lennart was excused.

Senator Greive demanded the previous question which was sustained by Senators Herrmann and Kupka.

The President stated the question to be, shall the main question be now put, and the demand was sustained.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 149, and the bill passed the Senate by the following vote: Yeas, 31; nays, 17; absent and excused, 1.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cooney, Cowen, Dore, Durkan, Foster, Gallagher, Greive, Happy, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr.—31.

Those voting nay were: Senators Angevine, Bailey, DeGarmo, Donohue, Elway, Jr., Foley, Freise, Gissberg, Hallauer, Hanna, Henry, Hess, McCormack, Neill, Ryder, Washington, Woodall—17.

Those absent and excused were: Senator Lennart—1.

Engrossed Senate Bill No. 149, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**NOTICE OF RECONSIDERATION**

Senator Rasmussen, having voted on the prevailing side, gave notice that on the next legislative day he would move for reconsideration of the vote by which Engrossed Senate Bill No. 149 passed the Senate.

**PRESIDENT'S PRIVILEGE**

The President:

"The President would like to announce an item of special interest to the Kitsap area and to the Senate and ladies and gentlemen:

"Present today from North Viet-Nam, with her new parents, Mr. and Mrs. Ernest Tent from Bremerton, is a student from Central Kitsap High School, Miss Tron Thi Thin. Would this lovely visitor and her parents please stand, along with the distinguished Senator from Kitsap County, Mrs. Morgan, in order that you may be recognized by the members of the Senate."

(Applause.)

**MOTION**

On motion of Senator Greive, the Call of the Senate was dispensed with.

**PRESIDENT'S PRIVILEGE**

The President introduced twenty boys from the Charles Wright Academy of Tacoma at the request of Senator John H. Happy. The boys, accompanied by their instructor, George C. Buell, were asked to stand and be recognized along with Senator Happy.

At the request of Senator Reuben A. Knoblauch, the President introduced thirty-five pupils from Columbia Crest School in Eatonville, with their principal, Richard Jasper. This group was asked to stand, along with Senator Knoblauch.

(Applause.)

**MOTION**

At 1:10 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m. for lunch.

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**AFTERNOON SESSION**

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At 2:00 o'clock p. m., the President called the Senate to order.

The Secretary called the roll and all Senators were present.

Senators Greive, Henry and Hanna demanded a Call of the Senate. The demand was sustained.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, February 21, 1961.

To the Honorable, The Senate of the State of Washington.

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

**Senate Bill No. 4:**

An Act relating to counties; and amending section 2673, Code of 1881, as last amended by section 1, chapter 61, Laws of 1947, sections 2681 and 2687, Code of 1881, and RCW 36.32.120.

**Senate Bill No. 98:**

An Act relating to mergers of certain water districts; and adding a new chapter to Title 57 RCW.

**Senate Bill No. 140:**

An Act relating to controlled atmosphere storage of fruits and vegetables; providing penalties; and declaring an emergency.

**Senate Bill No. 254:**

An Act relating to macaroni workers; and amending sections 16 and 17, chapter 190, Laws of 1939 and RCW 69.16.115 and 69.16.120.

Very truly yours,

WARREN A. BISHOP,

Assistant to the Governor.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate:

"With your permission, the President should like to exercise the privilege of introducing a dignitary from the University of Washington, Dr. Bird, the President's former speech instructor. The President makes this observation in this particular instance in order that you might not hold everything against the President, but rather, some little blame against Dr. Bird. Will Dr. Bird please stand and be recognized?"

(Applause.)

**THIRD READING OF BILLS**

**Engrossed Senate Bill No. 369**, by Senators Papajani, Shannon and Greive: Authorizing scenic protection.

On motion of Senator Shannon, the rules were suspended and Engrossed Senate Bill No. 369 was returned to second reading for the purpose of amendments.

Senator Shannon moved that the following amendment be adopted:

In section 2, page 1, line 25, strike "Any portion of any county, whether incorporated in whole or in part or as part of any city or any town," and insert "Any portion of any county not otherwise subject to the provisions of local zoning legislation."

**POINT OF INQUIRY**

Senator Connor:

"Will Senator Papajani yield to a question?"

Senator Papajani:

"Yes, I will."

Senator Connor:

"Senator Papajani, would this take the powers away from the City Council, in order to reverse the Planning Board's decision?"

Senator Papajani:

"It would place it in a position where if the residents are in opposition to the City Council, it would be the people who are applying that would then appeal to the courts. As it now stands, the residents would appeal to the courts."

Senator Greive moved that the amendment by Senator Shannon be laid on the table.

A division was requested and the motion lost on a rising vote.

#### PERSONAL PRIVILEGE

Senator Rasmussen:

"I just want to bring to the attention of the Senators here on the floor the manner in which we are operating. I know that it is out of the goodness of Senator Greive's heart that he is making some of the motions to suspend the rules and permit some of us to speak after the debate is over, but it is quite obvious that if you are going to have rules they should pertain to everyone.

"In debate, everyone doesn't get to speak, and when the rules are suspended for one person to be allowed to speak, that is depriving the rest of the members on the floor of their basic right, and out of courtesy, they don't press the issue.

"I think this has gone far enough. I think to suspend the rules for a couple of people and not for others is entirely improper and an unfair way to operate, and I hope that we can get together sometime."

Debate ensued.

The President stated the question before the Senate to be, the adoption of an amendment by Senator Shannon.

Senator Greive demanded a roll call, which was sustained by Senators Hofmeister, Connor, McCutcheon, Foley, Angevine, Papajani, Freise, Henry and Kupka.

The Secretary called the roll on the adoption of the amendment by Senator Shannon, and the amendment was not adopted by the following vote: Yeas, 19; nays, 30; absent or not voting, 0.

Those voting yea were: Senators Chytil, DeGarmo, Donohue, Elway, Jr., Foster, Freise, Hallauer, Happy, Lennart, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Shannon, Thompson, Jr., Woodall—19.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Papajani, Ryder, Sandison, Talley, Washington—30.

On motion of Senator Elway, the following amendment was adopted:

On page 9 of the engrossed and printed bill, following new section 22, add a new section reading as follows:

"NEW SECTION. Sec. 23. This act shall apply to cities of the first class in AA counties."

Renumber the remaining sections consecutively.

Senator Freise moved that the following amendment be adopted:

On page 1, strike section 1 and renumber remaining sections.

Debate ensued.

The President stated the question to be the adoption of the amendment by Senator Freise.

A division was requested.

The motion was lost and the amendment was not adopted.

#### MOTION

On motion of Senator Hess, the following amendment was adopted:

In section 13, page 6, line 13 of the engrossed bill, same being page 6, line 15 of the printed bill, after "exist" strike the period and insert the following: "": *Provided*, That such restrictive covenants shall not be contrary to any comprehensive plan adopted pursuant to the provisions of RCW 35.63."

On motion of Senator Greive, the following amendment was adopted:

In section 11, page 5, line 9 of the engrossed and printed bill, after "commissioners" strike "shall in instances of arbitrary and capricious spot zoning by the governing planning authority" (same being the amendment by Senator Hess to the printed bill adopted February 18, 1961)

On motion of Senator Papajani, the rules were suspended, Re-Engrossed Senate Bill No. 369 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**RULING OF THE PRESIDENT**

The President stated he believed the discussion to be ended.

The Secretary called the roll on the final passage of Re-Engrossed Senate Bill No. 369, and the bill passed the Senate by the following vote: Yeas, 34; nays, 15; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Papajani, Rasmussen, Raugust, Sandison, Talley, Washington—34.

Those voting nay were: Senators Chytil, Elway, Jr., Foster, Freise, Hallauer, Hess, Moriarty, Jr., Neill, Nunamaker, Petrich, Riley, Ryder, Shannon, Thompson, Jr., Woodall—15.

Re-Engrossed Senate Bill No. 369, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTIONS**

On motion of Senator Greive, the following bills were ordered retained on the second reading calendar for tomorrow and to be considered before any other bills: Senate Bill Nos. 314, 231, 155, 259, 94, 434, 371, 457, 422, 287 and 167.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, the Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 83** (reported by Committee on Commerce, Manufacturing and Licenses):

Without recommendation.

....., *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, John Papajani, Albert C. Thompson, Jr.

Senate Chamber,

Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We a minority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 83, relating to the licensing and regulation of ambulances and ambulance operators, have had the same under consideration, and

we respectfully report the same back to the Senate with the recommendation that it do not pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: David C. Cowen, Harry Elway, Jr., Reuben A. Knoblauch, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 196** (reported by Committee on Commerce, Manufacturing and Licenses):

Do pass as amended.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, David C. Cowen, Martin J. Durkan, F. Stuart Foster, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, Reuben A. Knoblauch, Albert C. Thompson, Jr.

Senate Chamber,

Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

I, a minority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 196, relating to beauty culture, have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

I concur in this report: Frank Connor.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 216:**

Senate Chamber,

Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 216, authorizing certain political activities by employees covered by Initiative No. 207, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 276:**

Senate Chamber,

Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 276, providing for payment in lieu of subsistence and lodging for members of state board of education, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 359:**

Senate Chamber,

Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Senate Bill No. 359, permitting municipal corporations to withdraw from the state retirement system to join the state-wide city employees' retirement system, have had

the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunmaker, John Papajani, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 462:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 462, providing for coins commemorating the Century 21 Exposition, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 497:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 497, providing for license tabs to advertise Century 21, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Resolution No. 19:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred House Joint Resolution No. 19, amending the Constitution to relax residence requirements for voters, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Frank Connor, the President introduced a group of representatives from the Rainier Businessmen's Club. The group was asked to stand, along with Senator Connor, and be recognized.

(Applause.)

**MOTION**

At 3:30 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 9:30 o'clock a. m. on Thursday, February 22, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**FORTY-FIFTH DAY****MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, February 22, 1961.

The Senate was called to order at 9:30 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Tom Knoblauch, Color Bearer, and Marilyn Rottle, presented the Colors.

Reverend W. A. MacArthur, Pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Let us pray. God of our Fathers, on this significant day we pray Thee, for this nation and this state—that those of yesteryear founded.

"We thank Thee for the heritage which has come down to us, bought by other toll and other tears than ours.

"We thank Thee for the great character that has been woven into the fabric of our nation and this state, for the great leaders who in crucial times Thou hast lifted up to direct our paths.

"Be Thou to us, what our fathers have said Thou was to them—a fortress—a bulwark—a high tower—a refuge in their day of trouble.

"We would find things in our deliberations this day that endure, and we would seek of Thee this day, a wisdom and a strength greater than our own.

"Make stable and wise our minds to faithfully administer our offices of trust, that we fail not man nor Thee. In Jesus' name. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate; Ladies and Gentlemen:

"On this particular day, it is proper and fitting for the President to call attention to the mock session of the Legislature that was held last evening. The members of the Senate and the President wish to congratulate the pages and bill clerks for their wonderful work; and especially to compliment Mr. Hayes Elder for his direction of that splendid affair."

The Secretary read:

**SENATE RESOLUTION**

By Senators DeGarmo, Gissberg, Gallagher, Neill and Woodall:

WHEREAS, All coins of the United States are inscribed with the motto "In God We Trust"; and

WHEREAS, The Federal government has encouraged the use of this motto in our public schools; and

WHEREAS, The Olympia School District has taken the lead by encouraging the display of this motto in the Olympia schools; and

WHEREAS, The use of this motto emphasizes that this nation exists "Under God" in contrast with the communist nations of the world which deny the existence of a supreme being;

Now, Therefore, Be It Resolved, By the Senate of the State of Washington that the Superintendent of Public Instruction and the Boards of Directors of school districts throughout the state are urged to follow the example of the Olympia School District and encourage the display of the motto "In God We Trust" in the public schools of this state; and

Be It Further Resolved, That the Secretary of the Senate deliver a copy of this resolution to the Superintendent of Public Instruction.

On motion of Senator DeGarmo, the resolution was adopted.

Senators Greive, Riley and Hofmeister demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll under the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded with business under the Call of the Senate.

**MOTION**

Senator Woodall moved that Senator Connor be excused from under the Call of the Senate.

An objection was raised by Senator Greive, and Senator Connor was not excused.

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of the eminent, stately and Honorable Senator Bargreen, thirty Evergreen Junior High School students of the ninth grade at Everett are visiting in the north gallery. They are visiting Olympia because of their keen interest in legislative processes. Would you please stand, along with Senator Bargreen, in order that you may be recognized.

"The worthy and respected Senator from the Thirty-sixth District, Honorable Charles P. Moriarty, Jr., has requested the presentation of prominent and distinguished citizens from the Thirty-sixth District, members of the Democratic Club. Thank you for coming. Would you please stand, along with Senator Moriarty, and be recognized."

(Applause.)

The President:

"Members of the Senate, Ladies and Gentlemen:

"On a recent date the Senate acted upon Senate Joint Resolution No. 1. This is a document of historic significance and importance relating to suffrage for thousands of people in the District of Columbia. The signing of this particular document by the President has been delayed until today because of the significance attached to February 22, the birthday of the Father of our Country.

**APPOINTMENT OF SPECIAL COMMITTEE**

"At this time, the President should like to ask Senators Rasmussen, Riley, Cowen and Woodall to act as a Committee of Honor to escort the respected and exalted

Senator Gissberg, and equally worthy Senator Dore, to a place upon the rostrum where in turn these gentlemen will make appropriate remarks.

"Members of the Senate, ladies and gentlemen:

"It is with great pride and appreciation that the President presents the Honorable Senator from King County, Senator Fred H. Dore."

Senator Dore:

"Mr. President and Members of the Senate:

"Today is one of the historic days of the year—the day we celebrate and honor our great leader, George Washington. He was our leader during Revolutionary days and, of course, when the young Nation was founded. He became the father of our country, and when we look back to the presidents in history and examine them as to qualities, George Washington was one of the great presidents of all time that ever served this country. It is, indeed, significant that we in the state of Washington took his name and it is also significant that the Nation's capital was named after him.

"But a strange paradox took place in Washington. Through a quirk in the constitution, the citizens in the District of Columbia, some three-fourths of a million people, were not able to vote. They were disenfranchised.

"And so we took leadership in the state of Washington by introducing Senate Joint Resolution No. 1 which has already passed in both Houses. This will be signed by the President today. This particular bill will enable these people to finally exercise their right to vote. I think this represents a historic day and represents a great and high principle. It is particularly significant that only three states so far have passed this type of resolution. When two-thirds of the states have passed similar resolutions, the constitution will be amended to make this voting possible.

"It is fitting and proper that we, as the fourth state, should take leadership in this. We have taken leadership in non-discrimination in public housing, non-discrimination in public employment and unions, and being the fourth state out of fifty to go on record and pass the ratification of the Congress' work last June, by successfully passing and signing Senate Joint Resolution No. 1."

The President:

"Thank you very much, Senator Dore.

"At this time, members of the Senate, the honored Senator from Snohomish and Island Counties, William A. Gissberg, will speak."

Senator Gissberg:

"Thank you, Mr. President.

"Senator Dore and Members of the Senate:

"I am particularly pleased to be up here on the rostrum because it is the first time since I was elected to the Senate in 1953 that I have had the pleasure and the honor of standing before you members of the Senate from this position. Many of you have had the honor, and the thrill of doing so. Those of you who have not, have something for which to look forward to.

"Senator Dore has very ably presented to you some of the historic and political significance of the action taken by the Senate and the House in the passage of Senate Joint Resolution No. 1.

"I like to think of this day as a birthday party, because we are now celebrating the birthday of George Washington. I am glad that we have so many visitors in the gallery today to join with us in this celebration.

"I think it is very fitting that we have delayed the signing of Senate Joint Resolution No. 1 until today so that we here in the state of Washington can not only observe a birthday party, but so that we can send to the people of the City of Washington and the District of Columbia this, their birthday present."

The President:

"Thank you very much, Senator Gissberg. The members of the Senate and the President are of the opinion that Senator Dore and Senator Gissberg have each beautifully expressed the true sentiment and meaning of Senate Joint Resolution No. 1."

SIGNED BY THE PRESIDENT

The President signed: Senate Joint Resolution No. 1, witnessed by Senator Dore, Senator Gissberg and Secretary of the Senate Bowden.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate:

"The President knows in his heart that the members of the Senate will join with him in standing for just a moment in remembrance of a beloved former member of the State Senate, Honorable Victor Zednick. The President will be eternally grateful to Senator Zednick for his many kindnesses to the President during the two sessions in which the President had the privilege of working with Senator Zednick.

"Would you please stand for just a moment."

(The members stood in silence for a minute.)

The President:

"It is fitting and proper that the Senate members and the President also stand in remembrance of another esteemed and respected member of the Senate who has passed on, Senator Harold Kimball."

(The members stood in silence for a minute.)

The President:

"Thank you very much."

**MOTION FOR RECONSIDERATION**

Having voted on the prevailing side, Senator Rasmussen moved that the Senate do now reconsider the vote by which Senate Bill No. 149 passed the Senate.

Debate ensued.

Senator Greive demanded the previous question and the demand was sustained by Senators Hofmeister and Martin.

Senator Greive demanded a roll call which was sustained by Senators Hallauer, Knoblauch, Cooney, Durkan, Bailey, Herrmann, Kupka, Washington and Martin.

**PARLIAMENTARY INQUIRY**

Senator Greive:

"Mr. President, would you state for the record, the question before the Senate?"

The President stated the question before the Senate to be the motion to reconsider the vote by which Senate Bill No. 149 passed the Senate.

The Secretary called the roll on the motion for reconsideration of the vote by which Senate Bill No. 149 passed the Senate and the motion failed by the following vote: Yeas, 15; nays, 34; absent or not voting, 0.

Those voting yea were: Senators Angevine, Elway, Jr., Freise, Gissberg, Hallauer, Hess, Lennart, McCormack, Moriarty, Jr., Neill, Rasmussen, Riley, Ryder, Washington, Woodall—15.

Those voting nay were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Raugust, Sandison, Shannon, Talley, Thompson, Jr.—34.

**PERSONAL PRIVILEGE**

Senator Gissberg:

"I would simply like to point out that I think by the action of the Senate in passing the censorization bill, we have adopted the principle of cutting off our arm to cure a sore finger."

## PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"At the request of the eminent and worthy Senator from Pierce County, John T. McCutcheon, the President would like to present a group of Boy Scouts from Tacoma, under the direction of Mr. Frank Silk. Would this group please stand, along with Senator McCutcheon, in order that you may be properly recognized."

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 42; also

Senate Bill No. 213; also

Senate Bill No. 306; also

Engrossed Senate Bill No. 369, have compared same with the original and engrossed bills and find them correctly engrossed and re-engrossed.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

**Senate Bill No. 93:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Senate Bill No. 93, preventing ratable reductions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 181:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 181, expanding jurisdiction of division of safety and incorporating procedure of administrative procedure act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 205:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 205, providing for the registration of contractors, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, David C. Cowen, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, James E. Keefe, Reuben A. Knoblauch, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 221:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 221, establishing a state investment council, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 372** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman*,  
....., *Vice-Chairman*,  
....., *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 385:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Senate Bill No. 385, modifying unemployment compensation laws, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Social Security, to whom was referred Senate Bill No. 385, modifying unemployment compensation laws, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass. ...., *Chairman*.

I concur in this report: W. C. Raugust.

**MOTIONS**

On motion of Senator Greive, Senator Hallauer was excused.

Senator Happy moved that Senate Bill No. 385 be referred to the Committee on Social Security.

Senator Greive moved that the motion presented by Senator Happy be laid on the table.

A division was requested.

The motion carried on a rising vote, and the motion by Senator Happy that Senate Bill No. 385 be referred to the Committee on Social Security was laid on the table.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 401:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 401, regulating display of stop sign and flashing lamps on school buses, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
....., *Vice-Chairman*,  
....., *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 501:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Senate Bill No. 501, providing for extension of unemployment compensation beyond present limited duration, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Senator Riley moved that Senate Bill No. 501 be referred to the Committee on Social Security.

Senators Greive, Nunamaker and Durkan demanded the previous question.

The President stated the question to be shall the main question be now put.

The motion carried and the demand for the previous question was sustained.

Senator Greive demanded a roll call which was sustained by Senators Nunamaker, Greive, Hofmeister, Connor, Morgan, Knoblauch, Papajani, Herrmann, Angevine and Durkan.

The Secretary called the roll on the referral of Senate Bill No. 501 to the Committee on Social Security.

Senator Greive moved that Senator DeGarmo's name be called at the conclusion of the roll call.

An objection was received.

**RULING OF THE PRESIDENT**

The President:

"The Sergeant-at-Arms will escort Senator DeGarmo to the bar of the Senate."

Senator Greive moved that Senator McCormack's name be called at the conclusion of the roll call.

An objection was received.

**RULING OF THE PRESIDENT**

The President:

"The Sergeant-at-Arms will escort Senator McCormack to the bar of the Senate."

**POINT OF ORDER**

Senator Rasmussen:

"Are we under the Call of the Senate? I observe that the doors are open. They do not appear to be locked."

**RULING OF THE PRESIDENT**

The President:

"The Sergeant-at-Arms will lock the doors and the elevators."

The Secretary called the roll on the motion to refer Senate Bill No. 501 to the Committee on Social Security and the motion lost by the following vote: Yeas, 17; nays, 31; absent and excused, 1.

Those voting yea were: Senators Chytil, Cowen, Dore, Elway, Jr., Foster, Freise, Happy, Lennart, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—17.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Sandison, Talley, Washington—31.

Those absent and excused were: Senator Hallauer—1.

Passed to Committee on Rules and Joint Rules for second reading.

**PRESIDENT'S PRIVILEGE**

The President:

"At this time, at the request of a number of honored Senators, the President would like to introduce representatives from the Young Women's Democratic Club of King County. Also present is the President of the group, Jeanne Barnett. Will this group please stand along with the respective Senators from King County."

The President introduced a group of high school girls from Hoquiam, and requested that Senator Elway stand along with the group.

The President introduced a group of seventeen Boy Scouts sponsored by the First Christian Church from Bremerton. Senator Morgan was asked to stand and be recognized with the group.

(Applause.)

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 526:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 526, creating commercial driving schools, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, James E. Keefe, Reuben A. Knoblauch, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 24:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate

Joint Memorial No. 24, relating to Blaine Freeway, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
 ..... , *Vice-Chairman*,  
 ..... , *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 22** (reported by Committee on Labor and Industrial Insurance):

Do pass as amended.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 86:**

Senate Chamber,  
 Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 86, raising salaries of town officers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 97** (reported by Committee on Labor and Industrial Insurance):

Do pass as amended.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 217:**

Senate Chamber,  
 Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred House Bill No. 217, relating to amendments to state teachers' retirement system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, John Papani, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 288:**

Senate Chamber,  
 Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 288, changing fee for juvenile agricultural driving permit, have had the same

under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
 ..... *Vice-Chairman*,  
 ..... *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 299:**

Senate Chamber,  
 Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 299, modifying provisions of the use fuel tax, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
 ..... *Vice-Chairman*,  
 ..... *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 311:**

Senate Chamber,  
 Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred House Bill No. 311, relating to vocational training for blind persons, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, John N. Ryder, Don L. Talley.

Senate Chamber,  
 Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

I, a minority of your Committee on Social Security, to whom was referred House Bill No. 311, relating to vocational training for blind persons, have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do not pass.

..... *Chairman*.

I concur in this report: W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
 Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

The House has passed: House Joint Resolution No. 35, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

MR. PRESIDENT:

The Speaker has signed: Senate Concurrent Resolution No. 6, and the same is herewith transmitted.

House of Representatives,  
Olympia, Wash., February 21, 1961.

S. R. HOLCOMB, *Chief Clerk.*

MR. PRESIDENT:

The Speaker has signed: House Joint Memorial No. 40, and the same is herewith transmitted.

House of Representatives,  
Olympia, Wash., February 21, 1961.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: House Joint Memorial No. 40.**

**MOTIONS**

On motion of Senator McCutcheon, the Senate reverted to the first order of business for the purpose of motions.

Senator McCutcheon moved that the Committee on Constitution, Elections and Legislative Processes be relieved from further consideration of House Bill No. 366.

The motion carried.

Senator McCutcheon moved that House Bill No. 366 be referred to the Committee on Education.

The motion carried.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Concurrent Resolution No. 8**, by Senators Woodall, Happy and Thompson, Jr.:

Relating to investigation of the state liquor control board.

Senator Woodall moved that Senate Concurrent Resolution No. 8 be referred to the Committee on Liquor Control with instructions that a public hearing be held.

**POINT OF INQUIRY**

Senator Greive:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"Yes, I will."

Senator Greive:

"Senator Woodall, that one brand that you mentioned—Grenache—I think that they grow the grapes for that type of wine around Toppenish."

Senator Woodall:

"There are several places where they grow the grapes. I only know this—if they came from Toppenish, it is better than the wine they usually have."

Senator Greive demanded the previous question.

Senator Woodall demanded a roll call which was sustained by Senators Nunamaker and Kupka.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried.

The President stated the question to be, it has been moved that Senate Concurrent Resolution No. 8 be referred to the Committee on Liquor Control with instructions that a public hearing be held.

A roll call was demanded, which was sustained by Senators Happy, DeGarmo, Connor, Sandison, Lennart, Kupka, Bailey, Gallagher, Knoblauch and Ryder.

The Secretary called the roll on the referral of Senate Concurrent Resolution No. 8 to the Committee on Liquor Control, and the motion was lost by the following vote: Yeas, 15; nays, 34; absent or not voting, 0.

Those voting yea were: Senators Chytil, Cowen, Elway, Jr., Foster, Freise, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—15.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Sandison, Talley, Washington—34.

Senator Woodall moved that the rules be suspended and Senate Concurrent Resolution No. 8 be advanced to second reading, and read the second time in full.

A roll call was demanded, which was sustained by Senators Woodall, Shannon, Happy, Lennart, Ryder, Freise, Neill, Thompson, Chytil, Moriarty and Sandison.

The Secretary called the roll on the suspension of the rules and advancement of Senate Concurrent Resolution No. 8 to second reading, and the motion was lost by the following vote: Yeas, 14; nays, 35; absent or not voting, 0.

Those voting yea were: Senators Chytil, Cowen, Elway, Jr., Foster, Freise, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—14.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Washington—35.

Senate Concurrent Resolution No. 8 was referred to the Committee on Liquor Control.

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"I would like to call to the attention of the members of the Senate the fact that we went into session at 9:30 o'clock a. m. The time is now 11:15 a. m. We haven't even started to work on today's calendar. I have had requests from several of you Senators who want to get bills out of Rules Committee. We dilly-dallied around for two and one-half hours yesterday, and today we haven't discussed a single bill on the calendar. I think we should get to work. I think it is time we stopped this fooling around and get started. It is most important to our state agencies that we get some of these bills enacted. We haven't considered any bills as yet in connection with education which is of the utmost importance to the state.

"Now, I have been here since 1937, and I wish some of these members in the Senate would stop talking and we would get down to business and get started working!"

**PERSONAL PRIVILEGE**

Senator Woodall:

"I first came to Olympia in 1939, and I don't feel that we of the minority group have been a delaying factor here. I haven't had swarms of people introduced. I do say we have a right to debate these matters, and may I say on the bills yesterday, the full quota of words came from the majority side of the Senate!

"The opening address today was a very good one by Senator Gissberg; however, a very long one."

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"I want to assure Senator Woodall that in remarks that I just made, I had no intention to point to any certain party. What I said pertains to both parties!"

**MOTION**

Senator Greive:

"I move that we proceed with the calendar with as much dispatch as possible."

The motion carried.

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**House Joint Resolution No. 35**, by Representatives Schaefer, Klein and Marsh:

Commending Julia Butler Hansen and wishing her success in new position.

On motion of Senator Talley, House Joint Resolution No. 35 was advanced to second reading and read the second time in full.

On motion of Senator Washington, the rules were suspended, House Joint Resolution No. 35 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Senator Greive moved that the rules be suspended and Senator Hallauer be excused.

The motion carried.

The Secretary called the roll on the final passage of House Joint Resolution No. 35, and the resolution passed the Senate by the following vote: Yeas, 48; nays, 0; absent and excused, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—48.

Those absent and excused were: Senator Hallauer—1.

House Joint Resolution No. 35, having received the constitutional majority, was declared passed.

**MOTIONS**

On motion of Senator Greive, Senator Nunamaker was excused.

On motion of Senator Woodall, the Senate dispensed with the Call of the Senate.

**PARLIAMENTARY INQUIRY**

Senator Rasmussen:

"Mr. President, there apparently is a movie scheduled tonight. I hear rumors that we are going to have a night session. Could you advise me. It may be that we will have to change the time of the movie."

Senator Greive:

"Senator Rasmussen, it was never suggested. On Monday it was stated that we would have a session tonight. The night schedule will start at 8:00 o'clock. I don't know what time the movie is scheduled for but if our session interferes with the movie, they can schedule the movie for some other time. That is their privilege."

**SECOND READING OF BILLS**

**Senate Bill No. 314**, by Senators Hanna, Knoblauch and Neill:  
Establishing standards for investment of teachers' retirement funds.  
The bill was read the second time by sections.

On motion of Senator Ryder, the following amendments were adopted:

In section 1, subsection 11, page 3, line 31, after "than" and before "by" strike "A" and insert "AA"

In section 1, subsection 11, page 3, line 32, after "agencies" strike "; and" and insert the following: " : *PROVIDED FURTHER, That investment in bonds and debentures in this subsection (11) shall be limited to twenty percent of any one issue;*"

**POINT OF INQUIRY**

Senator Gissberg:

"Will Senator Ryder yield to a question?"

Senator Ryder:

"Yes, I will."

Senator Gissberg:

"Senator Ryder, does your method apply only to corporate bond issues?"

Senator Ryder:

"Yes, that is true."

On motion of Senator Ryder, the following amendment was adopted:

In section 1, subsection 12, page 4, line 15, after "exchanged" strike the period and insert "; and" and add a new subsection reading as follows:

*"(13) Savings deposits in commercial banks and mutual savings banks organized under federal or state law, insured by the federal deposit insurance corporation, and operating in this state: PROVIDED, That the deposit of any one fund in any such banks shall not exceed the amount insured by the federal deposit insurance corporation."*

On motion of Senator Hanna, the rules were suspended, Engrossed Senate Bill No. 314 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Bargreen, Senator DeGarmo was excused.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 314, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, Donohue, Dore, Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Connor, DeGarmo, Durkan, Elway, Jr., Freise, Nunamaker—6.

Engrossed Senate Bill No. 314, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"At the request of the eminent Senator and citizen, Don Talley, the President

should like to announce the presence of Miss Sallie Ivie, Cowlitz County Auditor. Miss Ivie and her office staff are seated in the south gallery. Would this group please stand, along with Senator Talley, and be properly recognized by the members."

(Applause.)

**Senate Bill No. 231**, by Senators Moriarty, Jr., Petrich and Ryder:

Relating to civil procedure and the filing of *lis pendens* notices where actions are in U. S. district court.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, Senate Bill No. 231 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 231, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Connor, DeGarmo, Durkan, Talley—4.

Senate Bill No. 231, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 155**, by Senators Henry, Talley and Neill:

Authorizing police officers of municipal corporations of the second and fourth classes to pursue and arrest violators of city ordinances beyond the city limits.

The bill was read the second time by sections.

Senator Martin moved that the following amendment be adopted:

On page 1, strike all of section 2.

A division was requested and the motion was lost on a rising vote.

The amendment was not adopted.

On motion of Senator Woodall, the following amendment was adopted:

In section 2, page 1, line 17, after "prison" and before the period on line 18, strike "the prisoners and any chain gang which may be established by the council" and insert "[, the prisoners and any chain gang which may be established by the council] and prisoners"

Debate ensued.

On motion of Senator Henry, the rules were suspended, Engrossed Senate Bill No. 155 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 155, and the bill passed the Senate by the following vote: Yeas, 35; nays, 11; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Elway, Jr., Foster, Freise, Gallagher, Gissberg,

Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Raugust, Sandison, Shannon, Talley, Thompson, Jr., Washington—35.

Those voting nay were: Senators Chytil, Donohue, Foley, Greive, Lennart, Moriarty, Jr., Petrich, Rasmussen, Riley, Ryder, Woodall—11.

Those absent or not voting were: Senators Dore, Durkan, Hofmeister—3.

Engrossed Senate Bill No. 155, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 259**, by Senators Cowen, Ryder and Martin (by Insurance Commissioner request):

Modifying law relating to health care services.

The bill was read the second time by sections.

On motion of Senator Ryder, the rules were suspended, Senate Bill No. 259 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 259, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Dore, Freise, Happy, Hofmeister, McCutcheon, Martin, Papajani, Raugust—8.

Senate Bill No. 259, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President would like the privilege of presenting at this time, a family of unusual distinction. Seated in the south gallery are Mr. and Mrs. Roger Foster and children, Keith, Gene and Jeff. Mr. Foster is the brother of the Honorable F. Stuart Foster. Will this group and Senator Foster please stand and be properly recognized."

(Applause.)

**Senate Bill No. 94**, by Senators Greive, Angevine and Bailey:

Modifying provisions of police pension fund in cities of the first class.

The bill was read the second time by sections.

Senator Angevine moved that the following amendment be adopted:

In section 1, page 1, line 16, after "twenty", strike "[five] and insert "-five"

#### PERSONAL PRIVILEGE

Senator Talley:

"Mr. President, how many amendments do we have on the Secretary's desk?"

The President:

"We have nine amendments, Senator Talley."

**MOTION**

Senator Talley:

"I move that Senate Bill No. 94 be referred to the Committee on Cities, Towns and Counties."

Senator Greive demanded a roll call, which was sustained by Senators Connor, Henry, Kupka, Hanna, Cooney, Durkan, Angevine, Gallagher and DeGarmo.

**MOTION**

On motion of Senator Woodall, Senator Ryder was excused to keep a prior commitment.

The President stated the question to be, it has been moved that Senate Bill No. 94 be referred to the Committee on Cities, Towns and Counties.

The Secretary called the roll on the referral of Senate Bill No. 94 to the Committee on Cities, Towns and Counties, and the motion lost by the following vote: Yeas, 19; nays, 29; absent or not voting, 1.

Those voting yea were: Senators Chytil, Cowen, Donohue, Foster, Freise, Happy, Hess, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Woodall—19.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Washington—29.

Those absent or not voting were: Senator Ryder—1.

The President stated the question before the Senate to be the adoption of the amendment as presented by Senator Angevine.

**PERSONAL PRIVILEGE**

Senator Talley:

"Will Senator Angevine yield to a question?"

Senator Angevine:

"Yes, I will."

Senator Talley:

"Senator Angevine, why didn't you bring these points up in committee? Why are they being brought up now?"

Senator Angevine:

"Senator Talley, they are being brought up now because it is sometimes necessary for a bill to be amended on the floor. My contention is merely that the bill is being amended now because it is necessary to amend it in order that it be presented in adoptable form."

The amendment was adopted.

On motion of Senator Angevine, the following amendment was adopted:

In section 1, page 1, lines 22 and 23, strike "[fifty] forty-five" and insert "fifty"

**PERSONAL PRIVILEGE**

Senator Henry:

"Today, as you all know, is Washington's Birthday, and in this great state of Washington there has been founded a small town by the name of George. Candy and cigars are now being distributed by Mr. Brown, the founder of the town of George, Washington."

On motion of Senator Angevine, the following amendments were adopted:

In section 1, page 2, line 1, after "1957" strike all of the material down to and including "year" on line 5

In section 1, page 1, line 21, after "retired" and before "shall" insert "hereafter"

In section 4, page 3, line 32, after "account of" and before "sickness" insert "service,"

Senator Raugust moved that the following amendment be adopted:

In section 4, page 4, line 5, after "board" and before "pay" strike "shall" and insert "may"

Senator Greive moved that the amendment proposed by Senator Raugust be laid on the table.

A division was requested, and the motion was lost on a rising vote.

#### POINT OF INQUIRY

Senator Moriarty:

"Will Senator Angevine yield to a question?"

Senator Angevine:

"I will."

Senator Moriarty:

"Senator Angevine, if you change the word of 'may' to 'shall' in section 4, line 5 of this bill, I can't see your objection there. It seems to me that if you change the 'shall' to 'may'—it is still at the Board's discretion."

Senator Angevine:

"Then you must also agree with me that the amendment is unnecessary."

#### POINT OF INQUIRY

Senator Raugust:

"Will Senator Angevine yield to a question?"

Senator Angevine:

"No."

Senator Greive demanded a roll call which was sustained by Senators Nunamaker, Connor, Hofmeister, Gallagher, Morgan, Kupka, Papajani and Angevine.

The President stated the question before the Senate to be the adoption of the amendment proposed by Senator Raugust.

#### POINT OF INQUIRY

Senator Greive:

"Will Senator Raugust yield to a question?"

Senator Raugust:

"I will try."

Senator Greive:

"You said you were going to leave this to the discretion of the Board, and as I read it here, specifically why are you amending this particular section?"

Senator Raugust:

"I think we should leave it strictly to the Board to make the decision."

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Angevine yield to a question?"

Senator Angevine:

"Yes."

Senator Rasmussen:

"Presumably, now you can have a situation where a retired member required nursing home care. Presuming also, the board would, under the proposal, have to take over this care. Presuming further, that under the proposal saying 'shall,' the Board would be required to take over this care although this person would have benefits whereby he would be receiving full time care. Would this be proper?"

Senator Angevine:

"Are you asking me if this could be true?"

Senator Rasmussen:

"I think that is the question. There wouldn't be any real reason for paying for full care."

Senator Angevine:

"If that is what you are questioning, it says clearly 'at the board's discretion.'

"I would imagine if it was decided that he was in need and the Board decided to take care of him, then they may decide what is reasonable."

Senator Rasmussen:

"As I read this, and I may be wrong, it says that they shall pay hospital care and nursing expenses as are reasonable in the Board's discretion, and I suppose that would be if you have a comparable amount, and that would be reasonable."

Senator Angevine:

"I would assume that if a city were in such dire financial conditions as to not be able to pay, then it would be considered unreasonable to pay."

Senator Rasmussen:

"I am inclined to think that the word 'may' would allow a little more discretion. I think that the 'may' would probably serve to clarify a little; however, I don't think it would hurt to pass this amendment."

#### POINT OF INQUIRY

Senator Raugust:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Raugust:

"Have you any figures from the cities as to how much this would cost?"

Senator Greive:

"I believe those figures are available. We had no intention of advancing this bill today. We had every intention of holding it on the second reading calendar for tomorrow and at that time would have the figures to show this body what this particular bill would cost."

#### MOTION

Senator Woodall:

"I move that Senate Bill No. 94 be placed on the second reading calendar for February 23."

The motion carried.

#### PRESIDENT'S PRIVILEGE

The President announced that all Senators participating in the memorial services would meet in the State Reception Room at 1:30 o'clock p.m.

## MOTION

On motion of Senator Greive the following Senators participating as active members of the Memorials Committee were excused: Senators Knoblauch, Bailey, Sandison, Hanna, Papajani, Gallagher, Riley, Nunamaker, Thompson, Jr., Foster, Rasmussen, Connor and Moriarty, Jr.

**Senate Bill No. 434**, by Senators Washington, Kupka and Elway, Jr.:  
Enlarging powers of port districts.

The bill was read the second time by sections.

On motion of Senator Washington, the following amendment was adopted:

In section 1, page 1, lines 11 and 12, after "tramways," and before "cableways" strike "belt line railways,;" also in line 19, after "received." add the following: "A district may also construct, purchase and operate belt line railways, but shall not acquire the same by condemnation."

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 434 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 434, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—40.

Those absent or not voting were: Senators Durkan, Foster, Freise, Gissberg, Hallauer, Nunamaker, Papajani, Raugust, Thompson, Jr.—9.

Engrossed Senate Bill No. 434, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 371**, by Senators Thompson, Jr. and Riley:

Special license plates for use of consul or other representative of foreign governments.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 371 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 371, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Durkan, Foster, Hallauer, Nunamaker, Papajani, Talley—6.

Senate Bill No. 371, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 457**, by Senators Hanna, Woodall and Dore:

Removing time limitation as to when a judgment entered by consent may be vacated for fraud, misrepresentation, etc.

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 457, removing time limitation as to when a judgment entered by consent may be vacated for fraud or misrepresentation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, line 15, strike "*coercion*,"

In line 3 of the title after "*fraud*" and before "*may be*" insert "*or certain other grounds*"

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Hanna, the committee amendments were adopted.

On motion of Senator Hanna, the following amendment was adopted:

In section 1, page 1, line 14, after "*fraud*" and before "*misrepresentation*" strike the comma and insert "*or*"

On motion of Senator Hanna, the rules were suspended, Engrossed Senate Bill No. 457 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 457, and the bill passed the Senate by the following vote: Yeas, 40; nays, 3; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Papajani, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—40.

Those voting nay were: Senators Moriarty, Jr., Petrich, Rasmussen—3.

Those absent or not voting were: Senators Dore, Foster, Hallauer, Nunamaker, Raugust, Shannon—6.

Engrossed Senate Bill No. 457, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Greive, the Senate reverted to the second order of business for the purpose of receiving Standing Committee Reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEE

**Senate Bill No. 176** (reported by Committee on Education):

Do pass as amended.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, William A. Gissberg, H. B. Hanna, Al Henry, David E. McMillan, W. C. Raugust, Albert C. Thompson, Jr., Nat Washington.

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Education, to whom was referred Senate Bill No. 176, providing a program of driver education, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.  
....., *Chairman.*

We concur in this report: Reuben A. Knoblauch, Ernest W. Lennart, Charles P. Moriarty, Jr.

Passed to the Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 263** (reported by Committee on Commerce, Manufacturing and Licenses):

Do pass as amended.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Fred H. Dore, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 51** (reported by Committee on Education):

Do pass as amended.

ANDY HESS, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 161** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice-Chairman,*  
....., *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 345** (reported by Committee on Education):

Do pass as amended.

ANDY HESS, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Dewey C. Donohue, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 448:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom

was referred: House Bill No. 448, relating to reef net fishing areas, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman*,  
VICTOR F. DEGARMO, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Fred H. Dore, Karl V. Herrmann, Fred J. Martin, David E. McMillan, John Papajani, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Joint Resolution No. 16:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes to whom was referred Engrossed House Joint Resolution No. 16, authorizing school districts, port districts, cities and towns to exceed forty mill limit, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 1:10 o'clock p. m., on motion of Senator Greive, the Senate recessed until 1:55 o'clock p. m.

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**AFTERNOON SESSION**

At 1:55 o'clock p. m., President Cherberg called the Senate to order.

The President announced that the members would gather in the rear of the chamber and repair to the House of Representatives where they would witness and participate in the Memorial Services.

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**JOINT SESSION**

**Note:** See Journal of the House for proceedings of the Joint Session.

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**SECOND AFTERNOON SESSION**

At 3:30 o'clock p. m., the Senate was called to order by President Cherberg.

**MOTION**

On motion of Senator Greive, the Senate recessed until 8:30 o'clock p. m.

**EVENING SESSION**

At 8:30 o'clock p. m., the Senate was called to order by the President (President Pro Tempore Al Henry in the Chair).

The Secretary called the roll, all members being present except Senators Dore, Raugust, Riley and Thompson, Jr.

On motion of Senator Hess, Senator Thompson was excused.

**SECOND READING OF BILLS**

**Senate Bill No. 422**, by Senators Freise, Hallauer and Angevine:

Relating to public assistance.

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, Senate Bill No. 422 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 422, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Ryder, Sandison, Shannon, Talley, Washington—41.

Those absent or not voting were: Senators Dore, Gissberg, Keefe, McCormack, Raugust, Riley, Thompson, Jr., Woodall—8.

Senate Bill No. 422, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 287**, by Senators Hofmeister, Knoblauch and Lennart (by Departmental request):

Enacting new law relating to horticultural plants and nursery inspection.

The bill was read the second time by sections.

Senator Freise moved that the following amendment be adopted:

In section 1, page 2, beginning on line 8, strike all of subsections "(8) and (9)" and insert the following:

(8) "Nurseryman" means any person who sells during any one licensed period more than two hundred fifty dollars worth of horticulture plants which he has grown.

Renumber the remaining subsections consecutively.

**PARLIAMENTARY INQUIRY**

Senator Gallagher:

"As I recall, yesterday or the day before, we were discussing this bill, and we did adopt an amendment. Is this an amendment to the amendment?"

The President:

"The President has been advised by the Secretary of the Senate that Senator Lennart withdrew his amendment, and this is a revised amendment to his previous amendment."

The motion carried, and the amendment was adopted.

On motion of Senator Rasmussen, the following amendment was adopted:

In section 11, page 5, line 14, after "person" and before "to" insert "licensed under this act"

On motion of Senator Lennart, the following amendment was adopted:

In section 13, page 6, line 3, after "outside" and before "with" insert "or the contents of the containers shall be tagged"

Senator Freise moved that the following amendment be adopted:

In section 20, page 9, beginning on line 9, after "misdemeanor" insert a period and strike all of the material down to and including "offense." on line 12

#### POINT OF ORDER

Senator Gallagher:

"I don't think he is reading the section correctly. There has been an amendment on that section already. It was adopted previously on line 9. As a matter of fact, it was my amendment."

Senator Freise:

"If the Secretary verifies it has already been adopted, I will withdraw the amendment."

The Secretary read the amendment that was adopted.

Senator Freise:

"Mr. President, if that is the extent to which it has been amended, then I would like to propose another amendment. I wonder if we could have this bill delayed until after Senate Bill No. 167?"

#### RULING OF THE PRESIDENT

The President ordered Senate Bill No. 287 placed on the second reading calendar after Senate Bill No. 167.

**Senate Bill No. 167**, by Senators Connor, Cooney and Gallagher:

Relates to policemen's pensions.

The bill was read the second time by sections.

Senator Happy moved that the following amendment be adopted:

After the Riley Amendment to section 1, add "Provided the cost of which shall be reimbursed to the municipalities from the state general fund."

The motion lost and the amendment was not adopted.

On motion of Senator Rasmussen, the following amendments were adopted:

In the last line of the amendment after "per month" strike the period and insert the following: " : *PROVIDED, That such pension shall be reduced by the amount of any pension such surviving spouse may be receiving under social security or any other pension grant.*"

Following the amendments by Senator Riley and Senator Rasmussen, insert a new paragraph as follows:

*" 'Surviving spouse' as used in this section means surviving female spouse."*

On motion of Senator Gallagher, the rules were suspended, Engrossed Senate Bill No. 167 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Cowen:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes. I will."

Senator Cowen:

"Do I understand, Senator Gallagher, that you will see that the cities get financial aid to support this bill?"

Senator Gallagher:

"I will pledge my support to see that the cities do get some financial relief in support of this measure.

"I, as one, recognize that the cities do have a problem and I will face up to that to see that the cities do get some relief."

Debate ensued.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 167, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Ryder, Sandison, Shannon, Talley, Washington—43.

Those absent or not voting were: Senators Gissberg, McMillan, Raugust, Riley, Thompson, Jr., Woodall—6.

Engrossed Senate Bill No. 167, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

At the request of Senator Nat Washington, the President announced the presence in the gallery of Mr. and Mrs. Thayer and Mr. and Mrs. Brown and children, from the Thirteenth District, guests of Senator Washington. This group was asked to stand and be recognized, along with Senator Washington.

(Applause.)

#### POINT OF INQUIRY

Senator Woodall:

"Mr. President, I thought I just heard the President of the Senate say, 'a distinguished descendant of the great-grandfather of our Country.' As I understand it, George Washington left no children!"

The President:

"I would defer on that question to Senator Washington."

**Senate Bill No. 287**, by Senators Hofmeister, Knoblauch and Lennart (by Departmental request):

Enacting new law relating to horticultural plants and nursery inspection. The bill was read the second time by sections.

Senator Freise moved that the following amendment be adopted:

In section 16, page 8, line 22, after "court" and before "in" insert "in the county"

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Freise yield to a question?"

Senator Freise:

"I will."

Senator Rasmussen:

"In section 16, line 20. The question I wish to ask you is on line 20. 'The Director may bring an action to enjoin the violation or threatened violation . . .' How do you interpret 'threatened violation'?"

Senator Freise:

"That occurred to me, too. I think it is harmless, but I don't think it is going to hurt anything to leave it out. If you would like to propose an amendment, that would be fine with me."

The motion carried and the amendment by Senator Freise was adopted.

Senator Freise moved that the following amendment be adopted:

In section 20, page 9, beginning on line 9, after "misdemeanor" insert a period and strike all of the material down to and including "offense." on line 12.

The motion carried and the amendment by Senator Freise was adopted.

On motion of Senator Rasmussen, the following amendments were adopted:

In section 16, page 8, line 20, after "violation" strike "or threatened violation" and in line 22, after "occurs" strike "or is about to occur"

In section 3, page 3, line 10, after "nurseryman" strike "class 1, nurseryman class 2"

In section 3, page 3, lines 16 and 17, strike all of subsections "(1) and (2)" and insert the following: "(1) Nurserymen, fifteen dollars," and renumber the remaining subsections consecutively.

In section 4, page 3, lines 30 and 31, after "nurseryman" strike "class 2, nurseryman class 1"

Senator Rasmussen moved the following amendment be adopted:

On page 5, section 11, strike line 20, after "under" and before the period before "All" insert " : *Provided*, That this prohibition shall not apply to any home grower nurseryman who sells less than two hundred fifty dollars worth of horticultural plants which he has grown, during any one year"

On motion of Senator Hofmeister, the amendment by Senator Rasmussen was laid on the table.

On motion of Senator Moriarty, the following amendment was adopted:

In section 9, page 4, line 32, after "records" strike "anywhere in the state" and after "hearing" insert "in the county where the person licensed under this act resides"

Senator Rasmussen moved that the following amendment be adopted:

In section 11, page 5, line 22, after "shipment" strike the period and insert " : *Provided*, That any shipments of home grown horticulture plants valued at less than two hundred fifty dollars shall be exempt from inspection."

#### PERSONAL PRIVILEGE

Senator Greive suggested that the curtains be drawn to provide better decorum.

#### RULING OF THE PRESIDENT

The President ordered the curtains drawn and asked that silence be maintained in the lobby.

#### POINT OF ORDER

Senator Rasmussen:

"Mr. President, I want to question a point which was brought up by Senator Woodall. The amendment as previously offered is entirely different from the amendment that is offered now."

Senator Greive:

"Unless Senator Woodall is prepared to say the amendment is identical it will not need any defense."

**RULING OF THE PRESIDENT**

The President:

"The President feels that the amendment is in order."

Senator Hofmeister moved that the amendment proposed by Senator Rasmussen be laid on the table.

The motion carried and the amendment was laid on the table.

On motion of Senator Lennart, the rules were suspended, Engrossed Senate Bill No. 287 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 287, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—44.

Those absent or not voting were: Senators DeGarmo, Durkan, Happy, Nunamaker, Thompson, Jr.—5.

Engrossed Senate Bill No. 287, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 87**, by Representatives Bernethy, King and Wintler (by Departmental request):

Providing for access to public lands.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, House Bill No. 87 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 87, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—44.

Those absent or not voting were: Senators DeGarmo, Happy, Lennart, Nunamaker, Thompson, Jr.—5.

House Bill No. 87, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 158**, by Representatives Olsen, Brink and Gorton:

Relating to repayment of delinquent local improvement district bonds.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 158

was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 158, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—43.

Those absent or not voting were: Senators DeGarmo, Gissberg, Happy, Lennart, Rasmussen, Thompson, Jr.—6.

House Bill No. 158, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 67**, by Representatives Litchman, Marsh and Harris (by Judicial Council request):

Eliminating residence requirements for court commissioners.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, House Bill No. 67 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 67, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—44.

Those absent or not voting were: Senators DeGarmo, Gissberg, Happy, Lennart, Thompson, Jr.—5.

House Bill No. 67, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Substitute House Bill No. 123**, by Committee on Higher Education and Libraries:

Allowing expenses for state library commission members.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, Substitute House Bill No. 123 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute House Bill No. 123, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington—43.

Those absent or not voting were: Senators DeGarmo, Gissberg, Henry, Lennart, Thompson, Jr., Woodall—6.

Substitute House Bill No. 123, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Joint Resolution No. 19**, by Representatives Holmes, Bergh and Chatalas (by Executive request):

Amending the Constitution to relax residence requirements for voters.

The resolution was read the second time in full.

Senator McCormack moved that the following amendment be adopted:

In page 1, line 10, strike "twenty-one" and insert "eighteen"

Senator Greive moved that the amendment proposed by Senator McCormack be laid on the table.

The motion carried.

On motion of Senator Gallagher, the rules were suspended, House Joint Resolution No. 19 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of House Joint Resolution No. 19, and the resolution passed the Senate by the following vote: Yeas, 35; nays, 12; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Washington—35.

Those voting nay were: Senators Chytil, Cowen, Elway, Jr., Freise, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Woodall—12.

Those absent or not voting were: Senators Foster, Thompson, Jr.—2.

House Joint Resolution No. 19, having received the constitutional two-thirds majority, was declared passed.

On motion of Senator Gallagher, House Joint Resolution No. 19 was ordered immediately transmitted to the House.

#### PERSONAL PRIVILEGE

Senator McCormack:

"I want to say that this amendment which I presented a moment ago on this particular constitutional amendment was presented in a moment of levity, and we were having a bit of fun. Nevertheless, the intent of this amendment was completely serious. I have filed an amendment which does almost exactly what this would do, and I want to say that I was serious in my intent and I therefore do intend to continue to work for the 18-year-old vote because I believe in it."

**House Bill No. 468**, by Committee on Game and Game Fish:

Providing free fishing licenses for veterans and blind persons.

The bill was read the second time by sections.

On motion of Senator Hallauer, the following amendments were adopted:

On page 1, line 6 of the bill, insert a new section reading as follows:

"Section 1. Section 14, chapter 176, Laws of 1957 and RCW 77.32.005 are each amended to read as follows:

"For the purposes of this chapter:

"A 'resident' means any citizen of the United States or person who has in good faith declared his intention of becoming a citizen of the United States, and who for at least [six months] *ninety days* immediately preceding any application for a license has maintained a permanent place of abode within this state [with the intent to permanently reside] *and has established by formal evidence his intent to continue his residence within this state.*

"An 'alien' means any person who is not a citizen of the United States and has not in good faith declared his intention of becoming a citizen of the United States.

"A 'nonresident' means any person who is neither a 'resident' nor an 'alien' as defined in this section."

Re-number old Section 1 to read "Sec. 2."

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Nunamaker yield to a question?"

Senator Nunamaker:

"I will."

Senator Rasmussen:

"I thought that on line 15 of the old law it proposes that the blind be given a free hunting license. It says a state hunting and fishing license, and I wondered if you would want to make a corrective amendment. We have too many blind hunters now."

Senator Nunamaker:

"If you have an amendment for the blind people who hunt, I will go along with you."

On motion of Senator Hallauer, the following amendment was adopted:

In lines 1 and 2 of the title after "to" strike all of the material down to and including "persons" on line 2 and insert "game and game fish; amending section 14, chapter 176, Laws of 1957 and RCW 77.32.005;"

#### MOTIONS

On motion of Senator Greive, House Bill No. 468 was ordered to retain its place on the second reading calendar for tomorrow.

Senator Martin moved to amend the motion by Senator Greive that House Bill No. 468 retain its place on tomorrow's calendar and copies of the amendment by Senator Hallauer be placed upon the desks of each senator.

The motion carried and it was so ordered.

**Engrossed House Bill No. 73**, by Representatives Hurley, Bergh and Holmes:

Raising fees of election officers.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, Engrossed House Bill No. 73 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 73, and the bill passed the Senate by the following vote: Yeas, 34; nays, 12; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg,

Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Washington—34.

Those voting nay were: Senators Chytil, Elway, Jr., Freise, Happy, Lennart, McMillan, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Woodall—12.

Those absent or not voting were: Senators Foster, McCormack, Thompson, Jr.—3.

Engrossed House Bill No. 73, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 216**, by Representatives Marsh, DeJarnatt and Henry:

Splitting Cowlitz-Klickitat-Skamania judicial district.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred Engrossed House Bill No. 216, splitting Cowlitz-Klickitat-Skamania judicial district, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 1 after enacting clause insert a new section 1 reading as follows:

"Section 1. Section 3, chapter 125, Laws of 1951, as amended by section 1, chapter 176, Laws of 1955, and RCW 2.08.061 are each amended to read as follows:

"There shall be in the county of King [eighteen] *twenty* judges of the superior court; in the county of Spokane six judges of the superior court; in the county of Pierce [six] *seven* judges of the superior court."

Renumber the remaining sections consecutively.

In line 1 of the title, after "ACT" and before "Relating" insert "Providing for and"; also following the semicolon on line 1 insert "and amending section 3, chapter 125, Laws of 1951, as amended by section 1, chapter 176, Laws of 1955 and RCW 2.08.061;"

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed House Bill No. 216, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 216, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Washington—41.

Those voting nay were: Senators Cowen, Happy, Keefe, Riley—4.

Those absent or not voting were: Senators Connor, McCormack, Thompson, Jr., Woodall—4.

Engrossed House Bill No. 216, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 72**, by Representatives Garrett, Witherbee and Gorton:  
Relating to salaries of second class city officials.  
The bill was read the second time by sections.

On motion of Senator Herrmann, the following amendment was adopted:

In section 1, page 1, line 20, after "office" add the following: "*City officials covered by this section shall reside within the corporate limits of the city.*"

On motion of Senator Greive, House Bill No. 72 was ordered to retain its place on the second reading calendar for Thursday, February 23, 1961.

**Re-Engrossed House Bill No. 284**, by Representatives Brouillet, Copeland and Chatalas (by Education Interim Committee request):

Relating to history lessons for school teachers.

The bill was read the second time by sections.

On motion of Senator Hess, the rules were suspended, Re-Engrossed House Bill No. 284 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Re-Engrossed House Bill No. 284, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Washington, Woodall—45.

Those absent or not voting were: Senators Morgan, Ryder, Talley, Thompson, Jr.—4.

Re-Engrossed House Bill No. 284, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 148**, by Representatives Canfield, Conner and Sawyer:

Revising law allocating state fair funds to qualifying agricultural fairs.

The bill was read the second time by sections.

On motion of Senator Woodall, the following amendment was adopted:

In section 10, page 4, lines 19 and 20 of the engrossed bill, same being lines 18 and 19 of the printed bill, after "Sections" strike all of the material down to and including "15.76.090" and insert "15.76.011 through 15.76.090, chapter 11, Laws of 1961"

On motion of Senator Woodall, the following amendment to the title was adopted:

In lines 1 and 2 of the title of the engrossed bill, same being lines 1, 2 and 3 of the printed bill, after "sections" strike all of the material down to and including "15.76.090" and insert "15.76.011 through 15.76.090, chapter 11, Laws of 1961"

On motion of Senator Woodall, the rules were suspended, Engrossed House Bill No. 148, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 148, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Sandison, Shannon, Talley, Washington, Woodall—41.

Those absent or not voting were: Senators DeGarmo, Dore, Foster, Morgan, Neill, Riley, Ryder, Thompson, Jr.—8.

Engrossed House Bill No. 148, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 292**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

Amending definition of dealer under motor vehicle dealer licensing act.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, House Bill No. 292 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 292, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Washington, Woodall—39.

Those absent or not voting were: Senators Bargreen, Foley, Freise, Happy, Hess, Martin, Morgan, Papajani, Shannon, Thompson, Jr.—10.

House Bill No. 292, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Joint Memorial No. 21**, by Representatives Wedekind, Witherbee and King:

Petitioning retention of six percent construction bid differential for Pacific Coast shipbuilders.

The memorial was read the second time in full.

On motion of Senator Greive, the rules were suspended, House Joint Memorial No. 21 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of House Joint Memorial No. 21, and the memorial passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herr-

mann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—43.

Those absent or not voting were: Senators Dore, Happy, Hess, Martin, Nunamaker, Thompson, Jr.—6.

House Joint Memorial No. 21, having received the constitutional majority, was declared passed.

**House Bill No. 168**, by Representatives Holmes, Kink and Campbell:  
Designating colleges of education as state colleges.

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred House Bill No. 168, designating colleges of education as state colleges, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 2, line 10, strike "[of education]" and insert "of education"

In section 2, add a new section to read as follows:

**NEW SECTION.** Sec. 3. There is added to chapter 28.81 RCW a new section to read as follows:

The redesignation of the institutions as provided in sections 1 and 2 of this amendatory act is a change of name only and shall not be construed to supplement, detract from, alter, or modify in any manner the powers, duties, scope, or functions of such institutions.

In line 3 of the title, after "28.81.010" and before the period insert "; and adding a new section to chapter 28.81 RCW"

GORDON SANDISON, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, John H. Happy, Mike McCormack, Frances Haddon Morgan, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendments were adopted.

On motion of Senator Lennart, the rules were suspended, House Bill No. 168, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 168, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—44.

Those absent or not voting were: Senators Happy, Martin, Nunamaker, Rasmussen, Thompson, Jr.—5.

House Bill No. 168, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

When House Bill No. 168 was on third reading, I was inadvertently called from the Senate Chamber during the roll call.

Had I answered the roll call, I would have voted "aye" on House Bill No. 168.  
(Signed) HOMER O. NUNAMAKER.

**Engrossed House Bill No. 351**, by Representatives Bozarth, Shropshire and Johnston:

Prescribing misappropriation of livestock to be grand larceny.

On motion of Senator Greive, House Bill No. 351 was ordered to retain its place on second reading calendar for tomorrow.

**House Bill No. 53**, by Representatives Marsh, Litchman and Campbell (by Judicial Council request):

Permitting dismissal of action without payment of clerk's fee.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, House Bill No. 53 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 53, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—43.

Those absent or not voting were: Senators Gissberg, Lennart, Martin, Nunamaker, Rasmussen, Thompson, Jr.—6.

House Bill No. 53, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 11:10 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m. on Thursday, February 23, 1961.

JOHN A. CHERBERG, *President of the Senate*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-SIXTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, February 23, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg.

The President stated the Senate would be at ease subject to the call of the Chair.

The Senate was called to order at 10:02 o'clock a. m.

The Secretary called the roll and announced to the President that all Senators were present except Senator Talley.

The Color Guard, consisting of Pages Tom Knoblauch, Color Bearer, and Susan Harris, presented the Colors.

Reverend W. A. MacArthur, Pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Let us pray:

"In our modern day of freedom, Great God, make us so free that we will want to seek and to do Thy will and thus avoid the errors of the past.

"Thou hast set us in the midst of challenge, there are things to be done, problems to be solved. There are quandaries of mind that demand solution. Equip us with the spirit to conquer and the determination to stay at our task until real victory is ours.

"Strengthen us with the conviction that Thy hand is upon us, to lead us and use us in working out Thy great purposes in our work. Give us the assurance that Thou dost work in everything for good, with those who love Thee. In Jesus' name. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### MOTION

On motion of Senator Greive, the Senate dispensed with the first order of business and advanced to the second order of business for the purpose of receiving reports from standing committees.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 155; also

Senate Bill No. 314; also

Senate Bill No. 434; also

Senate Bill No. 457, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

**Senate Bill No. 111:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 111, reorganizing the justice court system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 186:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 186, establishing statewide justice court process in desertion and non-support cases, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 208:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, your Committee on Social Security, to whom was referred Senate Bill No. 208, relating to group health care insurance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

On motion of Senator Hallauer, Senate Bill No. 208 was referred to the Committee on Ways and Means.

**Senate Bill No. 293:**

SENATE CHAMBER,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 293, relating to licensing of certain contractors, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 331** (reported by Committee on Public Institutions):

Do pass as amended.

FRED J. MARTIN, *Chairman.*

We concur in this report: Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Gordon Sandison, Don L. Talley.

On motion of Senator Martin, Senate Bill No. 331 was referred to Committee on Ways and Means.

**Senate Bill No. 413:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 413, regulating logging near highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. \_\_\_\_\_, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Michael J. Gallagher, Al Henry, John T. McCutcheon, Frances Haddon Morgan.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 136:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 136, exempting counties and port district bond issues from fifty percent vote requirement, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. \_\_\_\_\_, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Al Henry, Andy Hess, George W. Kupka, Mike McCormack, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 240** (reported by Committee on Public Institutions):  
Do pass as amended.

FRED J. MARTIN, *Chairman.*

We concur in this report: Joe Chytil, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 255:**

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred House Bill No. 255, modifying law authorizing transfer from juvenile correction institution to state hospital for mentally ill, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. \_\_\_\_\_, *Chairman.*

We concur in this report: Joe Chytil, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTIONS**

On motion of Senator Ryder the Committee on Cities, Towns and Counties was relieved of further consideration of Senate Bill No. 494.

On motion of Senator Ryder, Senate Bill No. 494 was referred to the Committee on Banks and Financial Institutions.

The following appointments from the Washington State Highway Commission were acted upon as indicated:

The Secretary read:

**MESSAGE FROM THE HIGHWAY COMMISSION**

Washington State Highway Commission,  
Olympia, Wash., February 22, 1961.

To the Honorable, the Senate of the State of Washington.

LADIES AND GENTLEMEN:

In accordance with the provisions of section 6, chapter 1, Laws of 1961, the State Highway Commission hereby submits for confirmation of the Washington State Senate the following appointments to the Highway Department Personnel Board, as made by the Commission on December 21, 1960:

- Six-year term: Mr. Howard J. Thompson, Attorney,  
Arctic Building,  
Seattle, Washington.
- Four-year term: Mr. Thomas J. Richardson, Secretary,  
Northeastern Washington-Northern Idaho  
Building & Construction Trades Council,  
West 10, Second Avenue,  
Spokane 4, Washington.
- Two-year term: Mr. E. G. Jones, Executive Vice President,  
Skagit Steel & Iron Works, P. O. Box 151,  
Sedro Woolley, Washington.

Very truly yours,  
Washington State Highway Commission,  
(signed) ERNEST J. KETCHAM, *Chairman.*

Referred to Committee on Highways.

**PRESIDENT'S PRIVILEGE**

The President:

"The President would like to announce at this time at the request of the distinguished Senator from the Forty-fifth District, Senator Michael Gallagher, the presence in the gallery of ninth grade students from Woodrow Wilson Junior High School in Seattle. Would the class please stand along with Senator Gallagher in order that you may be recognized."

The President announced the presence of a group of students from West High School in Bremerton, at the request of Senator Frances Haddon Morgan. The students, accompanied by their teachers, Mrs. Link and Mr. Taylor, were asked to stand, along with Senator Morgan.

(Applause.)

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Joint Resolution No. 1, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**PRESIDENT'S PRIVILEGE**

At the request of Senator Wayne G. Angevine, the President introduced eighty students from Lincoln High in Seattle, along with their teachers, Mrs.

Short and Mrs. Gregor. Senator Angevine was asked to stand along with the group.

(Applause.)

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, February 23, 1961.

*To the Honorable, the Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I am returning herewith, without my approval as to a certain item, Senate Bill No. 95 entitled:

"An Act relating to state government; creating a joint committee on urban area government of the legislature; providing for the selection, term, and reimbursement of certain expenditures of the members of the committee, and conferring rights, powers, duties and prescribing the functions of the committees; providing for advisory committees; and declaring an emergency."

I disapprove and veto the unnumbered item appearing in the last paragraph of section 9, of the bill, reading as follows:

"funds appropriated generally by the legislature for legislative expenses or upon" for the reason that this item is drawn in such loose language that in effect, the chairman or the vice-chairman respectively, of the proposed committee would have a blank check to invade or even to exhaust funds appropriated by the legislature for other interim committees and other proper legislative expenses during the coming biennium.

I am wholeheartedly in favor of the remainder of the bill which will establish a joint legislative study and fact-finding interim committee for the purpose of evaluating the existing relationships between numerous municipal and quasi-municipal corporations, in order that during subsequent sessions of the legislature, statutes may be enacted assuring orderly growth of urban and suburban areas.

Fortunately, section 9 of this bill contains authorization for proper financing of this committee through means of a specific appropriation. Therefore, the item vetoed will in no way interfere with the desirable objectives of this bill.

With the exception of the foregoing item which is vetoed, the remainder of Senate Bill No. 95 is approved.

Respectfully submitted,  
(signed) ALBERT D. ROSELLINI,  
Governor.

Senator Hess moved that the report from the Governor be adopted.

**RULING OF THE PRESIDENT**

The President:

"If there be no objection, the report will be referred to the Committee on Rules and Joint Rules, Senator Hess."

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Joint Resolution No. 35**, by Senators Riley and Lennart:  
Relating to commendation of Dag Hammarsjold.

On motion of Senator Riley, the rules were suspended, Senate Joint Resolution No. 35 was advanced to second reading, and read the second time in full.

On motion of Senator Riley, the rules were suspended, Senate Joint Resolution No. 35 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of the Honorable John Petrich, Senator from Pierce County, the President would like to present the eighth grade class from St. Patrick's School in Tacoma, who are in one hundred percent attendance. These eighty-four students in the south gallery, are present today under the direction of Sisters Aquinota, Angelica and Bernadine. Also present with the group are Mr. and Mrs. Leedam and Mrs. Robert Dixon.

"Would this lovely large group please stand along with Senator Petrich, in order that the members of the Senate may properly recognize you and welcome you to the Senate."

(Applause.)

The Senate reverted to the first order of business.

The Secretary read:

**SENATE RESOLUTION**

By Senators Angevine, Gissberg and Moriarty, Jr.:

WHEREAS, The University of Washington has now entered upon its second hundred years as an institution of higher education; and

WHEREAS, To commemorate this event and to document the outstanding progress and history of the University of Washington as an institution of higher learning the KING Television Company produced and televised an hour long documentary production; and

WHEREAS, The superior quality of this televised documentary is both a credit to the KING Television Company and an excellent example of the potentials of the television industry; and

WHEREAS, The Boeing Airplane Company, another pioneer of international reputation, as a public service presentation assisted in the production of this documentary through its generous sponsorship; and

WHEREAS, The trilogy of higher education—teaching, research and service to the state and community—is epitomized in the leadership of University President Charles Edmond Odegaard;

Now, Therefore, Be It Resolved, On this the 23rd day of February, that the Senate of the State of Washington commend the KING Television Company and the Boeing Airplane Company for this unique example of excellence in the field of public service and technical achievement; and

Be It Further Resolved, That the Senate of the state of Washington commend President Charles Edmond Odegaard and the entire staff of the University of Washington and extend the ardent wish that the educational service, progress and development of the University of Washington in the future will match and surpass that of the past; and

Be It Further Resolved, That the Secretary of the Senate prepare and transmit a suitably inscribed copy of this resolution to the KING Television Company, the Boeing Airplane Company and the University of Washington.

On motion of Senator Angevine, the resolution was adopted.

**MOTIONS**

On motion of Senator Greive, each member of the Senate was granted an additional \$40.00 in stamps.

At 10:30 o'clock a. m., on motion of Senator Greive, the Senate recessed for a period of fifteen minutes, for the purpose of a Democratic caucus.

**SECOND MORNING SESSION**

At 11:00 o'clock a. m. the Senate was called to order by the President.

**PRESIDENT'S PRIVILEGE**

The President introduced a group of students from St. Luke's School in Seattle, at the request of Senator Gallagher. Senator Gallagher and the group were asked to stand and be recognized.

(Applause.)

**MOTION**

Senator Happy moved that the Committee on State Government, Elections and Legislative Processes be relieved of further consideration of Senate Bill No. 180.

Debate ensued.

**POINT OF INQUIRY**

Senator Gissberg:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Gissberg:

"As I understand your remarks, am I correct in my belief that you will simply have a committee meeting tomorrow and take up the matter of having a public hearing with your committee?"

Senator Rasmussen:

"That's right. The only difficulty we have found is that usually only my secretary and myself sit down with the bills, and while she is very competent, I still feel that we need a few senators to turn out for these committee meetings."

Senator Gissberg:

"If I might continue. I would personally have voted on this, but I realize the importance of taking a bill out of a committee. On the other hand, there have been some very serious allegations made in this chamber that have not been answered to my satisfaction. I am sure that someone should be able to speak on Senator Happy's motion, and give us the facts."

Further debate ensued.

Senator Martin moved that the motion by Senator Happy be laid on the table.

Senator Woodall demanded a roll call, which was sustained by Senators Neill, Thompson, Foster, Moriarty, Jr., Rasmussen, DeGarmo, Freise, Ryder and Happy.

The President stated the question before the Senate to be, it has been moved that the motion by Senator Happy be laid on the table.

The Secretary called the roll on the motion by Senator Happy, and the motion was laid on the table by the following vote: Yeas, 29; nays, 18; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cowen, DeGarmo, Donohue, Dore, Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Rasmussen, Sandison, Talley, Washington—29.

Those voting nay were: Senators Chytil, Cooney, Durkan, Elway, Jr., Foster, Freise, Greive, Happy, Herrmann, Lennart, Moriarty, Jr., Neill, Papajani, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—18.

Those absent or not voting were: Senators Petrich, Riley—2.

**PERSONAL PRIVILEGE**

Senator Cowen:

"Mr. President; Members of the Senate:

"I think this is one of the most dangerous motions that can be placed before a body. I was in the House in 1935 when it was really dangerous to take a bill away from any committee. Only once in the last fourteen sessions has a bill ever been taken from a committee, and that was done at the time when there were a great number of senators present who are not here today.

"The hardest thing for me to do is to vote against Senator Happy, but I assure you that if you take a bill away from a committee and establish a precedent, look out for the future generations of this state legislature who will have legislation brought before this body."

**MOTION**

Senator Greive moved that the Senate advance to the fourth order of business.

Senator Rasmussen:

"While it is all quiet, I desire to notify Senators Happy and Cooney who wish to appear for a hearing on Senate Bill No. 180, that at 6:00 p. m. Monday evening we will schedule the hearing in the Senate Hearing Room."

Senator Happy:

"I don't think you can. That would be the fiftieth day and we aren't going to consider anything after the fiftieth day except bills on revenue and appropriations. Most of the people that want to appear are right here in the Senate and the House. There are four of us and there might be one or two others. Why not have it on Friday?"

Senator Rasmussen:

"The rules require that adequate notice of five days be given in order that people have time to appear from all over the state for a public hearing."

Senator Happy:

"Mr. President, is there any such rule that you have to give five days' notice?"

The President:

"The Secretary is checking the rules."

The President:

"Senator Happy, with your permission, the Senate will proceed and the President will answer your question when the rules have been checked."

**MOTION**

Senator Woodall moved that the Committee on State Government, Military Affairs and Civil Defense be directed to hold a hearing.

The President stated the question before the Senate to be, it has been moved by Senator Greive that the Senate advance to the fourth order of business for the purpose of considering the calendar of the day.

**POINT OF ORDER**

Senator Woodall:

"My point is, that motion has not been put, and another motion is still in the framework."

**RULING OF THE PRESIDENT**

The President:

"The President thought that out of respect I would place Senator Greive's motion first."

**MOTION**

Senator Woodall moved that the Committee on State Government, Military Affairs and Civil Defense be directed to hold a public hearing and consider Senate Bill No. 180 on Friday, February 24, at 6:00 o'clock p. m.

Senator Greive withdrew his motion by unanimous consent.

**RULING OF THE PRESIDENT**

The President:

"Regarding public hearings, the President shall read from Joint Rule 26, as follows:  
 "'All public hearings held by joint committees shall be scheduled at least five days in advance and shall be given publicity.'"

Debate ensued.

The President stated the question before the Senate to be, it has been moved that the Committee on State Government, Military Affairs and Civil Defense hold a public hearing on Senate Bill No. 180.

Senator Rasmussen demanded a roll call, which was not sustained.

A division was requested.

The motion carried on a rising vote, and it was ordered that a public hearing be held on Senate Bill No. 180.

**SECOND READING OF BILLS**

**Senate Bill No. 94**, by Senators Greive, Angevine and Bailey:

Modifying provisions of police pension fund in cities of the first class.

The bill was read the second time by sections.

Senator Angevine demanded a Call of the Senate, which was sustained by Senators Greive and Connor.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

Senator Raugust moved that the following amendment be adopted:

In section 4, page 4, line 5, after "board" and before "pay" strike "shall" and insert "may"

Debate ensued.

Senator Gallagher moved that the amendment proposed by Senator Raugust be laid on the table.

Senator Greive demanded a roll call, which was sustained by Senators Connor, Freise, Dore, Papajani, Angevine, Kupka, Herrmann, Bailey and Gallagher.

On motion of Senator Gallagher, the motion to table the amendment was withdrawn.

Senators Greive, Nunamaker and Connor demanded the previous question.

**PARLIAMENTARY INQUIRY**

Senator Raugust:

"Since it is my amendment, may I make some closing remarks?"

**RULING OF THE PRESIDENT**

The President:

"The rules prevail that if the demand for the previous question has been

sustained, there can be no more discussion permitted. The demand for the previous question has been sustained and the motion carried."

Senator Greive demanded a roll call, which was sustained by Senators Nunamaker, Connor, Greive, Dore, Donohue, DeGarmo, Raugust, Angevine, Connor, Hofmeister and Durkan.

The President stated the question before the Senate to be the adoption of the amendment proposed by Senator Raugust.

The Secretary called the roll and the amendment proposed by Senator Raugust was adopted by the following vote: Yeas, 30; nays, 19; absent or not voting, 0.

Those voting yea were: Senators Chytil, Cowen, Donohue, Dore, Elway, Jr., Foster, Freise, Gissberg, Hallauer, Hanna, Happy, Hess, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—30.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Durkan, Foley, Gallagher, Greive, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Morgan, Nunamaker, Papajani—19.

On motion of Senator Angevine, the rules were suspended, Engrossed Senate Bill No. 94 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 94, and the bill passed the Senate by the following vote: Yeas, 48; nays, 1; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Coonor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—48.

Those voting nay were: Senator Lennart—1.

Engrossed Senate Bill No. 94, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President introduced, at the request of Senator Papajani, a group of Democratic party workers from the Forty-fourth District, along with their District Chairman, Al Romano, present in the south gallery. This group was asked to stand, along with Senator Papajani.

(Applause.)

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, House Bill No. 468 was ordered to retain its place on the second reading calendar for tomorrow.

On motion of Senator Rasmussen, Engrossed House Bill No. 351 was ordered placed on the calendar after Senate Bill No. 182.

**Senate Bill No. 526**, by Senators Gallagher, Petrich and Raugust:  
Creating commercial driving schools.

On motion of Senator Kupka, Substitute Senate Bill No. 526 was substituted for Senate Bill No. 526, and Substitute Senate Bill No. 526 was placed on the second reading calendar.

The bill was read the second time by sections.

On motion of Senator Gallagher, the following amendment was adopted:

In section 2, page 2, line 3, after "*refusal to*" strike "*issue*" and insert "*render*"

On motion of Senator Rasmussen, the following amendment was adopted:

On page 2, line 28, strike all of new section 4 and renumber section 5 to read "Sec. 4."

#### PARLIAMENTARY INQUIRY

Senator Riley:

"Having deleted section 4 by amendment, I wonder if the title should be amended, wherein we say we are amending and adding a new section?"

The Secretary informed Senator Riley that he would prepare an amendment to the title.

On motion of Senator Riley, the following amendment to the title was adopted:

On line 6 and 7 of the title, after "46.82.060" insert a period and strike the remainder of the title.

On motion of Senator Gallagher, the rules were suspended, Engrossed Substitute Senate Bill No. 526 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 526, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Foster, Hanna, Herrmann, Lennart, McCormack, McCutcheon, Martin, Talley—8.

Engrossed Substitute Senate Bill No. 526, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 392**, by Senators Durkan, Happy and Dore:

Requiring continuation of pension rights for retained employees when PUD buys private utility.

The bill was read the second time by sections.

On motion of Senator Durkan, the following amendments were adopted:

In section 1, page 1, line 8, after "*utility*" and before "*at the*" insert "*have been for at least two years and are*"; also after "*acquisition*" in line 9 strike "*are*"

In section 1, page 1, line 15, after "*acquisition*" strike the period and insert the following: "; or the municipal corporation may by agreement with a majority of the employees affected substitute a plan or contract of the same or like nature."

In section 1, page 1, line 19, after "district" and before "pay" strike "shall" and insert "may"

In section 2, page 2, line 3, after "of" and before "service" insert "immediately preceding continuous"

In section 2, page 2, line 31, after "his" and before "employment" insert "immediately preceding continuous"

Senator Kupka moved that the following amendment be adopted:

On page 3, after section 3, add a new section reading as follows:

**NEW SECTION.** Sec. 4. Any municipal corporation which has heretofore or shall hereafter acquire from a private owner any urban transportation system which at the time of such acquisition has or had in effect any pension or retirement system for its employees, shall assume all such obligations with respect to continued contributions to and/or administration of, such retirement system, as the private owner bore or shall bear at such time, insofar as shall be necessary to discharge accrued obligations under such retirement system to beneficiaries who are not thereafter made members of a municipal or state retirement system.

**POINT OF ORDER**

Senator Woodall:

"This bill starts out to deal with one subject matter, P.U.D. This amendment would clutter it up and we would get into another subject matter.

"Further, I would like to point out that P.U.D.'s are at one section of the statutes, and municipals are at another, and this is a municipal statute."

Senator Durkan:

"Speaking to Senator Woodall's point of order. I am not going to vote for this amendment but the company to be acquired is a private utility, and I think the amendment offered by Senator Kupka falls within the scope of the bill."

Senator Hallauer moved that Senate Bill No. 392 hold its place on the second reading calendar for tomorrow.

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Riley:

"I am in agreement with what you are attempting to do. Would you mind making an amendment to your motion that a copy of the proposed amendment be distributed to the members so everyone can see it?"

Senator Hallauer:

"That is an excellent suggestion, Senator Riley."

The President directed the Secretary to carry out the instructions.

**MOTION**

On motion of Senator Durkan, Senate Bill No. 392 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 346**, by Senators McMillan, Morgan and Donohue:

Relating to names of new school districts.

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 346, relating to names of new school districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, page 2, lines 1 and 2, after "of" strike "any component thereof or of"; also, in lines 2 and 3 after "county" strike all of the material down to and including "districts." on line 3

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, F. Stuart Foster, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, Charles P. Moriarity, Jr., W. C. Raugust, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator McMillan, the committee amendment was adopted.

On motion of Senator McMillan, the rules were suspended, Engrossed Senate Bill No. 346 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 346, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Bargreen, DeGarmo, Foster, Lennart, Martin, Papajani, Petrich, Riley—8.

Engrossed Senate Bill No. 346, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, Senate Bill No. 428 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 404**, by Senators Hofmeister, Martin and Rasmussen:

Changing requirement that applicant for civil service job in city must be resident for one year to state residence for one year.

On motion of Senator Greive, Substitute Senate Bill No. 404 was substituted for Senate Bill No. 404, and Substitute Senate Bill No. 404 was placed on second reading.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, Substitute Senate Bill No. 404 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Herrmann:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"I will."

Senator Herrmann:

"Do I understand that this provides every employee under civil service would have to be a United States citizen?"

Senator Woodall:

"There is no change in that provision."

Senator Herrmann:

"The point I was getting at is the foreign exchange students. I know of many such students and also people declaring their intention, who are not citizens, and this would prohibit them from working in these jobs."

Senator Woodall:

"Actually regarding that point, if it should be desirable for cities to cover that right, I can see where an amendment could be made to cover this."

Senator Herrmann:

"I would like to offer the proper amendment to be prepared by the Secretary at this time."

**RULING OF THE PRESIDENT**

The President:

"This bill is now on final passage, and it will be necessary for you to suspend the rules and revert to second reading to offer an amendment."

On motion of Senator Herrmann, the rules were suspended and Substitute Senate Bill No. 404 was reverted to second reading for the purpose of an amendment.

On motion of Senator Greive, Substitute Senate Bill No. 404 was ordered to be considered after Senate Bill No. 359.

**Senate Bill No. 182**, by Senators Dore and Foley (by Departmental request):  
Relating to public service commission.

On motion of Senator Angevine, Senate Bill No. 182 was ordered to retain its place on second reading calendar for tomorrow.

**Engrossed House Bill No. 351**, by Representatives Bozarth, Shropshire and Johnston:

Prescribing misappropriation of livestock to be grand larceny.

The bill was read the second time by sections.

On motion of Senator Petrich, the following amendment was adopted:

In new section 1, page 1, line 6, after "who," and before "wilfully" strike "without the consent of the owner" and insert "with intent to deprive or defraud the owner thereof"

On motion of Senator Donohue, the rules were suspended, Engrossed House Bill No. 351, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 351, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 2; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—40.

Those voting nay were: Senators McCutcheon, Talley—2.

Those absent or not voting were: Senators Bargreen, Gissberg, Herrmann, Lennart, McMillan, Martin, Petrich—7.

Engrossed House Bill No. 351, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 359**, by Senators Elway, Jr., Sandison, Knoblauch and Thompson, Jr.:

Permitting municipal corporations to withdraw from the state retirement system to join the state-wide city employees' retirement system.

The bill was read the second time by sections.

On motion of Senator Elway, the following amendments were adopted:

In new section 1, page 1, beginning on line 7 with "Any" strike all of the material down to and including "41.44 RCW:" on line 11, and insert the following:

"Uniformed personnel" of cities and towns, as defined in RCW 41.44.030, as amended, shall have the right to withdraw from this system and to join the state-wide city employees' retirement system established by chapter 41.44 RCW:"

On page 1, line 20 strike all of section 2.

In line 1 of the title after "employment;" strike the remainder of the title and insert the following: "and adding a new section to chapter 41.40 RCW."

On motion of Senator Elway, the rules were suspended, Engrossed Senate Bill No. 359 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 359, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—45.

Those absent or not voting were: Senators Lennart, McCutcheon, Martin, Washington—4.

Engrossed Senate Bill No. 359, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Substitute Senate Bill No. 404**, by Committee on Cities, Towns and Counties:

Changing requirement that applicant for civil service job in city must be resident for one year to state residence.

On motion of Senator Greive, Substitute Senate Bill No. 404 was ordered retained for the next second reading calendar.

**Senate Bill No. 312**, by Senators McMillan, Raugust and Chytil (by Departmental request):

Modifying law relating to public livestock markets.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendments were adopted:

On page 1, beginning on line 11, strike all of section 1, and renumber the remaining sections consecutively.

In section 4, page 5, reinstate the stricken portion which are lines 14 through 26 in subsections 5 and 6.

Senator Freise moved that the following amendment be adopted:

In section 9, page 8, lines 18 through 21 strike all of new section 9.

The amendment was not adopted.

On motion of Senator Woodall, Senate Bill No. 312 was ordered to retain its place on the next second reading calendar.

**Senate Joint Memorial No. 16**, by Senators Greive, McCormack and Raugust:

Relating to a decision and determination of value of lands on the Wahluke Slope Irrigation Project.

The memorial was read the second time in full.

On motion of Senator McCormack, the rules were suspended, Senate Joint Memorial No. 16 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 16, and the memorial passed the Senate by the following vote: Yeas, 34; nays, 0; absent or not voting, 15.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Papajani, Rasmussen, Raugust, Riley, Ryder, Thompson, Jr.—34.

Those absent or not voting were: Senators Bargreen, Elway, Jr., Foster, Gissberg, Hallauer, Happy, Lennart, Martin, Nunamaker, Petrich, Sandison, Shannon, Talley, Washington, Woodall—15.

Senate Joint Memorial No. 16, having received the constitutional majority, was declared passed.

**Senate Bill No. 27**, by Senators Morgan, Rasmussen and Martin:

Providing display at Century 21 of articles produced at state institutions.

The bill was read the second time by sections.

On motion of Senator Morgan, the rules were suspended, Senate Bill No. 27 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 27, and the bill passed the Senate by the following vote: Yeas, 36; nays, 1; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bargreen, Connor, Cooney, Cowen, DeGarmo, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Papajani, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington—36.

Those voting nay were: Senator Chytil—1.

Those absent or not voting were: Senators Bailey, Donohue, Dore, Happy, Lennart, McCutcheon, Martin, Nunamaker, Petrich, Raugust, Shannon, Woodall—12.

Senate Bill No. 27, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 246**, by Senators Herrmann, Cooney and Ryder:  
Relating to banks and trust companies.

Senate Chamber,  
Olympia, Wash., February 11, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Financial Institutions, to whom was referred Senate Bill No. 246, relating to banks and trust companies, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 1, beginning on line 11, strike all of section 1 and renumber the remaining sections consecutively.

KARL V. HERRMANN, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, Charles P. Moriarty, Jr., Marshall A. Neill, John N. Ryder, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Herrmann, the committee amendment was adopted.

On motion of Senator Herrmann, the following amendment was adopted:

On page 3, beginning on line 2, strike all of section 3 and renumber the remaining sections consecutively.

On motion of Senator Ryder, the following amendment was adopted:

On page 6, after section 7 (renumbered Sec. 6), add two new sections reading as follows:

Sec. 6. Section 30.20.015, chapter 33, Laws of 1955 and RCW 30.20.015 are each amended to read as follows:

After any commercial or savings deposit shall be made in a national bank, state bank, trust company or any banking institution subject to the supervision of the supervisor of banking of this state, by any person in the names of such depositor and [another person] *one or more other persons* and in form to be paid to [either] *any of them* or the survivor of them, such deposit and any additions thereto made by [either] *any* of such persons after the making thereof, shall become the property of such persons as joint tenants with the right of survivorship, and the same, together with all interests thereof, in the case of savings accounts, shall be held for the exclusive use of such persons and may be paid to [either] *any of them* during [the lifetime of both] *their lifetimes* or the survivor [after the death of one of them] *or survivors*. The making of the deposit in such form shall, in the absence of fraud or undue influence, be conclusive evidence, in any action or proceeding to which either such bank or the surviving depositor is a party, of the intention of [both] *the* depositors to vest title to such deposit and the additions thereto in [such survivor] *the survivor or survivors*.

Sec. 7. Section 32.12.030, chapter 13, Laws of 1955 and RCW 32.12.030 are each amended to read as follows:

When any deposit shall be made by or in the name of any minor, the same shall be held for the exclusive right and benefit of such minor, and free from the control or lien of all other persons, except creditors, and shall be paid, together with dividends thereon, to the person in whose name the deposit shall have been made, and his receipt or acquittance shall be a valid discharge.

(2) When any deposit shall be made by any person in trust for another, and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to such savings bank, in the event of the death of the trustee, the deposit or any part thereof, together with the dividends thereon, may be paid to the person for whom the deposit was made.

(3) After any deposit shall be made by any person in the names of such depositor and [another person] *one or more other persons* and in form to be paid to [either] *any of them* or the survivor of them, such deposit and any additions thereto made by [either] *any* of such persons after the making thereof, shall become the property of such persons as joint tenants, and the same, together with all dividends thereon, shall be held for the exclusive use of such persons and may be paid to [either] *any of them* during [the] *their* [lifetime of both] *lifetimes* or to the survivor [after the death of one of them] *or survivors* and such payment and the receipt or ac-

quittance of the one to whom such payment is made shall be a valid and sufficient release and discharge to such savings bank for all payments made on account of such deposit prior to the receipt by such savings bank of notice in writing not to pay such deposit in accordance with the terms thereof. The making of the deposit in such form shall, in the absence of fraud or undue influence, be conclusive evidence, in any action or proceeding to which either such savings bank or the surviving depositor is a party, of the intention of [both] all depositors to vest title to such deposit and the additions thereto in [such] the survivor or survivors.

On motion of Senator Ryder, the following amendment to the title was adopted:

In line 9 of the title, after "30.20.060;" strike "and" ; also after "chapter 30.20 RCW" and before the period insert "; amending section 30.20.015, chapter 33, Laws of 1955 and RCW 30.20.015; and amending section 32.12.030, chapter 13, Laws of 1955 and RCW 32.12.030"

On motion of Senator Herrmann, the rules were suspended, Engrossed Senate Bill No. 246 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 246, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senator Gissberg—1.

Those absent or not voting were: Senators Bailey, Dore, Happy, Hess, Lennart, Nunamaker—6.

Engrossed Senate Bill No. 246, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 72**, by Representatives Garrett, Witherbee and Gorton:

Relating to salaries of second class city officials.

The bill was read the second time by sections.

On motion of Senators McCutcheon and DeGarmo, the following amendments were adopted:

On page 1, add new sections following section 1 as follows:

Sec. 2. Section 143, page 198, Laws of 1890, section 144, page 198, Laws of 1890, section 147, page 200, Laws of 1890, section 168, page 209, Laws of 1890, section 173, page 214, Laws of 1890, sections 4 and 5, chapter 113, Laws of 1903, section 1, chapter 33, Laws of 1911, section 1, chapter 24, Laws of 1921, section 2, chapter 87, Laws of 1939, section 1, chapter 91, Laws of 1941, section 2, chapter 108, Laws of 1941, section 2, chapter 115, Laws of 1941, section 1, chapter 183, Laws of 1943, section 7, chapter 55, Laws of 1955 (heretofore combined, divided and codified as RCW 35.27.070, 35.27.090, 35.27.130 and 35.27.170) are amended to read as set forth in sections 3 through 6 of this act.

Sec. 3. (RCW 35.27.070) The government of a town shall be vested in a mayor and a council consisting of five members and a treasurer, all elective; the mayor shall appoint a clerk, a marshal, and a police justice; and may appoint a town attorney, pound master, street superintendent, civil engineer, and such police and other subordinate officers as may be provided for by ordinance. All appointive officers shall hold office at the pleasure of the mayor and shall not be subject to confirmation by the town council.

Sec. 4. (RCW 35.27.090) All general municipal elections in towns shall be held biennially, irrespective of the form of government, on the second Tuesday of March

in the even-numbered years. The term of office of the mayor and treasurer shall be four years and until their successors are elected and qualified: *Provided*, That the term of the treasurer shall not commence in the same biennium in which the term of the mayor commences. Councilmen shall be elected for four year terms; three at one election and two at the next succeeding biennial election.

There shall be no general municipal elections held in the year 1957 and the officers whose terms would have expired in 1957, but for the provisions of this act [1955 c 55], shall continue in office until their successors are elected at the general election to be held on the second Tuesday of March 1958. There shall be no general municipal elections held in the year 1959 and the officers whose terms would have expired in 1959, but for the provisions of this act [1955 c 55], shall continue in office until their successors are elected at the general municipal election to be held on the second Tuesday of March 1960.

Sec. 5. (RCW 35.27.130) The mayor and members of the town council may be reimbursed for actual expenses incurred in the discharge of their official duties upon presentation of a claim therefor and its allowance and approval by resolution of the town council. The mayor and members of the council may also receive such salary not exceeding [three] *twenty* dollars per meeting for not more than two council meetings per month as the council may fix by ordinance.

The clerk, treasurer, marshal, and police justice shall severally receive at stated times a compensation to be fixed by ordinance which compensation shall not be increased or diminished after their election nor during their terms of office.

The compensation of all other officers shall be fixed from time to time by the council.

Sec. 6. (RCW 35.27.170) The town treasurer shall receive and safely keep all money which comes into his hands as treasurer, for all of which he shall give duplicate receipts, one of which shall be filed with the clerk. He shall pay out the money on warrants signed by the mayor and countersigned by the clerk and not otherwise. He shall make monthly settlements with the clerk.

Sec. 7. Section 7, chapter 184, Laws of 1915, as amended by section 1, chapter 115, Laws of 1941, and RCW 35.24.090 are each amended to read as follows:

The mayor and the members of the city council may be reimbursed for actual expenses incurred in the discharge of their official duties, upon presentation of a claim therefor, after allowance and approval thereof, by resolution of the city council; and each city councilman may be paid for attending council meetings an amount not exceeding [five] *twenty* dollars per meeting for not more than two such meetings each month, as the city council may fix by ordinance.

The city attorney, clerk, treasurer and health officer shall severally receive at stated times a compensation to be fixed by ordinance by the city council, which compensation shall not be increased or diminished after their election (or appointment), or during their several terms of office.

The mayor and other officers shall receive such compensation as may be fixed by the city council at the time the estimates are made as provided by law.

On motion of Senator McCutcheon, the following amendment to the title was adopted:

In line 1 of the title after "towns;" and before "amending" strike "and"

In line 3 of the title after "RCW 35.23.220" strike the period and insert " ; amending section 143, page 198, Laws of 1890, section 144, page 198, Laws of 1890, section 147, page 200, Laws of 1890, section 168, page 209, Laws of 1890, section 173, page 214, Laws of 1890, sections 4 and 5, chapter 113, Laws of 1903, section 1, chapter 33, Laws of 1911, section 1, chapter 24, Laws of 1921, section 2, chapter 87, Laws of 1939, section 1, chapter 91, Laws of 1941, section 2, chapter 108, Laws of 1941, section 2, chapter 115, Laws of 1941, section 1, chapter 183, Laws of 1943, section 7, chapter 55, Laws of 1955, and RCW 35.27.070, 35.27.090, 35.27.130 and 35.27.170; and amending section 7, chapter 184, Laws of 1915 as amended by section 1, chapter 115, Laws of 1941, and RCW 35.24.090."

On motion of Senator McCutcheon, the rules were suspended, House Bill No. 72, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 72, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 1; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—38.

Those voting nay were: Senator Raugust—1.

Those absent or not voting were: Senators Bailey, Connor, Dore, Durkan, Gissberg, Hanna, Happy, Nunamaker, Ryder, Woodall—10.

House Bill No. 72, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

Senator Rasmussen moved that the Senate grant the Committee on State Government, Military Affairs and Civil Defense, the powers of subpoena to bring the members into the meetings.

On motion of Senator Greive, the motion by Senator Rasmussen was laid on the table.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

REPORTS OF STANDING COMMITTEES

**Senate Bill No. 41** (reported by Committee on Medicine and Dentistry):

The attached substitute bill be substituted therefor and the substitute bill do pass.

FRANCES HADDON MORGAN, *Chairman.*

We concur in this report: Wayne G. Angevine, John L. Cooney, R. R. (Bob) Greive, Karl V. Herrmann.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 340** (reported by Committee on Agriculture and Horticulture):

Do pass as amended.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, F. Stuart Foster, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Fred J. Martin, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 409:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 409, allowing agent of title insurer to own the tract index, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, Karl V. Herrmann, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 414** (reported by Judiciary Committee):

Do pass as amended.

*JOHN A. PETRICH, Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, John T. McCutcheon, Charles P. Moriarty, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 42** (reported by Committee on Education):

Do pass as amended.

*ANDY HESS, Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 56** (reported by Committee on Education):

Do pass as amended.

*ANDY HESS, Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 201** (reported by Judiciary Committee):

Do pass as amended.

*....., Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 264:**Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 264, relating to duty of veterinary board to adopt a code of ethics and adding two causes for revoking a license, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

*DEWEY C. DONOHUE, Chairman.*

We concur in this report: Joe Chytil, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Fred J. Martin, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 366:**Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Engrossed House Bill No. 366, changing the date of school general elections to odd-numbered years, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

*ANDY HESS, Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg,

H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John Papajani, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 367:**

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Engrossed House Bill No. 367, permitting suspension or expulsion of student for failure to comply with reasonable rules relating to discipline or scholarship, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank W. Foley, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 167; also

Senate Bill No. 287, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

**MOTIONS**

On motion of Senator Greive, the Senate dispensed with the reading of notices.

At 1:30 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

**EVENING SESSION**

At 8:00 o'clock p. m. the Senate was called to order by President Cherberg.

The President declared the Senate to be at ease for approximately fifteen minutes, subject to the call of the President.

At 8:15 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary called the roll, and announced to the President that all Senators were present except Senators Angevine, Connor, DeGarmo, Dore, Elway, Jr., Foster, Henry, Lennart and Nunamaker.

On motion of Senator Bailey, the following members of the Committee on Labor and Industrial Insurance were excused, subject to roll call: Angevine, Henry, Connor, DeGarmo, Elway, Jr., Foster and Nunamaker.

**SECOND READING OF BILLS**

**Senate Bill No. 428**, by Senators Durkan, Hanna, Gissberg, Thompson, Jr., Herrmann and Cooney:

Requiring wholesalers to mark beer prices up twenty-five percent over cost to them.

On motion of Senator Knoblauch, Senate Bill No. 428 was ordered retained on the second reading calendar for tomorrow.

**Substitute Senate Bill No. 404**, by Committee on Cities, Towns and Counties:

Changing requirement that applicant for civil service job in city must be resident for one year to state residence for one year.

On motion of Senator Hess, Substitute Senate Bill No. 404 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 312**, by Senators McMillan, Raugust and Chytil (by Departmental request):

Modifying law relating to public livestock markets.

On motion of Senator Hess, Senate Bill No. 312 was ordered to retain its place at the end of second reading calendar for today.

**Senate Bill No. 43**, by Senators Thompson, Jr., Hess and Knoblauch:

An Act relating to education for students of superior capacity; and adding a new chapter to Title 28 RCW.

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 43, relating to education for students of superior capacity; and adding a new chapter to Title 28 RCW, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In new section 2, page 1, line 9, strike "children of school age, in school or out of school,"; also on line 11 after "ability" strike "in art, leadership, or music"

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, John A. Petrich, W. C. Raugust, Albert C. Thompson, Jr., Nat Washington.

The bill was read the second time by sections.

On motion of Senator Hess, the committee amendment was adopted.

On motion of Senator Hess, the rules were suspended, Engrossed Senate Bill No. 43 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 43, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Angevine, Connor, DeGarmo, Elway, Jr., Foster, Henry, Martin, Nunamaker, Papajani, Raugust—10.

Engrossed Senate Bill No. 43, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 209**, by Senators Petrich, Angevine and Woodall:  
Relating to raising salaries of court reporters.

On motion of Senator Petrich, Substitute Senate Bill No. 209 was substituted for Senate Bill No. 209, and Substitute Senate Bill No. 209 was placed on second reading.

Senator Rasmussen moved that Substitute Senate Bill No. 209 retain its place on the second reading calendar for tomorrow.

**POINT OF INQUIRY**

Senator Woodall:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Woodall:

"Could you not have your amendment prepared if we placed Substitute Senate Bill No. 209 farther down the calendar for tonight?"

Senator Rasmussen:

"I will amend my motion to the effect that Substitute Senate Bill No. 209 be placed at the end of the second reading calendar for this evening."

A division was requested.

The motion carried on a rising vote, and Substitute Senate Bill No. 209 was ordered placed at the end of the second reading calendar for this evening.

**Senate Bill No. 125**, by Senators Rasmussen and Talley:

Relates to budgets in certain cities and towns.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 125 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 125, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Angevine, Connor, DeGarmo, Elway, Jr., Foster, Henry, Martin, Nunamaker, Papajani—9.

Senate Bill No. 125, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 212**, by Senators DeGarmo, Hallauer and Rasmussen (by Departmental request):

Authorizing the acquisition and development of the East Capitol site.

Senate Chamber,  
Olympia, Wash., February 15, 1961.

MR. PRESIDENT:

We, your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred Senate Bill No. 212, relating to the state capitol; providing for the acquisition, development, and management of property approximate thereto; and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 2, section 8, line 24 after "fund" strike all of the matter down to and including "authorized" on line 26.

On page 2, section 8, line 27 after "dedicated." strike the remainder of the section.

On page 2, section 9, line 30 after "tidelands," and before "the" strike "shorelands, or any other land," and insert "and shorelands lying within the incorporated limits of any city or town."

On page 2, section 9, line 33 after "fund" strike the period and insert ", the creation of which is hereby authorized. This account shall only be subject to appropriation for purchasing, improving, and managing the East Capitol site."

VICTOR F. DEGARMO, *Chairman.*

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., William D. Shannon, Albert C. Thompson, Jr., Nat Washington.

The bill was read the second time by sections.

On motion of Senator Hallauer, the committee amendments were adopted.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Riley:

"Has there been any determination of value of the properties described in Section 1 which are presumed to be eligible for acquisition?"

Senator Hallauer:

"As I understand, the amount involved is approximately \$1,000,000, including some rentals from leases and apartments; and the purpose of the amendment is to make sure that the money from the leased apartments would go back into the general fund instead of a special fund, and not be allowed to grow."

Senator DeGarmo moved that the following amendment be adopted:

In section 1, page 1, line 13, after "north," and before "Avenue on the south" strike "16th" and insert "15th"

On motion of Senator Greive, Senate Bill No. 212 was ordered retained at the end of the second reading calendar for this evening.

**Senate Bill No. 229**, by Senators Riley and Shannon:

Enforcing of judgments, execution sales, and redemption of property.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 229, enforcing of judgments, execution sales, and redemption of property, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 27 after "which" and before "the judgment" strike "judgment and decree" and insert "complaint"

In section 1, page 2, line 2 after "shall be" and before "months" strike "three" and insert "eight"

In section 4, page 3, line 27 after "in the" and before ", as" on line 28 strike "judgment and decree of foreclosure" and insert "complaint"

....., *Chairman.*

We concur in this report: John L. Cooney, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Freise, the committee amendments were adopted.

**POINT OF INQUIRY**

Senator Hess:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Hess:

"What does the law presently provide, for the period of redemption?"

Senator Freise:

"This will shorten it from twelve months to eight months. As originally written in the bill, it was for three months."

Senator Durkan moved that the following amendment be adopted:

In section 1, page 1, line 25, after the comma following the date 1961, strike all the language down and through the comma on line 27.

Senator Foley moved that the amendment by Senator Durkan be laid on the table.

A division was requested and the motion lost on a rising vote.

Senators Woodall, Freise and Neill demanded a Call of the Senate.

The President stated the question before the Senate to be, shall a Call of the Senate be ordered.

A division was requested and the motion carried on a rising vote.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Angevine, Connor, DeGarmo, Elway, Jr., Foster and Henry, all of whom had been excused.

The President stated the question before the Senate to be the adoption of the amendment by Senator Durkan.

Senator Gissberg moved that the amendment by Senator Durkan be laid on the table.

**RULING OF THE PRESIDENT**

The President:

"Senator Gissberg, that motion has already been made and failed."

Debate ensued.

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator McCutcheon:

"You just said that it is very difficult to finance farm property. Now, by exempting the farmer, and giving him a longer period of redemption, wouldn't that make it more difficult for him to obtain financing? On a shorter period of redemption it is easier to obtain a loan. Don't you want to shorten it for the farmer, too?"

Senator Washington:

"That is not the particular problem as far as farmer loans are concerned. The people who engage in loans to farmers are not concerned about this. The main concern in farm loans is the amount of property involved. Many of the banks do not handle farm loans at all. In loans of this kind, it is the production record of the farm that counts."

Senator Woodall demanded a roll call which was sustained by Senators Martin, Dore, Greive, Lennart, Freise, Foster, Chytil, Rasmussen and Bargreen.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Is it not true that those who were excused, were excused subject to roll call?"

#### RULING OF THE PRESIDENT

The President:

"The Senators have been notified, Senator Greive."

The President stated the question before the Senate to be, it has been moved that the amendment proposed by Senator Durkan be adopted.

The Secretary called the roll, and the amendment by Senator Durkan to Senate Bill No. 229 was not adopted by the following vote: Yeas, 20; nays, 29; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Donohue, Dore, Durkan, Greive, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Nunamaker, Papajani, Petrich, Rasmussen—20.

Those voting nay were: Senators Chytil, Cowen, DeGarmo, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Lennart, McMillan, Martin, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—29.

Senator Riley moved that the rules be suspended, Engrossed Senate Bill No. 229 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A division was requested and the motion lost on a rising vote.

Senate Bill No. 229 was passed to Committee on Rules and Joint Rules for third reading.

#### MOTION

On motion of Senator Woodall, the Senate dispensed with the Call of the Senate.

President Pro Tempore Al Henry in the Chair.

**Senate Bill No. 183**, by Senators Hallauer, Hess and Thompson, Jr.:

Authorizing school districts to make up days lost because of emergency closures.

On motion of Senator Hess, Senate Bill No. 183 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 408**, by Senators Freise, Hallauer and Neill:

Relating to registered mail.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Senate Bill No. 408 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 408, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators DeGarmo, Donohue, Dore, Foley, Hallauer, Morgan—6.

Senate Bill No. 408, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 193**, by Senators Herrmann, Woodall and Cooney:

Relating to historical markers.

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 193, relating to historical markers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 2, page 1, strike all of line 22 and insert "natural wood with routed letters;"

In section 2, page 1, beginning on line 23 after "the commission" and before the period on line 24 insert ": *Provided*, That the commission may in its discretion designate any supplemental signs necessary"

In section 3, page 2, line 4, after "and color" strike ", and in the shape of an evergreen tree"

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, Frank Connor, Fred H. Dore, Frank W. Foley, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison.

The bill was read the second time by sections.

On motion of Senator Herrmann, the committee amendments were adopted.

On motion of Senator Riley, the following amendment was adopted:

In section 2, page 1, line 24, after the period add the following:

"The commission may obtain such markers from any institution under the super-

vision of the department of institutions or any youth forest camp under the supervision of the department of natural resources."

On motion of Senator Herrmann, the rules were suspended, Engrossed Senate Bill No. 193 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 193, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Donohue, Durkan, Hallauer, Morgan, Papajani, Ryder—6.

Engrossed Senate Bill No. 193, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 17**, by Senators Kupka, Keefe and Sandison (by Legislative Council request):

Creates the charitable, educational, penal and reformatory institutions account in the general fund and from such, or by sale of bonds, authorizes the financing of the correctional institution established by chapter 72.13 RCW.

On motion of Senator Greive the Senate resolved itself into a Committee of the Whole, Senator Al Henry in the Chair, for the purpose of considering Senate Bill No. 17.

#### COMMITTEE OF THE WHOLE

Senate Bill No. 17 was considered in the Committee of the Whole and reported back to the Senate, President Cherberg presiding, with the recommendation that it be held over and considered on the second reading calendar for tomorrow.

On motion of Senator Greive, the report of the committee was adopted.

#### POINT OF INQUIRY

Senator Bargreen:

"Will Senator Moriarty yield to a question?"

Senator Moriarty:

"Yes, I will."

Senator Bargreen:

"What rate of interest are we now getting on the fund, or do you know?"

Senator Moriarty:

"I don't know. As I understand this fund, it was created with the proceeds of the sale of part of 200,000 acres of land which were granted to the state of Washington by the federal government for the purpose of charitable, educational, penal and reformatory institutions since 1889.

"Funds from the sale of thousands of those acres has gone into the state treasury and has been used from time to time and transfers of money made in and out of this fund. In 1935 the fund was declared to be a permanent fund and since that time it

has not been used and the money has been lying there. Whether or not it has accumulated any interest, I don't know."

Senator Bargreen:

"No doubt it has been used to finance certain things; and if that is the case, you must consider that the interest which we have been receiving may be worthy of consideration. We all know that there may be some saving if the institution were started now, rather than waiting until prices go higher. I think this is very important to know before the question is decided."

**Senate Bill No. 344**, by Senators Petrich, Foster and Greive:

Creating exemplary damages.

On motion of Senator Woodall, Senate Bill No. 344 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 129**, by Senators Bailey, Washington and Sandison (by Highway Interim Committee request):

Changing membership of Washington toll bridge authority; modifying its powers and duties.

On motion of Senator Greive, Substitute Senate Bill No. 129 was ordered substituted for Senate Bill No. 129, and Substitute Senate Bill No. 129 was placed on the second reading calendar.

Senator Rasmussen moved that Substitute Senate Bill No. 129 be retained on the second reading calendar for tomorrow.

The motion lost.

The bill was read the second time by sections.

On motion of Senator Gallagher, Substitute Senate Bill No. 129 was ordered placed on this evening's second reading calendar following Senate Bill No. 414.

**Senate Bill No. 444**, by Senators Thompson, Jr., Sandison and Hallauer (by request of Interim Committee on Education):

Relating to purchase and repair of school property and supplies and requesting bids.

The bill was read the second time by sections.

On motion of Senator Thompson, the rules were suspended, Senate Bill No. 444 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Bargreen:

"Will Senator Thompson yield to a question?"

Senator Thompson:

"Yes, I will."

Senator Bargreen:

"Often in purchasing, I have studied this angle, but often purchases are divided into small amounts and in that way bids are not required."

Senator Thompson:

"This practice sometimes has been observed by some purchasers, but I think the responsibility lies with the Board to make sure that their purchasing agent is abiding by the laws covering this."

Senator Bargreen:

"Now, say there is a purchasing agent or a man in one of the first class districts, and to get around the provision he buys less than the specified amount so that he

doesn't have to put the account up for bidding, I wonder if we have this same provision in the other districts as in the first class districts?"

Senator Thompson:

"At the present time there is no requirement for second and third class districts; and the requirement for first class districts is somewhat less. I think it is \$1,000. Your point is well taken. In trying to solve that problem, it could be dropped down to \$500 in order to make sure that someone who would wish to quote a price at the \$500 figure would be able to offer their services on a catalog bid. At least we are striving to make the school business available to any qualified supplier who seeks the business."

The Secretary called the roll on the final passage of Senate Bill No. 444, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Foster, Hallauer, Happy—3.

Senate Bill No. 444, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 414**, by Senators Herrmann, Gallagher and Freise:

Eliminating right of redemption in foreclosure of mortgages insured by FHA where premises are abandoned.

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 414, eliminating right of redemption in foreclosure of mortgages insured by FHA where premises are abandoned, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, lines 9 and 10 after "a home" and before "judgment" strike "at the time" and insert "for at least six successive months immediately prior to the date"

In section 1, line 13 after "home" and before the comma insert "at any time during the six months period immediately prior to the date judgment is entered"

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Petrich, the following amendments were adopted:

In section 1, page 1, line 9, after "mortgagor" and before "and" insert "or his assignee"

In section 1, page 1, line 13, after "mortgagor" and before "or" insert ", his assignee"

On motion of Senator Herrmann, the rules were suspended, Engrossed Senate Bill No. 414 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

## POINT OF INQUIRY

Senator McCutcheon:

"Will Senator Herrmann yield to a question?"

Senator Herrmann:

"Yes, I will."

Senator McCutcheon:

"What is the philosophy or significance in confining this to loans made by the FHA and not having it encompass all types of loans?"

Senator Herrmann:

"It eliminates farms and commercial property."

Senator McCutcheon:

"That's what I thought."

The Secretary called the roll on the final pasage of Engrossed Senate Bill No. 414, and the bill passed the Senate by the following vote: Yeas, 42; nays, 6; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senators Durkan, Greive, Hess, McCutcheon, Petrich, Rasmussen—6.

Those absent or not voting were: Senator Happy—1.

Engrossed Senate Bill No. 414, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Substitute Senate Bill No. 129**, by Committee on Highways:

Changing the membership of the Washington toll bridge authority and modifying its powers and duties.

The bill was read the second time by sections.

Senator Rasmussen moved that the following amendments be adopted:

In section 1, page 1, line 12, strike lines 12, 13, 15, 16, 17 and 18.

On line 19 strike "to be known as appointive members" and insert "the highway commission shall serve as the toll bridge authority."

Strike new Sec. 2 and renumber.

Senator Hofmeister moved that the amendments by Senator Rasmussen be laid on the table.

The motion carried, and the amendments were laid on the table.

On motion of Senator Washington, the rules were suspended, Substitute Senate Bill No. 129 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 129, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister,

Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Connor, Cooney, Foster, Herrmann—4.

Substitute Senate Bill No. 129, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Substitute Senate Bill No. 404**, by Committee on Cities, Towns and Counties:

Changing requirement that applicant for civil service job in city must be resident for one year to state residence for one year.

The bill was read the second time by sections.

Senator Talley moved that the following amendment be adopted:

In section 1, page 1, line 13, strike the period and insert: " : *Provided*, That this amendatory section shall be effective only until July 1, 1963."

The motion was lost, and the amendment was not adopted.

Senator Nunamaker moved that the following amendment be adopted:

In section 1, page 1, line 13, strike the period and insert: " : *Provided*, That in cities of the first class an applicant must have been a resident of such city for at least one year."

Debate ensued.

A division was requested and the motion lost.

The amendment was not adopted.

On motion of Senator Hofmeister, the rules were suspended, Substitute Senate Bill No. 404 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 404, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—45.

Those voting nay were: Senators Greive, Nunamaker, Talley—3.

Those absent or not voting were: Senator Foster—1.

Substitute Senate Bill No. 404, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Greive, House Bill No. 468, Engrossed Senate Bill No. 392, Senate Bill Nos. 182, 212, and 312 on the second reading calendar, were ordered retained on the second reading calendar for tomorrow.

On motion of Senator Greive, the Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 325:**

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 325, requiring public auction in lease of oyster lands, and allowing appeal on fixed rental value or renewal of lease, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 339:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 339, extending filing on conditional sales, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: Fred H. Dore, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 458:**

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 458, establishing procedures for counting or rejecting voting ballots which have been challenged, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Martin J. Durkan, Michael J. Gallagher, Al Henry, Mike McCormack, Frances Haddon Morgan, John Papajani, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 479:**

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 479, removing requirement that ballot must be rejected if identifying mark thereon, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Andy Hess, Mike McCormack, Frances Haddon Morgan, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 540:**

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 540, relating to state trade fairs, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, David C. Cowen, Martin J. Durkan, F. Stuart Foster, Michael J. Gallagher, James E. Keefe, Reuben A. Knoblauch, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 241:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Engrossed House Bill No. 241, amending election laws, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Martin J. Durkan, Michael J. Gallagher, Al Henry, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 11:10 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m. on Friday, February 24, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FORTY-SEVENTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, February 24, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg. The President declared the Senate at ease subject to the call of the Chair for approximately five minutes.

The Senate was called to order at 10:10 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Lennart.

On motion of Senator Happy, Senator Lennart was excused. The Color Guard, consisting of Pages Neill Johnson, Color Bearer, and Nancy Christiansen, presented the Colors.

Reverend W. A. MacArthur, Pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Let us pray:  
"We are always sensitive about our own feelings being hurt, Great God; help us now to be sensitive to the possibility of grieving Thee when we give ourselves to lesser loyalties and spend our time and energies on that which is less than our highest and best.  
"Unless we are changed, changed by the touch of Thy hand, we shall stumble on through life making the same stupid mistakes.  
"So we seek Thy presence and power right now to aid us as we make the necessary changes in our attitudes.  
"Where we are blind, give us sight!  
"Where we fail to hear Thy voice, do something about our deafness.  
"Where we choose to do wrong, touch our wills and make them Thine.  
"In the name of Christ, we pray. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:  
"Presented at the request of the celebrated and renowned Senator Knoblauch are one hundred thirty Franklin Pierce High School students. Would this particular group and Senator Knoblauch please stand in order that you may be recognized properly by the members of the Senate.

"At the request of the foremost Senator from the Forty-fourth District, the Honorable John Papajani, a group of PTA representatives under the leadership of Mrs. Bernard Heavey and Mrs. Ruth Robertson, are present today in the gallery. Would this group please stand and be recognized, along with Senator Papajani.

"At the request of the worthy Senator from Bremerton, Honorable Frances Haddon Morgan, the President would like to present a group of sixty-five students from West High School in Bremerton. Would this group please stand, along with Senator Morgan.

"The members of the Senate and the President hope that all of you visitors to Olympia enjoy witnessing the legislative processes in action."

(Applause.)

**MOTION**

On motion of Senator Sandison, the Committee on Higher Education and Libraries was relieved of further consideration of Senate Bill No. 549.

On motion of Senator Sandison, Senate Bill No. 549 was referred to the Committee on Ways and Means.

The Secretary read:

**CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred the Governor's appointment of Fred C. Ashley, Colville, to the State Public Assistance Advisory Committee, appointed October 1, 1959, effective October 1, 1959, for the term ending June 10, 1963, succeeding Stephen F. Bayne, Jr., resigned, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Edward F. Riley, Don L. Talley.

**APPOINTMENT OF FRED C. ASHLEY**

Senator McMillan moved that the report of the committee be adopted and that the appointment of Fred C. Ashley to the State Public Assistance Advisory Committee be confirmed.

The motion carried.

The Secretary called the roll and the appointment of Fred C. Ashley to the State Public Assistance Advisory Committee was confirmed by the following vote: Yeas, 29; nays, 12; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Nunamaker, Papajani, Rasmussen, Sandison, Talley, Washington—29.

Those voting nay were: Senators Chytil, Elway, Jr., Foster, Freise, Happy, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—12.

Those absent or not voting were: Senators Durkan, Gissberg, Herrmann, Keefe, Lennart, Martin, Petrich, Riley—8.

Having received the approval of the Senate, the appointment of Fred C. Ashley to the State Public Assistance Advisory Committee was confirmed.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred the Governor's appointment of Chester W. Ramage, Seattle, to the State Personnel Board, appointed January 4, 1961, effective January 4, 1961, for the term ending January 4, 1967, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

**APPOINTMENT OF CHESTER W. RAMAGE**

Senator Papajani moved that the report of the committee be adopted and that the appointment of Chester W. Ramage to the State Personnel Board be confirmed.

The motion carried.

The Secretary called the roll and the appointment of Chester W. Ramage to the State Personnel Board was confirmed by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Elway, Jr., Gissberg, Herrmann, Keefe, Lennart, Martin, Riley—7.

Having received the approval of the Senate, the appointment of Chester W. Ramage to the State Personnel Board was confirmed.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 43; also

Senate Bill No. 94; also

Senate Bill No. 193; also

Senate Bill No. 246; also

Senate Bill No. 346; also

Senate Bill No. 359; also

Senate Bill No. 414; also

Substitute Senate Bill No. 526, have compared same with the original bills and find them correctly engrossed. MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 58** (reported by Committee on Ways and Means):  
Do pass as amended.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, Dewey C. Donohue, R. R. (Bob) Greive, Andy Hess, George W. Kupka, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 207:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 207, authorizing inheritance tax valuation to be adjusted to federal

appraisal, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Fred H. Dore, William A. Gissberg, R. R. (Bob) Greive, George W. Kupka, Ernest W. Lennart, Mike McCormack, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 247:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 247, prohibiting professional strikebreaking, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 266:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 266, authorizing assessors to audit tax list, statement, or schedule, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, William A. Gissberg, Andy Hess, George W. Kupka, Mike McCormack, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neil, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 320:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 320, placing a portion of liquor revolving fund moneys in state treasury for administrative expenses of board, have had the same under consideration, and we

respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Fred H. Dore, William A. Gissberg, R. R. (Bob) Greive, Andy Hess, George W. Kupka, Ernest W. Lennart, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, John A. Petrich, A. L. Rasmussen, John N. Ryder, Albert C. Thompson, Jr.

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Ways and Means, to whom was referred Senate Bill No. 320, placing a portion of liquor revolving fund moneys in state treasury for administrative expenses of board, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

....., *Chairman*,

Committee on Appropriations.

....., *Chairman*,

Committee on Taxation and Revenue.

We concur in this report: Howard Bargreen, Joe Chytil, Marshall A. Neill, John Papajani, Edward F. Riley, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 394:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Senate Bill No. 394, modifying law relating to old age and survivors' insurance for teachers at state colleges of education, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Andy Hess, Marshall A. Neil, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 512:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 512, enlarging scope of food and beverage permits to include bakeries, macaroni factories and confectioneries, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 554:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 554, revising RCW 84.40.210 relating to certain personal property tax

exemptions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*.

....., *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, Andy Hess, George W. Kupka, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, John Papajani, A. L. Rasmussen, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 130:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Engrossed House Bill No. 130, authorizing local improvement districts for library purposes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Andy Hess, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 371:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred House Bill No. 371, relating to financing of capital construction, etc., for higher education, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Andy Hess, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 387:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Bill No. 387, prescribing qualifications and equipment for ambulances and drivers thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 15:**

Senate Chamber,  
Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred House Concurrent Resolution No. 15, calling for study of House Bill No. 50 by Legislative Council, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 133; also House Bill No. 189, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 53; also House Bill No. 67; also House Bill No. 73; also House Bill No. 87; also Substitute House Bill No. 123; also House Bill No. 158; also House Bill No. 284; also House Bill No. 292; also House Joint Memorial No. 21; also House Joint Resolution No. 19; also House Joint Resolution No. 35; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

The President signed: House Bill No. 53; also House Bill No. 67; also House Bill No. 73; also House Bill No. 87; also Substitute House Bill No. 123; also House Bill No. 158; also House Bill No. 284; also House Bill No. 292; also House Joint Memorial No. 21; also House Joint Resolution No. 19; also House Joint Resolution No. 35.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 555**, by Senator Durkan:

Making an appropriation to determine the feasibility of locating a junior college on certain properties in King County and authorizing a conveyance.

Referred to Committee on Ways and Means.

**Senate Joint Resolution No. 36**, by Senators Bargreen, Papajani, Riley, Shannon, Dore, Connor, Raugust, Martin, Freise, Talley, Donohue, Sandison, Knoblauch and Hofmeister:

Commending the promoters, producers and publishers of "Communism on the Map", and declaring it a proper subject to display in the public schools.

On motion of Senator Bargreen, the rules were suspended in order that more than three names might appear as sponsors on Senate Joint Resolution No. 36.

Senator Bargreen moved that the rules be suspended, that Senate Joint Resolution No. 36 be advanced to second reading, and read the second time in full.

A division was requested and the motion was lost on a rising vote.

Senator Hallauer moved that Senate Joint Resolution No. 36 be referred to the Committee on State Government, Military Affairs and Civil Defense.

Extensive debate ensued.

Senators Hallauer, McCormack and Bargreen demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

#### POINT OF INQUIRY

Senator Hallauer:

"Where is the Senate Joint Resolution now?"

The President:

"It is before the body. Your motion to refer the resolution is pending, Senator."

#### PERSONAL PRIVILEGE

Senator Rasmussen:

"I object to Senator Riley criticizing the State Government Committee."

Senator Riley:

"I simply stated that the Committee on State Government was busy."

Senator Rasmussen:

"My secretary and I attended every meeting."

Senator Riley:

"Well, you must have a handsome secretary."

Senator Hess demanded the previous question, and the demand was sustained by Senators Riley and Nunamaker.

The President stated the question to be, shall the main question be now put.

#### PERSONAL PRIVILEGE

Senator Washington:

"I want to make it clear that we have had several members on the floor of this Senate who have had actual practical experience, and have seen for themselves with

their own eyes what communism has done. Senator Raugust and Senator Papajani have added much in favor of putting the stamp of approval on this resolution with their type of factual statements. That is the type of factual, sound information that should go to our school children. I would be willing that these people who have a definite factual understanding should speak. That is the type of approach we should have, not the type we have been having here."

**POINT OF INQUIRY**

Senator Bargreen:

"Mr. President, I would like to ask Senator Hess if he would give the first speaker, myself, relating to either a bill or resolution, the opportunity to say a few words in closing?"

Senator Greive:

"I move that the rules be suspended and Senator Bargreen given the privilege of closing debate."

**RULING OF THE PRESIDENT**

The President:

"For the purpose of clarification, the motion was introduced by Senator Hallauer, and I intended to allow Senator Hallauer to close the debate after hearing Senator Bargreen."

The demand for the previous question by Senators Hess, Riley and Nunamaker was withdrawn with permission of the Senate.

Debate ensued.

The President stated the question before the Senate to be, it has been moved that Senate Joint Resolution No. 36 be referred to the Committee on State Government, Military Affairs and Civil Defense.

Senator Bargreen demanded a roll call which was sustained by Senators McMillan, Riley, Sandison, Chytil, Happy, Dore, Connor, Talley, DeGarmo and Durkan.

The Secretary called the roll on the referral of Senate Joint Resolution No. 36 to the Committee on State Government, Military Affairs and Civil Defense, and the motion lost by the following vote: Yeas, 24; nays, 24; absent and excused, 1.

Those voting, yea were: Senators Angevine, Bailey, Cooney, DeGarmo, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Kupka, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Rasmussen, Thompson, Jr., Washington—24.

Those voting nay were: Senators Bargreen, Chytil, Connor, Cowen, Donohue, Dore, Durkan, Foster, Freise, Happy, Keefe, Knoblauch, McMillan, Moriarty, Jr., Neill, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Woodall—24.

Those absent and excused were: Senator Lennart—1.

Senator Bargreen moved that the rules be suspended, Senate Joint Resolution No. 36 be advanced to second reading, and read the second time in full.

**POINT OF ORDER**

Senator McCormack:

"I may be confused, but we did vote on this. Is it in order to vote on it again?"

Senator Bargreen:

"The motion to advance was lost on a rising vote, then the motion to refer was lost and since there has been this intervening action, the motion to advance is properly before the Senate at this time."

**RULING OF THE PRESIDENT**

The President ruled that the explanation as given by Senator Bargreen was correct.

Senator McCormack:

"I grant that the rules can be suspended at any time, but can the rules be suspended and the same motion presented again?"

**RULING OF THE PRESIDENT**

The President read Rule 28:

"No standing rule or order of this senate shall be rescinded or changed without a vote of two-thirds of the members, and one day's notice of the motion thereof: *Provided*, Adoption of permanent rules may be by simple majority without notice, but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called, and after due notice from the President, no objection is offered, he may announce the rule suspended, and the senate may proceed accordingly."

"In this particular case, since other business has taken place, Senator Bargreen's motion would be in order at this time."

**POINT OF INQUIRY**

Senator Angevine:

"Mr. President, if a motion is presented before the Senate, and if this motion does not receive a two-thirds vote, am I correct in assuming that you will refer this bill to some proper committee?"

The President:

"That is correct."

**MOTION**

On motion of Senator Sandison, Senator Gissberg was excused under the Call of the Senate.

The President stated the question before the Senate to be, it has been moved that the rules be suspended, Senate Joint Resolution No. 36 be advanced to second reading, and read the second time in full.

A division was requested.

A roll call was demanded, which was sustained by Senators Greive, Bargreen, DeGarmo, McCutcheon, Dore, Shannon, Happy, Hallauer and Riley.

The Secretary called the roll on the motion by Senator Bargreen that Senate Joint Resolution No. 36 be advanced to second reading and the motion having failed to receive a two-thirds majority was declared lost by the following vote: Yeas, 29; nays, 20; absent or not voting, 0.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foster, Freise, Gissberg, Happy, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McMillan, Moriarty, Jr., Neill, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Woodall—29.

Those voting nay were: Senators Angevine, Bailey, Cooney, Donohue, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Rasmussen, Thompson, Jr., Washington—20.

Senator Woodall moved that Senate Joint Resolution No. 36 be referred to the Committee on Rules and Joint Rules.

**POINT OF INQUIRY**

Senator Gallagher:

"Does this take a suspension of the rules?"

**RULING OF THE PRESIDENT**

The President:

"No, the motion is quite in order and will not require a suspension of the rules."

Senator Morgan moved that it be made mandatory that every member of the body view the film prior to any further legislative action thereon.

**POINT OF ORDER**

Senator McCutcheon:

"It is my understanding that Senator Woodall's motion is in order and Senator Morgan's motion is also in order."

**RULING OF THE PRESIDENT**

The President:

"May I suggest that Senator Morgan amend her motion, and the Senate Rules Committee be instructed to make suitable arrangements for viewing of the film."

Senator Bargreen:

"I move an amendment to the amendment, that the film be viewed but the film not be shown under the Call of the Senate."

**POINT OF INQUIRY**

Senator Lennart:

"I understand what this motion was, but instead of 'may', it is 'shall'. That's the last straw, gentlemen!"

Senator Thompson:

"I move that the Senate do now resolve itself into the Committee of the Whole."

The motion lost.

Senator Rasmussen:

"I would like to amend Senator Woodall's and Senator Morgan's motion by asking that a Mickey Mouse film be added to attract the Senators."

Senator Woodall amended his motion with the permission of the Senate to include instructions that the Senate Rules Committee may make suitable arrangements in order that the film may be shown under the Call of the Senate.

**POINT OF INQUIRY**

Senator McCormack:

"Will Senator Morgan yield to a question?"

Senator Morgan:

"Yes, I will."

Senator McCormack:

"Senator Morgan, before any legislative action shall be taken by this body this film shall be seen, is that what you mean?"

Senator Morgan:

"Yes, I do. Before any further legislative action may be taken, this film must be seen."

**POINT OF INQUIRY**

Senator Martin:

"Is a motion to amend an amendment in order?"

The President:

"The President believes it is in order."

The President stated the question before the Senate to be, the adoption of the motion as presented by Senator Woodall.

Senator Hallauer:

"I now wish to amend Senator Woodall's motion so that the word 'Education' would be substituted for the committee of referral."

#### RULING OF THE PRESIDENT

The President:

"The President believes that you are making an entirely new motion and is not in order at this time. The Senate must act upon Senator Woodall's motion."

The motion by Senator Woodall was carried.

Senate Joint Resolution No. 36 was referred to the Committee on Rules and Joint Rules.

#### PARLIAMENTARY INQUIRY

Senator Angevine:

"Would I be correct in assuming that this measure will have to be reported out by the Rules Committee, since it has been referred to that committee rather than to another committee, and that it will have to be brought out of the Rules Committee and referred to another committee and then go back to Rules Committee for second reading and then brought out again?"

#### RULING OF THE PRESIDENT

The President:

"The President would not try to predict what the Rules Committee will do."

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Bill No. 133**, by Representatives Shropshire, Schaefer and Huntley:

An Act relating to state government, establishing a state law enforcement officers' training commission; providing for its organizational structure; defining its powers and duties; declaring exemptions and legislative intent; and making an appropriation for salaries, operations, and other expenses of the commission.

Referred to Committee on State Government, Military Affairs and Civil Defense.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 1:15 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:15 o'clock p. m.

#### AFTERNOON SESSION

At 2:15 o'clock p. m., the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bargreen, Connor, Happy, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Petrich and Riley.

The Secretary read:

**CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred the Governor's appointment of Mary Ellen Davis, Kirkland, to the Board of Trustees, Central Washington College of Education, appointed February 26, 1960, effective February 26, 1960 for the term ending June 26, 1962, succeeding Herbert Legg, resigned, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Andy Hess, Frances Haddon Morgan, John N. Ryder, Nat Washington.

**APPOINTMENT OF MARY ELLEN DAVIS**

On motion of Senator Washington, the rules were suspended, the report of the committee was adopted, and the appointment of Mary Ellen Davis to the Board of Trustees, Central Washington College of Education, was confirmed.

The Secretary called the roll and the appointment of Mary Ellen Davis to the Board of Trustees, Central Washington College of Education, was confirmed by the following vote: Yeas, 39; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McMillan, Moriarty, Neill, Papajani, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Washington, Woodall—39.

Those absent or not voting were: Senators Bargreen, Connor, Happy, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Petrich, Riley—10.

Having received the approval of the Senate, the appointment of Mary Ellen Davis to the Board of Trustees, Central Washington College of Education, was confirmed.

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred the Governor's appointment of Charles E. Odegaard, Seattle, to the Western Interstate Commission for Higher Education, appointed October 6, 1959, effective October 6, 1959, for the term ending June 9, 1963, succeeding himself, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Andy Hess, Marshall A. Neill, John N. Ryder, Nat Washington.

**APPOINTMENT OF CHARLES E. ODEGAARD**

On motion of Senator Sandison, the rules were suspended, the report of the committee was adopted, and the appointment of Charles E. Odegaard to the Western Interstate Commission for Higher Education was confirmed.

The Secretary called the roll and the appointment of Charles E. Odegaard to the Western Interstate Commission for Higher Education was confirmed by the following vote: Yeas, 39; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister,

Keefe, Knoblauch, Kupka, Lennart, McMillan, Moriarty, Neill, Papajani, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Washington, Woodall—39.

Those absent or not voting were: Senators Bargreen, Connor, Happy, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Petrich, Riley—10.

Having received the approval of the Senate, the appointment of Charles E. Odegaard to the Western Interstate Commission for Higher Education was confirmed.

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred the Governor's appointment of Selma Therriault, Ephrata, to the Board of Trustees, Central Washington College of Education, appointed July 1, 1959, effective July 1, 1959, for the term ending June 26, 1960, succeeding Bernadines K. Frick, deceased. Reappointed January 17, 1961, effective January 17, 1961, for the term ending June 26, 1966, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Andy Hess, Marshall A. Neill, John N. Ryder, Nat Washington.

#### APPOINTMENT OF SELMA THERRIAULT

On motion of Senator Washington, the rules were suspended, the report of the committee was adopted, and the appointment of Selma Therriault to the Board of Trustees, Central Washington College of Education, was confirmed.

The Secretary called the roll and the appointment of Selma Therriault to the Board of Trustees, Central Washington College of Education, was confirmed by the following vote: Yeas, 39; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McMillan, Moriarty, Neill, Papajani, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Washington, Woodall—39.

Those absent or not voting were: Senators Bargreen, Connor, Happy, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Petrich, Riley—10.

Having received the approval of the Senate, the appointment of Selma Therriault to the Board of Trustees, Central Washington College of Education, was confirmed.

**Senate Bill No. 336** (reported by Committee on Agriculture and Horticulture):

Do pass as amended.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Fred J. Martin, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 393** (reported by Committee on State Government, Military Affairs and Civil Defense):

Do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Michael J. Gallagher, H. B. Hanna,

Reuben A. Knoblauch, George W. Kupka, Mike McCormack, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 465:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 465, preventing retired appointive officials and public employees from receiving both pensions and public salaries, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Harry Elway, Jr., Herbert H. Freise, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, John T. McCutcheon, Marshall A. Neill, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 522:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 522, relating to public officers and employees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Marshall A. Neill, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 211:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred House Bill No. 211, changing name of public service commission to Washington utilities and transportation commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Martin J. Durkan, F. Stuart Foster, John H. Happy, James E. Keefe, George W. Kupka, Mike McCormack, John T. McCutcheon, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 339, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

Senators Greive, Hofmeister and Martin demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Gissberg, Henry and Lennart. Senator Lennart being excused.

## FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Bill No. 189**, by Representatives Olsen, Kirk and Ackley:

An Act authorizing the refund of improperly or illegally collected ad valorem taxes; and amending section 84.69.070, chapter \_\_\_\_\_, Laws of 1961 (House Bill No. 6), and RCW 84.69.070.

Referred to Committee on Ways and Means.

**House Bill No. 339**, by Representatives Klein and Burns:

An Act relating to the selection of jurors in the superior court; amending section 3, chapter 57, Laws of 1911, as last amended by section 1, chapter 238, Laws of 1943 and RCW 2.36.060.

Referred to Judiciary Committee.

## SECOND READING OF BILLS

**House Bill No. 468**, by Committee on Game and Game Fish:

Providing free fishing licenses for veterans and blind persons.

The bill was read the second time by sections.

Senator Hofmeister moved that the following amendment be adopted:

In section 1, page 1, lines 12 and 13, after "having a" and before "and" strike "service connected disability" and insert "Veterans Administration 'C' number for pension or compensation"

Debate ensued.

On motion of Senator McMillan, the rules were suspended and Senator McMillan was allowed to make an oral amendment to the amendment by Senator Hofmeister, as follows:

In the amendment by Senator Hofmeister, where it says that anyone with a "C" classification as to disability, to be changed to read: "twenty-five percent disability regardless of service connected or otherwise."

The President stated the question to be the adoption of the amendment to the amendment.

The motion lost, and the amendment to the amendment was not adopted.

The President stated the question before the Senate to be, the adoption of the amendment by Senator Hofmeister.

A division was requested and the motion was lost on a rising vote. The amendment was not adopted.

Senator Hofmeister moved that House Bill No. 468 be referred to the Committee on State Government, Military Affairs and Civil Defense.

Debate ensued.

A division was requested and the motion was lost on a rising vote.

Senator Riley moved that the rules be suspended, House Bill No. 468 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A division was requested.

The President started to announce the results of the standing vote.

Senator Greive demanded to know how many votes were counted of the members present.

## POINT OF ORDER

Senator Durkan:

"I move that the votes counted speak for themselves."

**POINT OF ORDER**

Senator Woodall:

"In the absence of a roll call, I don't know of any rule that makes everyone vote. There was no request for a roll call and I think that the matter has been decided by the ruling of the President."

The President:

"The President has not ruled as yet."

**RULING OF THE PRESIDENT**

The President:

"The President will quote from Rule 28: '. . . which provides that a rule or order may be temporarily suspended by a two-thirds vote of the members present.'"

Senator Martin:

"Can the Secretary determine how many are present now, or how many were present when the vote was taken?"

Senator Greive:

"I respectfully request that we have a recount."

Senator Hess:

"I think we are far beyond this. But the important measure is the precedent involved. I raise the question that unless the count is challenged, the count as given should determine the outcome of the vote."

**RULING OF THE PRESIDENT**

The President:

"The President believes that your point is well taken, Senator Hess. The President believes that thirty-seven members voted. Twenty-seven voted 'aye'; ten voted 'no'. The President believes that that is the vote that should count; however, if someone raises a question regarding the vote; then I think that the Senate should vote again."

Senator Greive withdrew his request with the permission of the Senate.

**RULING OF THE PRESIDENT**

The President:

"Having received a two-thirds majority, the motion has carried, and House Bill No. 468 has been advanced to third reading."

**MOTION**

On motion of Senator Hanna, Senator Foley was excused.

The Secretary called the roll on the final passage of House Bill No. 468, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 33; nays, 8; absent or not voting, 8.

Those voting yea were: Senators Angevine, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Freise, Gallagher, Hallauer, Hanna, Happy, Herrmann, Hess, Keefe, Knoblauch, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Talley, Washington—33.

Those voting nay were: Senators Donohue, Greive, Hofmeister, Kupka, Lennart, Rasmussen, Thompson, Jr., Woodall—8.

Those absent or not voting were: Senators Bailey, Bargreen, Foley, Foster, Gissberg, Henry, Morgan, Raugust—8.

House Bill No. 468, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**NOTICE OF RECONSIDERATION**

Senator Talley, having voted on the prevailing side, gave notice that on the next legislative day he would move for reconsideration of the vote by which House Bill No. 468 passed the Senate.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Nunamaker, the President introduced seventy-two students in the gallery from Bellingham High School, along with their teachers, Mrs. Helen Chapman and Miss Mary Knibbs. The group was asked to stand along with Senator Nunamaker and be recognized and welcomed.

(Applause.)

**Senate Bill No. 182**, by Senators Dore and Foley (by Departmental request):

Relating to public service commission.

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Senate Bill No. 182, relating to public service commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 15, following "violating" and before "any" insert "in his presence"

In section 1, page 1, line 20, after the period following "authority", insert the following: "Upon being so designated such person shall be a peace officer and a police officer for the purposes herein mentioned."

In section 2, page 1, line 27, following "violating" and before "any" insert "in his presence"

In section 2, page 2, line 5, after the period following "authority", insert the following: "Upon being so designated such person shall be a peace officer and a police officer for the purposes herein mentioned."

FRED H. DORE, Chairman.

We concur in this report: Robert C. Bailey, Frank Connor, David C. Cowen, Frank W. Foley, H. B. Hanna, Karl V. Herrmann, James E. Keefe, George W. Kupka, Mike McCormack, John A. Petrich, Edward F. Riley, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Dore, the first committee amendment was adopted.

Senator Hallauer moved that Senate Bill No. 182 be ordered to retain its place on the second reading calendar for tomorrow.

Senators Gallagher, Nunamaker and Hallauer demanded the previous question.

The President stated the question to be, shall the main question be now put.

**POINT OF INQUIRY**

Senator Hallauer:

"Do I have the privilege of making a few remarks?"

**RULING OF THE PRESIDENT**

The President:

"Not unless the demand for the previous question is not sustained."

The motion carried, and the demand for the previous question was sustained.

The President stated the question to be, it has been moved that Senate Bill No. 182 be ordered to retain its place on the second reading calendar for tomorrow.

The motion carried, and Senate Bill No. 182 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 428**, by Senators Durkan, Hanna, Gissberg, Thompson, Jr., Herrmann and Cooney:

Requiring wholesalers to mark beer prices up twenty-five percent over cost to them.

The bill was read the second time by sections.

Senator Durkan moved that the following amendment be adopted:

In section 1, line 8, after "shall" strike all of the material down to and including "cost." on line 16, and insert the following: "set the delivered sales price to retail licensees at no more than twenty-five percent above the total delivered cost to the wholesalers for each brand, type, package, and container by the brewers or beer importers. Total delivered cost for purposes of this section shall be in part, but without limitation, the cost of doing business by a distributor at wholesale of beer for such items as labor, salaries, rent, depreciation and maintenance of equipment and property, insurance, license fees, property taxes, delivery charges, selling costs, breakage and general overhead cost."

Senator Papajani moved that the following amendment to the amendment by Senator Durkan be adopted:

On line 5, after the word "wholesalers" and before "for" insert "or less than twenty percent of the cost to the retail licensees"

**POINT OF INQUIRY**

Senator Riley:

"Due to an important matter in Highways Committee, I was off the floor. Do I now understand there is an amendment to the amendment by Senator Durkan?"

The President:

"Yes, Senator Riley, Senator Papajani has proposed an amendment to the amendment by Senator Durkan."

The amendment to the amendment was read.

Senator Gallagher moved that the amendment to the amendment as proposed by Senator Papajani be laid on the table.

The motion carried, and the amendment to the amendment was laid on the table.

Senator DeGarmo moved that the amendment proposed by Senator Durkan be laid on the table.

A division was requested and the motion lost on a rising vote.

The President stated the question before the Senate to be, the adoption of the amendment by Senator Durkan.

A division was requested and the motion carried on a rising vote. The amendment was adopted.

Senate Bill No. 428 was passed to Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 392**, by Senators Durkan, Happy and Dore:

Requiring continuation of pension rights for retained employees when PUD buys private utility.

The bill was read the second time by sections.

Senator Kupka moved that the following amendment be adopted:

On page 3, after section 3, add a new section reading as follows:

**NEW SECTION. Sec. 4.** Any municipal corporation which has heretofore or shall hereafter acquire from a private owner any urban transportation system which at the time of such acquisition has or had in effect any pension or retirement system for its employees, shall assume all such obligations with respect to continued contributions to

and/or administration of, such retirement system, as the private owner bore or shall bear at such time, insofar as shall be necessary to discharge accrued obligations under such retirement system to beneficiaries who are not thereafter made members of a municipal or state retirement system.

#### POINT OF ORDER

Senator Woodall:

"There is a point of order pending on Senate Bill No. 392. Yesterday I raised the point of order that the amendment by Senator Kupka increases the scope and object of the bill and was not in order."

#### RULING OF THE PRESIDENT

The President:

"The President's ruling on the point of order as raised by Senator Woodall is as follows:

"The President believes the amendment as proposed by Senator Kupka is in order and does not enlarge the scope and object of the bill.

"The scope of the bill prescribes the duties of a municipal corporation when it purchases a business whose employees have acquired certain retirement, pension and insurance rights.

"The object of the bill is to preserve the rights of the employees who previously worked for the enterprise purchased by the municipal corporation.

"The amendment as proposed by Senator Kupka increases the number of those who would be included within the protection of the bill."

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"Yes, I will."

Senator Riley:

"Do you know of any special instance which would be covered by this amendment?"

Senator Kupka:

"Yes, I believe there was an instance whereby some forty people employed by a bus company and covered by retirement and holding seniority rights lost these rights when the bus system was taken over by another company, or a PUD. The responsibilities to the employees involved were not taken over. I believe that when a company takes over a transportation system, they should also acquire the responsibilities belonging to that company."

Senator Riley:

"I think your amendment is invalid."

Senator Kupka:

"People often annex certain areas, and they also should annex the responsibilities."

The motion carried, and the amendment was adopted.

On motion of Senator Kupka, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "utilities" and before the semicolon insert "and urban transportation system"; also after "adding" strike "three" and insert "four"

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 392 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 392, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those voting nay were: Senator Moriarty, Jr.—1.

Those absent or not voting were: Senators Bargreen, Dore, Foley, Happy, McCormack, Martin, Morgan, Nunamaker—8.

Engrossed Senate Bill No. 392, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 312**, by Senators McMillan, Raugust and Chytil (by Departmental request):

Modifying law relating to public livestock markets.

The bill was read the second time by sections.

#### MOTION FOR RECONSIDERATION

On motion of Senator Freise, the rules were suspended, and the Senate now reconsidered the vote by which the following amendment to Senate Bill No. 312 by Senator Freise was adopted on the previous day:

In section 4, page 5, reinstate the stricken portion which is lines 14 through 26 in subsections 5 and 6.

On reconsideration of the vote, the amendment was not adopted.

On motion of Senator Freise, the following amendment to the title was adopted:

In line 8 of the title, after "adding" strike "two" and insert "three"

On motion of Senator Raugust, the rules were suspended, Engrossed Senate Bill No. 312 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 312, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Martin, Morgan, Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—41.

Those voting nay were: Senator Lennart—1.

Those absent or not voting were: Senators Dore, Happy, Henry, McCutcheon, Moriarty, Jr., Nunamaker, Washington—7.

Engrossed Senate Bill No. 312, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Substitute Senate Bill No. 209**, by Judiciary Committee.

Relating to raising salaries of court reporters.

## POINT OF INQUIRY

Senator Petrich:

"Is Substitute Senate Bill 209 on second reading?"

The President:

"That is correct, Senator Petrich."

The bill was read the second time by sections.

Senator Rasmussen moved that the following amendment be adopted:

In section 1, page 1, line 8, after "compensation" and before "as shall" in line 10, strike "as follows: (1) In judicial districts comprised of class AA counties, such salary" and in line 11, strike "class AA"

Senator Herrmann moved that the amendment proposed by Senator Rasmussen be laid on the table.

The motion carried.

On motion of Senator Petrich, the rules were suspended, Substitute Senate Bill No. 209 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 209, and the bill passed the Senate by the following vote: Yeas, 36; nays, 7; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Moriarty, Jr., Petrich, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—36.

Those voting nay were: Senators Donohue, Gissberg, Hallauer, Hess, McCormack, Neill, Rasmussen—7.

Those absent or not voting were: Senators Happy, Martin, Morgan, Nunamaker, Papajani, Raugust—6.

Substitute Senate Bill No. 209, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 212**, by Senators DeGarmo, Hallauer and Rasmussen (by Departmental request):

Authorizing the acquisition and development of the East Capitol site.

The bill was read the second time by sections.

On motion of Senator DeGarmo, the following amendment was adopted:

In section 1, page 1, line 13, after "north," and before "Avenue on the south" strike "16th" and insert "15th"

## PERSONAL PRIVILEGE

Senator Hallauer:

"Senator Shannon is to be thanked for finding in Senate Bill No. 212 an error in the legal description of the property to be acquired by the state. He has saved the state money and saved this legislature and administration some embarrassment. I personally wish to thank him."

(Applause by the Senators for Senator Shannon followed.)

On motion of Senator DeGarmo, the rules were suspended, Engrossed Senate Bill No. 212 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 212, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Durkan, Happy, Henry, Talley—4.

Engrossed Senate Bill No. 212, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"At this time the President takes great pleasure and delight in presenting the charming and esteemed wife of the Speaker of the House, Mary O'Brien. The members appreciate your visit and hope that you will come again soon. Would Mrs. O'Brien please stand and be recognized."

(Applause.)

**Senate Bill No. 183**, by Senators Hallauer, Hess and Thompson, Jr.:

Authorizing school districts to make up days lost because of emergency closures.

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 183, authorizing school districts to make up days lost because of emergency closures, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, beginning on line 20, after "*Saturdays*" strike all of the material down to and including "*Birthday*" on line 21

In section 1, beginning on line 22, after "*purposes.*" strike all of the material down to and including "*day.*" on line 25

ANDY HESS, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, F. Stuart Foster, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, Charles P. Moriarty, Jr., John A. Petrich, W. C. Raugust, Albert C. Thompson, Jr.

The bill was read the second time by sections.

Senator Hess moved that the committee amendments be adopted.

A division was requested and the motion carried. The committee amendments were adopted.

**POINT OF INQUIRY**

Senator Thompson:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Thompson:

"Senator Hess, concerning this problem which you raised and which we discussed before, don't you feel perhaps the local school boards probably could handle this problem in their own school districts?"

Senator Hess:

"I think they can, but I thought perhaps the Legislature would have some feeling on the matter and that it should be discussed."

Senator Rasmussen moved that the following amendment be adopted:

In section 2, page 1, line 20, after the word "up" strike "on any number of selected Saturdays or"

On motion of Senator Hanna, the amendment proposed by Senator Rasmussen was laid on the table.

On motion of Senator Hallauer, the rules were suspended, Engrossed Senate Bill No. 183 was advanced to third reading, the second reading considered the third, and he bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 183, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—41.

Those voting nay were: Senator Rasmussen—1.

Those absent or not voting were: Senators Connor, Elway, Jr., Gissberg, Martin, Morgan, Raugust, Woodall—7.

Engrossed Senate Bill No. 183, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Greive, Neill and Foster demanded a Call of the Senate.

Senator Greive requested a three minute caucus.

The President declared the Senate to be at ease for three minutes subject to the call of the President, for the purpose of a Democratic caucus.

The President called the Senate to order.

On motion of Senator Greive, the demand for a Call of the Senate was withdrawn.

**Senate Bill No. 17**, by Senators Kupka, Keefe and Sandison (by Legislative Council request):

Creates the charitable, educational, penal and reformatory institutions account in the general fund and from such, or by sale of bonds, authorizes the financing of the correctional institution established by chapter 72.13 RCW.

On motion of Senator Hallauer, Senate Bill No. 17 was referred to the Committee on Ways and Means with instructions that the Committee on Ways and Means consider the bill and report back to the Senate on Tuesday, February 28.

**Senate Bill No. 344**, by Senators Petrich, Foster and Greive:

Creating exemplary damages.

On motion of Senator Greive, Senate Bill No. 344 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 330**, by Senators Kupka, Ryder and Dore:  
Relating to accountancy.

The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, Senate Bill No. 330 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator McCormack:

"Will Senator Dore yield to a question?"

Senator Dore:

"Yes, I will."

Senator McCormack:

"Are the licensed public accountants sponsoring this bill along with the C. P. A.?"

Senator Dore:

"I understand they are joining with the C. P. A. group."

Senator Kupka:

"Maybe I can answer that. We didn't have some C. P. A. groups at the hearing, but some favor this bill."

**POINT OF INQUIRY**

Senator Rasmussen:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"Yes, I will."

Senator Rasmussen:

"Will this board have control over the L. P. A. group?"

Senator Kupka:

"Well, no, I wouldn't say that. I think anyone wanting to become a C. P. A. would be required to take an examination.

"These examinations are handled by a national society whereby the applicant submits his test papers and no names are shown, so there is no chance for favoritism. The test is only on what is involved in C. P. A. work."

Senator Dore:

"The Accountancy Board is now given power to promulgate rules and regulations, and is the only check we have on the profession in the current laws of the state of Washington."

Senator Kupka:

"I think this will not only be good for the accountants but also for the public. I don't know whether the Accountancy Board will promulgate rules in both categories; I assume they will."

The Secretary called the roll on the final passage of Senate Bill No. 330, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hof-

meister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Woodall—43.

Those voting nay were: Senator Durkan—1.

Those absent or not voting were: Senators DeGarmo, Hanna, Papajani, Talley, Washington—5.

Senate Bill No. 330, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 33**, by Senators Foster and McCutcheon:

Providing for the assumption of jurisdiction over Indians.

On motion of Senator Greive, Substitute Senate Bill No. 33 was substituted for Senate Bill No. 33, and Substitute Senate Bill No. 33 was placed on second reading and read the second time by sections.

Senator Foster moved that the rules be suspended, Substitute Senate Bill No. 33 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Senator McMillan demanded a roll call, which was sustained by Senators Sandison, Gissberg, Gallagher, Herrmann, Kupka, Connor, Keefe and Papajani.

The President stated the question before the Senate to be, it has been moved that the rules be suspended, Substitute Senate Bill No. 33 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

The Secretary call the roll and the motion to advance Substitute Senate Bill No. 33 to third reading and final passage having failed to receive a two-thirds majority lost by the following vote: Yeas, 26; nays, 20; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Chytil, DeGarmo, Dore, Elway, Jr., Foley, Foster, Freise, Greive, Hallauer, Hanna, Henry, Knoblauch, Lennart, McCormack, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—26.

Those voting nay were: Senators Bargreen, Connor, Cooney, Cowen, Donohue, Durkan, Gallagher, Gissberg, Happy, Herrmann, Hess, Keefe, Kupka, McCutcheon, McMillan, Morgan, Papajani, Rasmussen, Sandison, Talley—20.

Those absent or not voting were: Senators Hofmeister, Martin, Washington—3.

Passed to Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 462**, by Senator Bargreen:

Providing for coins commemorating the Century 21 Exposition.

The bill was read the second time by sections.

On motion of Senator Bargreen, the rules were suspended, Senate Bill No. 462 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 462, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon,

McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr.—41.

Those absent or not voting were: Senators Foster, Gissberg, Martin, Papajani, Petrich, Talley, Washington, Woodall—8.

Senate Bill No. 462, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 497**, by Senator Bargreen:

Providing for license tabs to advertise Century 21.

The bill was read the second time by sections.

On motion of Senator Bargreen, the rules were suspended, Senate Bill No. 497 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 497, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Dore, Foley, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Connor, Cowen, Durkan, Elway, Jr., Foster, Gissberg, Hallauer, Hofmeister, Martin, Papajani, Petrich—11.

Senate Bill No. 497, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Neill, Senator Moriarty was excused.

**Senate Bill No. 221**, by Senators Rasmussen, Ryder and Donohue:

Establishing a state investment council.

On motion of Senator Greive, Substitute Senate Bill No. 221 was substituted for Senate Bill No. 221, and Substitute Senate Bill No. 221 was placed on second reading.

The bill was read the second time by sections.

On motion of Senator Ryder, the following amendment was adopted:

On page 2, line 26, strike all of subsection (2) and insert the following:

“(2) Fix the salary of and appoint an investment officer to serve at the pleasure of the council, and subject to chapter 1, Laws of 1961 the state civil service initiative approved November 8, 1960, as now or hereafter amended, such other personnel as shall be necessary;”

On motion of Senator Rasmussen, the rules were suspended, Engrossed Substitute Senate Bill No. 221 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 221, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—39.

Those absent or not voting were: Senators Cowen, DeGarmo, Dore, Durkan, Hallauer, Martin, Morgan, Moriarty, Jr., Petrich, Woodall—10.

Engrossed Substitute Senate Bill No. 221, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 5:00 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

#### EVENING SESSION

At 8:00 o'clock p. m. the Senate was called to order by President Cherberg. The President announced the Senate would be at ease for approximately fifteen minutes, subject to the call of the President.

At 8:15 o'clock p. m., the Senate was called to order by the President.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 459:

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 459, modifying law relating to bonds of the state and political subdivisions thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, H. B. Hanna, Louis E. Hofmeister, Mike McCormack, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 464:

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 464, creating new division in department of institutions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman*.

We concur in this report: Herbert H. Freise, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Charles P. Moriarty, Jr., John A. Petrich, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 489:**

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 489, permitting irrigation districts to become irrigation and rehabilitation districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 530:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 530, relating to leasing county property for agricultural fairs, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Andy Hess, George W. Kupka, Mike McCormack, Homer O. Nunamaker, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 535:**

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources, to whom was referred Senate Bill No. 535, permitting board of directors of irrigation districts to employ certain experts and other employees and fix their compensation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 548** (reported by Committee on Natural Resources):  
Do pass as amended.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 254:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was

referred House Bill No. 254, authorizing inter-agency cooperations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Andy Hess, George W. Kupka, Mike McCormack, Homer O. Nunamaker, Edward F. Riley, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 266:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 266, relating to group health care services and/or group insurance for county employees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., John H. Happy, Andy Hess, George W. Kupka, Mike McCormack, Homer O. Nunamaker, Edward F. Riley, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 271:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 271, authorizing county, city and regional planning, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., John H. Happy, Andy Hess, George W. Kupka, Mike McCormack, Homer O. Nunamaker, Edward F. Riley, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 326** (reported by Committee on Public Institutions):

Do pass as amended.

FRED J. MARTIN, *Chairman*.

We concur in this report: Herbert H. Freise, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Charles P. Moriarty, Jr., John A. Petrich, Gordon Sandison, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 353:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 353, relating to contractor's bond on public works, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., John H. Happy, Andy Hess, George W. Kupka, Mike McCormack, Homer O. Nunamaker, Edward F. Riley, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

On motion of Senator Woodall, the following members of the Committee on State Government, Military Affairs and Civil Defense were excused: Senators Rasmussen, Angevine, Bargreen, Elway, Jr., Freise, Gallagher, Hanna, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, Neill, Ryder and Washington.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President has noticed the presence of a former illustrious member of the State Senate, a person of virtue, a person of state, the esteemed A. E. (Cap) Edwards.

**APPOINTMENT OF SPECIAL COMMITTEE**

"The President should like to request a special honor committee of Senators Nunamaker, Martin and Lennart to escort our honored guest and respected visitor to a place of honor upon the rostrum."

**PERSONAL PRIVILEGE**

Senator DeGarmo:

"While our great senator is coming into the chamber, I would like to inform the members that when I was just a young 'whippersnapper' running around here, this gentleman did more for the conservation of fish and game than any other senator in the state of Washington, and that was many, many years ago."

Mr. Edwards was escorted to the rostrum.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"The members of the Senate and the President are delighted, proud and happy that the Honorable 'Cap' Edwards has seen occasion to visit the Senate Chambers, and I am sure that you join the occasion in heart that we are very happy to have you here and hope that you will visit us many times again."

(Applause.)

**SECOND READING OF BILLS**

**Senate Bill No. 261**, by Senator Hess (by Departmental request):

Modifying law relating to aid to blind students.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, Senate Bill No. 261 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 261, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Chytil, Conner, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Bargreen, Freise, Gissberg, Kupka, Rasmussen, Raugust—6.

Senate Bill No. 261, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Joint Resolution No. 21**, by Senators Petrich, Dore, Hess, Ryder, Thompson, Jr., Moriarty, Jr., Hallauer, Lennart, Shannon, Connor, Gallagher, Knoblauch and McCormack (by Executive request):

Repealing the alien land law.

On motion of Senator Greive, Senate Joint Resolution No. 21 was ordered placed at the end of the second reading calendar for this evening.

**Senate Joint Resolution No. 25**, by Senators McCormack and McCutcheon: Relating to publication of notice of proposed constitutional amendments.

On motion of Senator Greive, Senate Joint Resolution No. 25 was ordered placed at the end of the second reading calendar for this evening.

**Senate Bill No. 383**, by Senators McCutcheon and McCormack:

Adding new requirements for qualification as legal newspaper.

On motion of Senator Greive, Senate Bill No. 383 was ordered placed at the end of the second reading calendar for this evening.

**Senate Bill No. 384**, by Senators McCutcheon and McCormack:

Implementing constitutional amendment requirements relative to publication of notice.

On motion of Senator Bailey, Senate Bill No. 384 was ordered placed at the end of the second reading calendar for this evening.

#### MOTION

Senators Greive, Riley and Hallauer demanded a Call of the Senate.

The President stated the question before the Senate to be, shall a Call of the Senate be ordered.

The motion failed, and the Call of the Senate was not ordered.

**Senate Bill No. 319**, by Senators Cooney and Cowen:

Prohibiting transfer of liquor identification to minors.

The bill was read the second time by sections.

On motion of Senator Cooney, the rules were suspended, Senate Bill No. 319 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 319, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Bargreen, DeGarmo, Foster, Freise, Raugust—5.

Senate Bill No. 319, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 1**, by Senators Gissberg and Rasmussen:  
 Relating to grand juries and the investigation and prosecution of elective public officials.

Senate Chamber,  
 Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 1, relating to criminal procedure, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 10, strike the comma following "will be investigated" and insert "and if the superior court in its discretion for any reason believes that the prosecuting attorney should be disqualified,"

In section 1, page 1, line 10, after "court" and before "notify" strike "shall so" and insert "may"

In section 1, page 1, lines 10 and 11, after "notify the" and before "who shall" strike "court administrator" and insert "attorney general"

In section 1, page 1, line 12, after "investigation" insert a period and strike "of elective public officials."

In section 1, page 1, line 18, after "That the" and before "from funds" strike "court administrator" and insert "attorney general"

In section 1, page 1, line 24, after "county commissioners" insert a period and strike all of the matter down to and including the period following "per day" in line 25

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

On motion of Senator McCutcheon, the following amendment was adopted:

In section 1, page 1, line 11, after "shall" and before "appoint" insert the following: "promptly investigate the matter and if in his opinion, the facts justify it, he shall"

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 1 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 1 and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—48.

Those absent or not voting were: Senator Thompson, Jr.—1.

Engrossed Senate Bill No. 1, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 344**, by Senators Petrich, Foster and Grieve:  
 Creating exemplary damages.

On motion of Senator Greive, Senate Bill No. 344 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Joint Resolution No. 21**, by Senators Petrich, Dore, Hess, Ryder, Thompson, Jr., Moriarty, Jr., Hallauer, Lennart, Shannon, Connor, Gallagher, Knoblauch and McCormack (by Executive request):

Repealing the alien land law.

The resolution was read the second time in full.

On motion of Senator Dore, the rules were suspended, Senate Joint Resolution No. 21 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Extensive debate ensued.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 21, and the resolution passed the Senate by the following vote: Yeas, 41; nays, 6; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington—41.

Those voting nay were: Senators Elway, Jr., Greive, Lennart, McMillan, Rasmussen, Sandison—6.

Those absent or not voting were: Senators Raugust, Woodall—2.

Senate Joint Resolution No. 21, having received the constitutional two-thirds majority, was declared passed.

#### PRESIDENT'S PRIVILEGE

The President introduced the wife of the Assistant Secretary of the Senate, Mrs. Don Wilson, along with her guests, Mr. and Mrs. Willard Pace. Mrs. Wilson was asked to stand along with her guests and Mr. Wilson, in order that they may be recognized and welcomed to the Senate.

(Applause.)

At the request of Senator McCutcheon, the President introduced a group of very distinguished and outstanding visitors who had come to witness the legislative processes in Olympia. This group from India were introduced as Mr. Umesh, Miss Veena Lal, and Mr. Singh. Along with this group were Mr. and Mrs. Hanna from Syria. The group was asked to stand, along with Senator McCutcheon, and be welcomed to the senate chambers.

(Applause.)

**Senate Joint Resolution No. 25**, by Senators McCormack and McCutcheon: Relating to publication of notice of proposed constitutional amendments.

On motion of Senator Petrich, Senate Joint Resolution No. 25 was placed at the end of the second reading calendar for this evening.

**Senate Bill No. 383**, by Senators McCutcheon and McCormack:

Adding new requirements for qualification as legal newspaper.

The bill was read the second time by sections.

On motion of Senator McCutcheon, the rules were suspended, Senate Bill No. 383 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 383, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators DeGarmo, Donohue, Durkan, Henry, Martin, Papajani—6.

Senate Bill No. 383, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 384**, by Senators McCutcheon and McCormack:

Implementing constitutional amendment requirements relative to publication of notice.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

**MR. PRESIDENT:**

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 384, implementing constitutional amendment requirements relative to publication of notice, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 1, page 1, line 6, after "state" strike the period and insert "and shall supplement publication thereof by radio and television broadcast as provided in RCW 65.16.130, 65.16.140, and 65.16.150."

In new section 3, page 1, line 18, after "shall" and before "prepare" insert ", by the first day of July preceding each general election,"

JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Martin J. Durkan, Michael J. Gallagher, Al Henry, Mike McCormack, Frances Haddon Morgan, John Papajani, W. C. Raugust, Albert C. Thompson, Jr., Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator McCutcheon, the committee amendments were adopted.

On motion of Senator McCutcheon, the rules were suspended, Engrossed Senate Bill No. 384, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 384, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson Jr., Washington, Woodall—43.

Those absent or not voting were: Senators DeGarmo, Durkan, Hallauer, Henry, Martin, Papajani—6.

Engrossed Senate Bill No. 384, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Joint Resolution No. 25**, by Senators McCormack and McCutcheon: Relating to publication of notice of proposed constitutional amendments. The resolution was read the second time in full.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator McCutcheon yield to a question?"

Senator McCutcheon:

"Yes, I will."

Senator Riley:

"I am a little curious. I am also cautious about this. It says, 'at least four times during the four weeks'; now, what's to prevent some ambitious official from publishing these notices one hundred forty-four times?"

Senator McCutcheon:

"There is nothing in the state constitution at the present time which would restrict the Secretary of State publishing as much as he wishes. Fundamentally, I think it is how much he can afford. The Secretary of State could not go above that amount because he wouldn't have the money to do so."

Senator Riley:

"Do you have any assurance, and can you assure me that the Secretary of State doesn't have money to do this?"

"Isn't it true that he has had ample funds all the time since we have been in the Senate?"

Senator McCutcheon:

"The Secretary of State has ample funds for some emergencies by going to the Governor's Emergency Fund. Now, we don't appropriate money for this, and if he has to go to the Governor to get the funds, the Governor won't provide any more items than are required."

#### RULING OF THE PRESIDENT

The President requested the Sergeant-at-Arms to request the people in the lobby to remain quiet and to draw the curtains.

Senator Riley:

"It occurs to me that the voters are very apt to receive less information on constitutional amendments proposed under Senate Joint Resolution No. 25 than they would under the present system. Now, I think we ought to let the people know what is before them. I am confident that the people will act intelligently when they get the information. I am a little concerned when we find we can do this for less money. But are we reducing the price and also reducing the media by which the voters will get this information in order that they will be aware that there is a constitutional amendment proposed?"

Senator Bailey:

"In answer I would like to say this. In the past, only one newspaper in each county published notices. As a rule, the weekly newspaper rate is so much less than the daily rates that the weekly newspapers are used. If this law passes, it will be in the weekly papers for four weeks and this will be then in all the daily and all the weekly papers. I think you will have a much better notice of election than under the present law. It still has the minimum in it that it had in the past. I think it is a much better law."

#### POINT OF INQUIRY

Senator Freise:

"Will Senator Bailey yield to a question?"

Senator Bailey:

"Yes, I will."

Senator Freise:

"Would you have any objection if 'at least' were stricken?"

Senator Bailey:

"I think that would be fine with me. However, two or three days ago, the Senate took the limit off of TV and radio and I don't know why you would put it on newspapers tonight."

Debate ensued.

On motion of Senator McCormack, the rules were suspended, Senate Joint Resolution No. 25 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 25, and the resolution passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those absent or not voting were: Senators Durkan, Martin—2.

Senate Joint Resolution No. 25, having received the constitutional two-thirds majority, was declared passed.

### THIRD READING OF BILLS

**Engrossed Senate Bill No. 16**, by Senators Talley, Riley and Freise (by Legislative Council request):

Relating to the annexation of territory to cities.

The bill was read the third time.

The President stated the question to be, the final passage of Engrossed Senate Bill No. 16.

Debate ensued.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 16, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senators Herrmann, Lennart, McCutcheon—3.

Those absent or not voting were: Senators Durkan, Keefe, Martin—3.

Engrossed Senate Bill No. 16, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

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**MOTIONS**

On motion of Senator Greive, Senate Bill No. 344 was ordered held over for the second reading calendar for Saturday, February 25, 1961.

At 10:00 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m., on Saturday, February 25, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**FORTY-EIGHTH DAY**


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**MORNING SESSION**


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**SENATE CHAMBER,**

OLYMPIA, WASH., Saturday, February 25, 1961.

The Senate was called to order at 10:00 o'clock a. m., by President Cherberg.

The President declared the Senate to be at ease, subject to the Call of the Chair.

The Senate was called to order at 10:25 o'clock a. m., by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Martin.

The Color Guard, consisting of Pages Gary Gilbert, Color Bearer, and Marilyn Rottle, presented the Colors.

Reverend W. A. MacArthur, Pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Let us pray:

"Ours is a world of confusion and bewilderment, O God, and we cannot find our way alone. Thus, we seek now, in this moment of prayer, guidance.

"We can take only one step at a time, but, we pray, make that step plain to us! Help us to see where duty lies, then give us a good push, that we may start in the right direction.

"Deliver us from petty concern about ourselves. But set us in the center of the great needs of our state. Discipline us to sharpen our insight and to assist us to open our minds and hearts to all sides of the issues that we may rightly distinguish between truth and half-truth.

"Furnish our minds with the daring of faith and the humility of love. Through Jesus Christ, our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of the honored and respected Senator from Pierce County, Senator Knoblauch, the President would like to present at this time a group of Boy Scouts from Sumner, under the direction of their Scoutmaster, LeRoy Shuler.

"The President is blessed with peripheral vision and noted the manner in which the Boy Scouts saluted the flag this morning. The President should like to compliment them on their manner of conducting themselves this morning. Would you please stand along with Senator Knoblauch in order that you may be properly recognized."

(Applause.)

"Also present today are fifty members of the Highline Business and Professional Women's Club present in the south gallery. The President believes these women are constituents of Senator Andy Hess who is busily engaged in committee matters on education. The President will ask Senator Al Henry to act for Senator Hess and please stand with the group and be recognized."

(Applause.)

"At the request of the illustrious and noted Senator from Island and Snohomish Counties, the Honorable Senator William A. Gissberg, the President would like to present to the members of the Senate and ladies and gentlemen, a group of outstanding students from Monroe High School. The President would like to announce that Mr. Thomas Marsdin, who as School Superintendent leads the group from Monroe, worked many football games with the President. Would this group please stand and be recognized."

(Applause.)

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Talley moved that the Senate do now reconsider the vote by which House Bill No. 468 passed the Senate yesterday.

Debate ensued.

The President stated the question before the Senate to be, shall the Senate reconsider the vote by which House Bill No. 468 passed the Senate yesterday.

Senator Greive demanded a roll call and the demand was sustained by Senators Talley, Dore, Donohue, Rasmussen, Nunamaker, Henry, Hofmeister and Connor.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Mr. President, would you please explain for us what a vote 'aye' and a vote 'no' will mean."

The President stated the question before the Senate to be, it has been moved that the Senate do now reconsider the vote by which House Bill No. 468 passed the Senate yesterday. A vote "aye" will be to reconsider the vote. A vote "no" will be not to reconsider the vote.

The Secretary called the roll on the motion for reconsideration of the vote, and the motion carried by the following vote: Yeas, 25; nays, 22; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Connor, DeGarmo, Donohue, Elway, Jr., Greive, Happy, Henry, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Shannon, Talley, Thompson, Jr., Woodall—25.

Those voting nay were: Senators Bargreen, Chytil, Cooney, Cowen, Dore, Foley, Foster, Freise, Gallagher, Gissberg, Hallauer, Hanna, Hess, Keefe, McMillan, Martin, Moriarty, Jr., Neill, Riley, Ryder, Sandison, Washington—22.

Those absent or not voting were: Senators Durkan, Herrmann—2.

#### PERSONAL PRIVILEGE

Senator Kupka called attention to the candy and cigars being distributed and announced that these were contributed through the courtesy of Russell A. Davis for support given the C.P.A. bill.

Senator Talley moved that the rules be suspended and House Bill No. 468 be returned to second reading for the purpose of an amendment.

A division was requested.

The motion lost on a rising vote.

Extensive debate ensued.

Senators Hofmeister, Nunamaker, Greive and Bailey demanded a Call of the Senate.

The President stated the question to be, shall a Call of the Senate be ordered.

A division was requested.

The motion lost on a rising vote. The demand for the Call of the Senate was not sustained.

Senator Talley demanded a roll call, which was sustained by Senators Martin and Nunamaker.

#### RECONSIDERATION

The Secretary called the roll on the final passage of House Bill No. 468, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 30; nays, 18; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Foley, Foster, Freise, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Keefe, McMillan, Martin, Morgan, Neill, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Washington—30.

Those voting nay were: Senators Bailey, Donohue, Durkan, Elway, Jr., Gallagher, Greive, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Nunamaker, Papajani, Rasmussen, Talley, Thompson, Jr., Woodall—18.

Those absent or not voting were: Senator Moriarty, Jr.—1.

House Bill No. 468, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

When House Bill No. 468 was on final passage today, I voted "aye" yet I intended to vote "no" on the bill.

I realize that it is impossible to change my vote on the record after the vote has been announced by the President, and I take this means of expressing my opposition to the bill.

(signed) FRANCES HADDON MORGAN.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the noted Senator from Highline District, the Honorable Andy Hess, the President would like to introduce fifty members of the Highline Business and Professional Women's Club. These lovely and gracious ladies are in the south gallery.

"The President requests that these ladies please stand in order that the Senators may properly recognize you. The members of the Senate thank you and hope that you are enjoying your visit to Olympia."

The President:

"The President would like to present, at the request of the worthy Senator from Pierce County, John A. Petrich, a group of Seattle Girl Scouts, Troop 609. These fine young ladies and their leader, Mrs. Betty Fletcher, are in the north gallery. Would this group please stand, along with Senator Petrich, and be recognized."

At the request of Senator Hess, the President introduced a group of Girl Scouts, of Troop 30, from McMicken Heights Area in the Highline District. This group was accompanied by their leader, Mrs. Rose Marie Ludwig, a cousin of the distinguished Senator from Kitsap County, Mrs. Frances Haddon Morgan. Senators Hess and Hofmeister were asked to stand along with this group and be recognized.

At the request of the honored President Pro Tempore, Al Henry, the President introduced a group of five Girl Scouts from Carson, Washington, along with their escorts, Mr. and Mrs. Johnson. This group was asked to stand, along with Senator Henry.

(Applause.)

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 1; also

- Senate Bill No. 16; also
- Senate Bill No. 183; also
- Senate Bill No. 212; also
- Substitute Senate Bill No. 221; also
- Senate Bill No. 312; also
- Senate Bill No. 384; also
- Senate Bill No. 392; also
- Senate Bill No. 411; also
- Senate Bill No. 428, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 77.**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 77, creating a Washington industrial finance authority, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation as amended by the Senate.

....., *Chairman*.  
....., *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Victor F. DeGarmo, Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, George W. Kupka, Fred J. Martin, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, John A. Petrich, Gordon Sandison, Don L. Talley.

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Ways and Means, to whom was referred Senate Bill No. 77, creating a Washington industrial finance authority, have had

the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

....., *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report, Joe Chytil, David C. Cowen, Dewey C. Donohue, William A. Gissberg, John H. Happy, Ernest W. Lennart, Mike McCormack, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 331:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 331, providing for juvenile homes in King County to be established on publicly owned land, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended by the Committee on Public Institutions.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, David C. Cowen, Fred H. Dore, John H. Happy, Andy Hess, Ernest W. Lennart, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 366:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 366, prohibiting action on incorporation or annexation of city or town pending final disposition of similar petition, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Fred H. Dore, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, Andy Hess, George W. Kupka, Homer O. Nunamaker, John Papajani, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 552:**

Senate Chamber,  
Olympia Wash., February 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 552, relating to public assistance payments to county hospitals, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, David C. Cowen, Fred H. Dore, John H. Happy, Andy Hess, Ernest W. Lennart, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 6:**

Senate Chamber,  
Olympia Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Joint Resolution No. 6, proposing constitutional amendment to permit lending of state credit to industry, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation, as amended by the Senate.

....., *Chairman*,  
....., *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Victor F. DeGarmo, Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, George W. Kupka, Fred J. Martin, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, John A. Petrich, Gordon Sandison, Don L. Talley.

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Ways and Means, to whom was referred Senate Joint Resolution No. 6, proposing constitutional amendment to permit lending of state credit to industry, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

WILBUR G. HALLAUER, *Chairman*.  
FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.  
....., *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Joe Chytil, David C. Cowen, Dewey C. Donohue, William A. Gissberg, John H. Happy, Ernest W. Lennart, Mike McCormack, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 402:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 402, raising minimum retirement pension to nine hundred and sixty dollars per year in first class cities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Andy Hess, George W. Kupka, Homer O. Nunamaker, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 556**, by Senators Durkan and Gallagher:  
Making an appropriation to study and prescribe salaries.  
Referred to Committee on Ways and Means.

**SECOND READING OF BILLS**

**Senate Bill No. 182**, by Senators Dore and Foley (by Departmental request):  
Relating to public service commission.  
The bill was read the second time by sections.  
Senator McCutcheon moved that Senate Bill No. 182 be referred to the Judiciary Committee.  
Debate ensued.

**POINT OF ORDER**

Senator Gissberg:

"The Senator is speaking on the merits of the bill."

**RULING OF THE PRESIDENT**

The President:

"Senator McCutcheon, will you please confine your remarks to the motion to refer."

Further debate ensued.

**POINT OF ORDER**

Senator Angevine:

"I believe that Senator Dore is doing the same thing that Senator McCutcheon was doing, and that is addressing his remarks to the merits of the bill."

**RULING OF THE PRESIDENT**

The President:

"Senator Dore, will you please confine your remarks to the motion on referral."

The President:

"The President should like to respectfully request that if Senator McCutcheon would like to amend his motion, then it would be open to debate."

**POINT OF INQUIRY**

Senator Woodall:

"Would Senator Dore yield to a question?"

Senator Dore:

"Yes, I will."

Senator Woodall:

"Under this particular bill as written, doesn't it say that in addition to being able to arrest a man for a violation of the law, that they can arrest a man for violation of a rule?"

Senator Dore:

"Well, that is a Public Service Commission rule."

Senator Woodall:

"Do you know of any other such case where a man can be arrested for breaking a rule?"

Senator Dore:

"That is very simple. The Game Department has the same type of rules."

**Senator Woodall:**

"Where you can arrest for rules violation without a warrant?"

**Senator Dore:**

"I just said there is similar existence of regulations subject to arrest in the Game Department."

Debate ensued.

**POINT OF INQUIRY**

**Senator Kupka:**

"Will Senator Dore yield to a question?"

**Senator Dore:**

"Yes, I will."

**Senator Kupka:**

"Perhaps you can answer this. Did not the Public Service Commission, at one time, have these rules and they were removed and placed in the hands of the State Patrol?"

**Senator Dore:**

"The answer is 'no'. They thought they might expose themselves to some false arrests.

"As to that, as a private citizen, you can make an arrest, but of course, you take a chance of being sued."

**Senator Kupka:**

"You say they did it for a while. Did they do it unauthorized, or did they have authority?"

**Senator Dore:**

"These were the employees of the Public Service Commission looking for and sometimes finding these violators, but there was a case when one of these Public Service employees tried to stop one of the violators, and was run off the road by one of these violators."

**Senator Kupka:**

"Of course, the Public Service Commission has many general provisions in the courts, such as fines, etc."

**Senator Angevine:**

"Speaking on the point of inquiry, I am informed that the Game Commission is not allowed to make arrests from rules, they are in statutes.

"When a man arrests a person who is, in his opinion, violating a rule of the Public Service Commission, what does he do with this person? Does he take him to a Justice of the Peace, or the police?"

**PERSONAL PRIVILEGE**

**Senator Riley:**

"Members of the Senate:

"I do not at all object to the comment made by Senator Angevine. I was in error and I had expected to talk on the point to correct the statement when I said it had been in the Judiciary Committee. I know it was in the Committee on Public Utilities. What I intended to say was that it was introduced by two attorneys and had been viewed by many members of the Judiciary Committee."

**Senator Gissberg:**

"Forest wardens now have the power of arrest. Natural Resources people have the power of arrest. The game protectors have the power of arrest, not only as to statutes, but as to rules and regulations as well. The Liquor Board has the power of arrest, and that is provided by rules and regulations. Also members of the State

Parks and Recreation Commission and its employees, so designated, are vested with police powers. The Humane Society may be designated as police officers. Railroad police are vested with the authority of police officers, and are empowered and designated to protect railroads.

"So, we are not talking about something new.

"I think that we all know here on the Senate floor what the problems are. I don't think we should refer this bill to committee. We should surely know by this time what we are going to do."

Senators Greive, Hess and Kupka demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried.

The President stated the question to be the motion to refer Senate Bill No. 182 to the Judiciary Committee.

Senator Gissberg demanded a roll call, which was sustained by Senators Hanna, Foley, Knoblauch, Kupka, Washington, Greive, Hess, Sandison, Dore and Freise.

The Secretary called the roll on the motion to refer Senate Bill No. 182 to the Judiciary Committee and the motion lost by the following vote: Yeas, 20; nays, 26; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Donohue, Foster, Greive, Hallauer, Hofmeister, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Rasmussen, Raugust, Thompson, Jr., Woodall—20.

Those voting nay were: Senators Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Hanna, Happy, Henry, Hess, Keefe, Knoblauch, McMillan, Martin, Neill, Nunamaker, Papajani, Riley, Ryder, Sandison, Shannon, Talley, Washington—26.

Those absent or not voting were: Senators Cooney, Herrmann, Petrich—3.

Senator Dore:

"I move that the following second committee amendment be adopted:

In section 1, page 1, line 20, after the period following "authority", insert the following: "*Upon being so designated such person shall be a peace officer and a police officer for the purposes herein mentioned.*"

#### POINT OF INQUIRY

Senator Kupka:

"Will Senator Dore yield to a question?"

Senator Dore:

"I will."

Senator Kupka:

"Do other states have this sort of system, or is this something new?"

Senator Dore:

"Senator Kupka, I think we have a list here of other states having this sort of system. It is nothing new that we give state employees the power of arrest. As Senator Gissberg stated previously there is a long list of agencies having this power. We have given those particular statutory agencies of government the power to do the same thing. We are just extending to the Public Service Commission the same power.

"As far as other states go, the answer is 'yes', but I do not know how many right off hand.

"The way it has been operated in this state, the Public Service Commission employees have been making arrests against these wild-catters, and they have also been using the State Patrol. As I understand, recently, through an incident, members

of the commission realized that they had no statutory backing and there is very little they can do about it. The employees take their own risks and they have no statutory men to make the arrests.

"In reference to answering your questions, what we should do here is, we should adopt the amendment, and Senator Angevine has a long amendment which he wants to offer. I think we should adopt this amendment and then argue the merits of Senator Angevine's amendment."

Senator Kupka:

"The reason for my question is, are we the first to establish this system, or is it being practiced in other states?"

Senator Dore:

"I think I have answered that, Senator Kupka."

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator Dore yield to a question?"

Senator Dore:

"Yes, I will."

Senator McCutcheon:

"You spoke about an employee being run off the road by one of these wild-catters and he couldn't do anything about it. Doesn't that give him proper cause to believe that a crime has been committed and obtain a warrant for his arrest, if a felony has been committed?"

Senator Dore:

"By the time he went to the Justice of the Peace to get a warrant, the fellow would be across the border again. They have a real problem and I don't think these are infringements against constitutional rights since arrest is limited to the statute violated in their presence.

"I think you should adopt the amendment and then Senator Angevine will have another amendment and then you can argue Senator Angevine's amendment."

**POINT OF ORDER**

Senator Angevine:

"In answer to the implication that my amendment eliminates the bill, this is not so. I do not even touch section 3; nor do I eliminate . . . (interruption)

Senator Greive:

"I demand to know, where is the point of order?"

Senator Bailey demanded the previous question.

**RULING OF THE PRESIDENT**

The President stated he believed that the discussion had ended.

The President stated the question before the Senate to be the adoption of the second committee amendment.

The motion carried, and the second committee amendment was adopted.

On motion of Senator Dore, the remaining two amendments by the Committee on Public Utilities were adopted as follows:

In section 2, page 1, line 27, following "violating" and before "any" insert "in his presence"

In section 2, page 2, line 5, after the period following "authority", insert the following: "Upon being so designated such person shall be a peace officer and a police officer for the purposes herein mentioned."

Senator Angevine moved that the following amendment be adopted:

On page 1, section 1, line 14, after "tribunal." strike all of the matter beginning with "any employee" on line 14, to the end of the section, and insert the following:

*The public service commission shall provide in appropriate form citations for the violations of this title, or any rule or regulation promulgated by the commission, containing notices to appear. Such citations shall be issued in books with citations in quadruplicate. The public service commission shall maintain a record of every book issued to any employee of the commission. Every employee issuing a citation shall deposit it with the court having jurisdiction over the offense. The original shall be disposed of by the court only after trial or other authorized action by the court, including forfeiture of bail or by deposit of bail with or payment of the fine. The commission shall require the return to it of a copy of every citation issued. Any person who cancels or solicits the cancellation of a citation shall be guilty of a misdemeanor. Whenever any person is cited he shall be served with a copy of the citation and a notice to appear in court together with a statement thereon of the offense for which cited. The person cited shall sign upon the citation his written promise to appear in court at the appropriate time and place. If the person cited refuses to so sign he may be taken into custody by any peace officer and be placed in confinement. If the person issuing the citation has reason to believe that the person cited will not make appearance at the time and place noted in the citation, he may take such person into custody to the nearest court of competent jurisdiction and require that the person so cited post a bond or other security in such sum, under such terms and conditions and with such sureties as to the court may seem proper under the circumstances. No citation shall be issued unless the offense is committed in the citing employee's presence. Any person failing to appear as promised shall be guilty of a misdemeanor regardless of the disposition of the offense for which he was cited: PROVIDED, That a written promise to appear may be complied with by an appearance of counsel.*

Senators Kupka, Henry and Rasmussen demanded a Call of the Senate.  
A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

#### MOTIONS

Senator Henry moved that the rules be suspended, that the roll call under the Call of the Senate be dispensed with, and the Senate proceed subject to any subsequent roll call.

Senator Lennart moved that Senate Bill No. 182 be ordered to retain its place immediately following Senate Bill No. 111.

Senator Kupka moved that Senate Bill No. 182 be ordered placed at the end of the second reading calendar.

Senator Gissberg moved that the amendment by Senator Angevine be laid on the table and that the main motion go with it.

The President stated the question before the Senate to be, it has been moved that the amendment be laid on the table, taking with it the motions to place Senate Bill No. 182 immediately following Senate Bill No. 111, and Senator Kupka's motion to amend the motion placing Senate Bill No. 182 at the end of the second reading calendar.

Senator Greive raised a question of consideration on Senator Gissberg's motion.

Senator Greive moved to withdraw the question of consideration.

Senator Greive:

"I want to withdraw the question of consideration because Senator Gissberg's motion will not be in order. We have a motion to delay. It would seem to me that you can't logically reach behind the motion before us. The motion before us has to be dealt with, and I refer you to Rule 16, or Rule 217 of Reed's."

**POINT OF ORDER**

Senator Gissberg:

"I don't have these rules memorized by number, but I have a very clear, distinct recollection and somewhere in the rules it says that when you have a motion to lay on the table, it does not take the main motion unless it is so indicated."

**PERSONAL PRIVILEGE**

Senator Angevine:

"I was on the floor and yielded to Senator Woodall, when I asked him if he would withdraw his amendment to the amendment. If everyone would withdraw all of their motions, I have the amendment corrected, with regard to that particular sentence."

Senator Greive:

"If any Senator desires to withdraw his motion or any other motion, that is his privilege. Once a motion is made, it belongs to the body. A motion may be withdrawn with a simple majority of the Senate. In addition to that, I will quote to you the particular section from Reed's on debate: 'The subject of debate is always the question last submitted to the assembly.' I think that takes care of the question."

Senator Gissberg:

"I quote from Rule 21: 'A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.'

"This is exactly what I have done, and exactly what I have been arguing."

Debate ensued.

The President:

"The main question before the Senate is the adoption of the amendment proposed by Senator Angevine."

**POINT OF ORDER**

Senator Greive:

"On the point of order by Senator Gissberg, I would like to read: 'A motion to lay an amendment on the table shall not carry the main question with it, unless so specified in the motion to table.'"

Senator Kupka:

"I withdraw my motion that Senate Bill No. 182 be ordered placed at the end of the second reading calendar."

Senator Lennart withdrew his motion.

**PARLIAMENTARY INQUIRY**

Senator Angevine:

"Mr. President, what is now before the body?"

The President:

"The adoption of the amendment proposed by Senator Angevine."

Senator Angevine moved that the following amendment to the amendment be adopted:

On page 1, lines 13 and 14, strike the following sentence: "Any person who cancels or solicits the cancellation of a citation shall be guilty of a misdemeanor."

The motion carried, and the amendment to the amendment was adopted.

The President stated the question to be the adoption of the amendment by Senator Angevine as amended.

A division was requested.

The motion was lost on a rising vote. The amendment as amended was not adopted.

Senator Woodall moved that the following amendment be adopted:

In section 1, page 1, line 16, after "title" strike the comma and insert a colon and strike "or any rule or regulation adopted by the commission:"

#### PERSONAL PRIVILEGE

Senator Greive:

"As far as I know, I have never voted for the criminal enforcement of a rule making power in the sixteen years I have spent in the legislature."

Extensive debate ensued.

Senators Gallagher, Nunamaker and Freise demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The President stated the question before the Senate to be, it has been moved that the amendment proposed by Senator Woodall be adopted.

A division was requested and the motion lost on a rising vote.

The amendment was not adopted.

Senator Dore moved that the rules be suspended, Engrossed Senate Bill No. 182 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A roll call was demanded by Senators Greive, Bargreen, Connor, Angevine, Keefe, Gissberg, Hallauer, Hanna, Washington and Durkan.

The motion carried and the demand for a roll call was sustained.

The President stated the question before the Senate to be, it has been moved that the rules be suspended, Engrossed Senate Bill No. 182 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

The Secretary called the roll and the motion to advance Engrossed Senate Bill No. 182 to third reading and final passage, was carried by the following vote: Yeas, 33; nays, 16; absent or not voting, 0.

Those voting yea were: Senators Bailey, Bargreen, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Hanna, Happy, Henry, Hess, Keefe, Knoblauch, McMillan, Martin, Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—33.

Those voting nay were: Senators Angevine, Chytil, Connor, Foster, Greive, Hallauer, Herrmann, Hofmeister, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Rasmussen, Woodall—16.

#### MOTION

Senator Greive moved that the Senate recess for five minutes due to a matter of grave importance.

The President declared the Senate to be at ease, subject to the call of the President.

The President called the Senate to order.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 1:30 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:30 o'clock p. m.

### AFTERNOON SESSION

At 2:30 o'clock p. m. the President called the Senate to order.

The Secretary called the roll, and announced to the President that all Senators were present except Senators DeGarmo and Martin.

#### PRESIDENT'S PRIVILEGE

The President introduced from the gallery, Mr. and Mrs. Donald Bunt of Seattle, and Mr. and Mrs. Alan G. Stevenson of Seattle, both groups being friends of the President.

(Applause.)

Temporary President David C. Cowen in the Chair.

#### THIRD READING OF BILLS

**Engrossed Senate Bill No. 182**, by Senators Dore and Foley (by Departmental request):

Relating to public service commission.

The bill was read the third time.

Debate ensued.

#### POINT OF INQUIRY

Senator Donohue:

"Would Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Donohue:

"In relation to this question we have had several times about logging trucks going back and forth across the boundary, isn't it a fact that those trucks have originated in Oregon and are coming in according to the Oregon license code and are not subject to our controls?"

Senator Freise:

"I believe this is correct, and in discussing this with Mr. Cooney, he says it is impractical to turn this over to the State Patrol, for a violator may not come back within two or three weeks. Once he is out, he may not be back the next day. As a matter of fact, he might not return for two years."

The President stated the question before the Senate to be Engrossed Senate Bill No. 182 on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 182, and the bill passed the Senate by the following vote: Yeas, 40; nays, 7; absent or not voting, 2.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington—40.

Those voting nay were: Senators Angevine, Connor, McCutcheon, Moriarty, Jr., Rasmussen, Thompson, Jr., Woodall—7.

Those absent or not voting were: Senators Foster, Lennart—2.

Engrossed Senate Bill No. 182, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### NOTICE OF RECONSIDERATION

Senator Hallauer, having voted on the prevailing side, gave notice that on the next legislative day he would move for reconsideration of the vote by which Engrossed Senate Bill No. 182 passed the Senate.

#### PERSONAL PRIVILEGE

Senator McCormack announced that the candy and cigars being distributed on the floor of the Senate were presented with the compliments of Lew Selvidge, in appreciation of Senate Joint Resolution No. 25; Senate Bill No. 383; and Senate Bill No. 384.

The Senate reverted to the seventh order of business.

#### SECOND READING OF BILLS

**Senate Bill No. 344**, by Senators Petrich, Foster and Greive:

Creating exemplary damages.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 344 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 344, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmusen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Bargreen, Hess, Neill—3.

Senate Bill No. 344, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President announced the presence in the gallery of the daughter of Senator Raugust, Margaret, his son-in-law, Don Heineman, and three grandchildren. The group was asked to stand and be recognized along with Senator Raugust.

(Applause.)

**Senate Bill No. 3**, by Senators Elway, Jr., Shannon and Riley (by Legislative Council request):

Providing for county purchasing departments and purchasing agents. The bill was read the second time by sections.

On motion of Senator Bailey, the following amendment was adopted:

In section 1, page 1, line 21, after "established" insert a period and strike all of the material down to and including "part." in line 25

On motion of Senator Elway, the rules were suspended, Engrossed Senate Bill No. 3 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 3, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those voting nay were: Senator Donohue—1.

Those absent or not voting were: Senators Hallauer, Hanna, Hess—3.

Engrossed Senate Bill No. 3, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Dore, the President announced the presence in the gallery of a delegation from King County N.A.A.C.P. All of the King County Senators were asked to stand and be recognized with the group.

(Applause.)

**Senate Bill No. 411**, by Senators Ryder, Gallagher and Neill:

Relating to signing vouchers by certain public employees.

The bill was read the second time by sections.

On motion of Senator Ryder, the following amendments were adopted:

In section 1, page 1, line 11, after "officer of" and before "any" strike "the state, or" and insert "[the state, or]"

In section 1, page 1, line 20, after "by" and before "officers" strike "all legislators," and after "employees of" strike "the state or"

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 411 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 411, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Foster, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Woodall—39.

Those absent or not voting were: Senators Dore, Elway, Jr., Foley, Gissberg, Hallauer, Hofmeister, Neill, Papajani, Talley, Washington—10.

Engrossed Senate Bill No. 411, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 184**, by Senators Cooney and Herrmann:

Reconciling rate for filing chattel mortgages to rate charged in later enactments.

The bill was read the second time by sections.

On motion of Senator Cooney, the rules were suspended, Senate Bill No. 184 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 184, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foster, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Connor, Elway, Jr., Foley, Gissberg, Hallauer, Hofmeister, Neill, Papajani—8.

Senate Bill No. 184, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 111**, by Senators Dore and Petrich (by Legislative Council request):

Reorganizing the justice court system.

On motion of Senator Greive, Substitute Senate Bill No. 111 was substituted for Senate Bill No. 111, and Substitute Senate Bill No. 111 was placed on second reading.

The bill was read the second time by sections.

Senator Dore moved that the following amendment be adopted:

In section 54, renumbered section 102, page 16, line 15, after "dollars" and before the period, insert ": *Provided further*, That in cities having a population in excess of five hundred thousand, the city which pays the salary may increase such salary of its municipal judges to an amount not more than the salary paid the superior court judges in the county in which the court is located"

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Dore yield to a question?"

Senator Dore:

"Yes, I will."

Senator Riley:

"How many justices would come within the scope of your amendment?"

Senator Dore:

"Two municipal court judges in Seattle."

On motion of Senator Dore, Substitute Senate Bill No. 111 was ordered to retain its place on the second reading calendar for Monday, February 27, 1961.

**Substitute House Bill No. 31**, by Committee on Cities and Counties:

Authorizing county commissioners to transfer surplus public health funds to public hospital districts.

The bill was read the second time by sections.

Senator Donohue moved that the following amendment be adopted:

In section 1, page 1, line 21, after "county" strike the period and insert the following: "*PROVIDED, That no public health funds or any other funds available to a public hospital district and its hospitals may be expended by them or either of them if discrimination exists in the admission and staff membership of physicians and surgeons by reason of their school of practice.*"

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Donohue yield to a question?"

Senator Donohue:

"Yes, I will."

Senator Riley:

"If your amendment prevails, what type of doctors or what field of medicine would be admitted to the hospital?"

Senator Donohue:

"As far as I have been able to determine, it would be osteopaths."

Senator Riley:

"As you have indicated, Senator Donohue, as far as you know, it would be osteopaths. There are other types of men, such as chiropractors. How do these other fields fit into this amendment?"

Senator Greive:

"The wording is such that the only two types it could affect are the osteopathical surgeon and the medical doctor."

**POINT OF INQUIRY**

Senator Nunamaker:

"Will Senator Donohue yield to a question?"

Senator Donohue:

"Yes, I will."

Senator Nunamaker:

"Is there any such thing as a county commission for surplus funds?"

Senator Donohue:

"Yes, in any county that has a public hospital district, and at the present time there is a category for tuberculosis, and also for public health. This bill, as amended, if passed, would provide that tuberculosis problems would have to be taken care of first, including hospitalization, etc. of known cases of tuberculosis in the county. Then, after that, if there is any money left, it goes into the health fund and if it is not needed in that category, it can be used in hospital districts throughout the state. I proposed a bill similar to this in the Senate and this bill came over from the House. We, in eastern Washington, have many newly created hospital districts and money for it has to be approved by the Department of Health and the County Commissioners before it can be distributed to county hospitals."

The President stated the question to be the adoption of the amendment proposed by Senator Donohue.

The motion carried and the amendment was adopted.

On motion of Senator Donohue, the following amendment to the title was adopted:

In line 1 of the title, after "Relating to" strike "tuberculosis control funds" and insert "funds for public hospital districts" and on line 2 after "transfer" and before "surplus" insert "certain"

On motion of Senator Greive, the rules were suspended, Substitute House Bill No. 31, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute House Bill No. 31, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 4; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Gallagher, Greive, Hanna, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senators Cowen, Freise, Happy, McMillan—4.

Those absent or not voting were: Senators Foley, Gissberg, Hallauer, Henry, Herrmann, Neill—6.

Substitute House Bill No. 31, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 288**, by Senators Washington, Hofmeister and Raugust (by Highway Interim Committee request):

Relating to acquisition of land for highways.

Senate Chamber,

Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 288, relating to acquisition of land for highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 2, page 1, line 24, after "improvement of" and before "the state" insert "routes on"

In section 4, page 2, line 20, before "(3) any" strike "or"

In section 4, page 2, line 20, after "chapter 41.40 RCW" and before the colon insert "; or (4) the state treasury available for investment as provided in RCW 43.84.080"

In section 4, page 2, line 26, after "authorized herein" and before the period insert ", except in the case of current state funds in the state treasury, twenty percent of the balance therein available for investment may be invested as provided in this act"

On page 6 following section 10, add a new section to read as follows:

Sec. 11. Section 1, chapter 91, Laws of 1935, as amended by section 1, chapter 197, Laws of 1955 and RCW 43.84.080 are each amended to read as follows:

Whenever there is in any fund or in cash balances in the state treasury more than sufficient to meet the current expenditures properly payable therefrom, the state finance committee may invest such portion of such funds or balances as it deems expedient in certificates, notes, or bonds of the United States, or in state, county, municipal, or school district bonds, or in warrants of taxing districts of the state. Such bonds and warrants shall be only those found to be within the limit of indebtedness prescribed by law for the taxing district issuing them and to be general obligations. The state finance committee may purchase such bonds or warrants directly from the taxing district or in the open market at such prices and upon such terms

as it may determine, and may sell them at such times as it deems advisable. *The committee may, in addition, invest such excess funds in motor vehicle fund warrants when authorized by agreement between the committee and the state highway commission requiring repayment of invested funds from any moneys in the motor vehicle fund available for investment.*

Renumber section 11 to read section 12.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice-Chairman,*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Howard Bargreen, John L. Cooney, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Washington, the first four committee amendments were adopted.

On motion of Senator Washington, the following amendment to the fifth committee amendment, adding a new section was adopted:

In the last line of the mimeographed amendment adding a new section 11, after "available for" and before the period, strike "investment" and insert "state highway construction"

On motion of Senator Washington, the fifth committee amendment as amended was adopted.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 288 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 288, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greivé, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Dore, Foley, McCutcheon, Neill, Petrich—5.

Engrossed Senate Bill No. 288, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 453**, by Senators Hess, Hallauer, Ryder, Sandison and Thompson, Jr. (by request of Interim Committee on Education):

Relating to joint committee on education.

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 453, relating to joint committee on education, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 11, subsection (5), page 3, line 25, after "activities;" strike "and"

In new section 11, subsection (6), page 3, line 27, after "graduation" strike the period and insert "; and"

In new section 11, after subsection (6), page 3, add a new subsection to read as follows:

(7) A comprehensive plan for a 215 day school year and a 10 year course of instruction.  
ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

The bill was read the second time by sections.

On motion of Senator Hess, the committee amendments were adopted.

On motion of Senator Lennart, the following amendments were adopted:

In section 11, page 3, line 23, after "drop outs;" insert a new subsection reading as follows:

"(5) A review of the number and duties of nonteaching professional personnel to determine whether they are adequate or excessive in relation to the number of classroom teachers;"

Renumber the remaining subsections consecutively.

On motion of Senator Hess, the rules were suspended, Engrossed Senate Bill No. 453 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator McCutcheon:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator McCutcheon:

"I notice in section 15 it says, 'All expenditures of the council shall be paid upon vouchers approved by the chairman of the committee from the appropriation herein provided.'"

Senator Hess:

"We have deleted the appropriation, intending to make it later. It is purely grammar, and the Senator is correct. It should have been taken out."

On motion of Senator Hess, the rules were suspended and Engrossed Senate Bill No. 453 was returned to second reading for the purpose of an amendment.

On motion of Senator Hess, the following amendment was adopted:

In section 15, page 4, line 9, after "committee" insert a period and strike the remainder of the section.

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Rasmussen:

"I note in your explanation it was said that the Governor vetoed a similar provision in the previous Interim Committee that the Chairman of the committee shall approve the vouchers. Should that require approval by the chairman?"

Senator Hess:

"The section that the Governor vetoed was deleted from the bill. The objectionable section was deliberately omitted from this bill in its original draft."

On motion of Senator Moriarty, the following amendment was adopted:

In section 11, page 3, line 10, after "authorized" and before "to" insert "and instructed"

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Riley:

"What about the matter of urgency? Do we need the emergency clause?"

Senator Hess:

"Yes, we do need the emergency clause. One of the things the committee will need to do is organize quite early. It is necessary to organize key personnel and get the work under way. I think it is an important part of the bill."

On motion of Senator Hess, the rules were suspended, Engrossed Senate Bill No. 453 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 453, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—40.

Those absent or not voting were: Senators Cowen, Foley, Freise, Gissberg, Hallauer, Lennart, Martin, Neill, Woodall—9.

Engrossed Senate Bill No. 453, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

The President announced the presence in the gallery of a group of young people from the First Presbyterian Church in Moses Lake, Washington, at the request of Senator Washington. This group, accompanied by Mr. Snider, their advisor, was asked to stand and be recognized, along with Senator Washington.

(Applause.)

**MOTION**

On motion of Senator Happy, Senator Freise was excused.

**PRESIDENT'S PRIVILEGE**

At the request of Senator McMillan, the President announced the presence in the south gallery of Mr. and Mrs. R. L. Bunnell, daughter and son-in-law of

Senator McMillan. Mr. and Mrs. Bunnell were asked to stand and be recognized together with Senator McMillan.

(Applause.)

**Senate Bill No. 223**, by Senators Washington, Raugust and Hofmeister:

Providing procedures for long range comprehensive road plans for counties and cities.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 223 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 223, and the bill passed the Senate by the following vote: Yeas, 36; nays, 0; absent or not voting, 13.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foster, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Talley, Thompson, Jr., Washington, Woodall—36.

Those absent or not voting were: Senators Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hofmeister, McCormack, Martin, Neill, Ryder, Shannon—13.

Senate Bill No. 223, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 339**, by Senators Bargreen and Petrich:

Extending filing on conditional sales.

The bill was read the second time by sections.

On motion of Senator Bargreen, the rules were suspended, Senate Bill No. 339 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 339, and the bill passed the Senate by the following vote: Yeas, 36; nays, 0; absent or not voting, 13.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Talley, Thompson, Jr., Washington, Woodall—36.

Those absent or not voting were: Senators Angevine, Connor, Dore, Foley, Freise, Gallagher, Gissberg, Hallauer, McCormack, Martin, Neill, Ryder, Shannon—13.

Senate Bill No. 339, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 336**, by Senators Martin, Foster, Donohue and Chytil:

Enacting a milk marketing act.

On motion of Senator Bailey, Senate Bill No. 336 was ordered to retain its place on the second reading calendar for Monday.

**Senate Bill No. 207**, by Senators Moriarty, Jr., Petrich and Neill:

Authorizing inheritance tax valuation to be adjusted to federal appraisalment.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, Senate Bill No. 207 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF ORDER

Senator Lennart:

"Will Senator Moriarty yield to a question?"

Senator Moriarty:

"Yes, I will."

Senator Lennart:

"That situation could be reversed also. As it is now, the federal government makes appraisals on most taxation. On the whole, the ordinary appraisals for the state could be higher."

Senator Moriarty:

"At the present time, if the estate tax is higher than the appraisal, the state takes the benefit, but if the state is lower, then the state will not take advantage of that."

The Secretary called the roll on the final passage of Senate Bill No. 207, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Foley, Freise, Gallagher, Gissberg, Hallauer, Martin, Neill, Ryder, Sandison—9.

Senate Bill No. 207, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Cherberg resumed the Chair.

#### MOTION

On motion of Senator Riley, Senator Cowen was excused.

**Senate Bill No. 295**, by Senators Thompson, Jr., Ryder, Hess and Sandison (by Interim Committee on Education request):

Authorizing investment of school funds.

The bill was read the second time by sections.

On motion of Senator Thompson, the rules were suspended, Senate Bill No. 295 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 295, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Shannon, Thompson, Jr., Woodall—41.

Those absent or not voting were: Senators Cowen, Freise, Gissberg, Martin, Ryder, Sandison, Talley, Washington—8.

Senate Bill No. 295, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### THIRD READING OF BILLS

**Substitute Senate Bill No. 33**, by Judiciary Committee:

Providing for the assumption of jurisdiction over Indians.

The bill was read the third time by sections.

Senator McMillan moved that Substitute Senate Bill No. 33 be returned to second reading for the purpose of an amendment.

#### POINT OF INQUIRY

Senator Woodall:

"What amendment do you propose to place if the motion is carried?"

Senator McMillan:

"I have an amendment on the desk, Senator.

"This matter came up rather suddenly and we find that is a serious matter with the Indian tribes, and their attorney has provided me with an amendment that would make the bill acceptable to them; otherwise, they are very much opposed to it."

A division was requested.

#### POINT OF ORDER

Senator Herrmann:

"It takes two-thirds majority to return the bill to second reading."

The President:

"This calls for a suspension of the rules, Senator Herrmann."

Senator Hess:

"Senator Greive, earlier in the day, stated that under the new rules a majority vote could revert a bill back."

Senator Greive:

"For once, I don't have the final answer to this. I do know that we amended the rules to change from one order of business to another."

Senator Hallauer:

"I believe the motion as stated was to suspend the rules which certainly takes a two-thirds vote."

Senator McMillan:

"I didn't move to suspend the rules because I didn't think it was necessary."

The President:

"The President is checking the rules. He believes that it is necessary to suspend the rules."

**RULING TO THE PRESIDENT**

The President:

"The President is of the opinion that it requires a two-thirds vote of the members present to revert to the second order of business for the purpose of an amendment."

Senators McMillan, Connor and DeGarmo demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

Senator Greive:

"May I inform the Sergeant-at-Arms that we have four Senators who have informed me where they are and that they will be available for a Call of the Senate."

The Sergeant-at-Arms locked the doors of the Senate Chamber. The Secretary started to call the roll.

**MOTION**

Senator Woodall moved that Senator Gissberg be excused. An objection was received.

**POINT OF ORDER**

Senator Greive:

"I rise to suggest that the President look at Rule 39."

**POINT OF ORDER**

Senator Hess:

"Is a motion to excuse a member during a roll call in order?"

The President:

"This might be a good time, Senator Woodall and other members of the Senate, to read the ruling promised to you by the President some time ago."

**RULING OF THE PRESIDENT**

The President:

"The President believes that Senator Woodall's motion is quite in order and that Senator Gissberg may be excused by a majority vote of the Senate.

"The President has studied the rules intensively and finds that roll call and/or yeas and nays are mentioned in Rule 3, Rule 11, and Rules 21, 28, 32, 35, 51, 52, 61 and probably others. In no instance does the President find a rule or order that states a roll call cannot be interrupted. On the other hand, there are several instances where the rules provide that a roll call may be interrupted. For instance:

"Rule 11—Although a roll call be in progress, a Call of the Senate may be moved by three Senators, etc.,

"Rule 21—Precedence of motions. Adjourn or recess, reconsider, demand for Call of the Senate are all of higher rank than the demand for roll call.

"Rule 28—A rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present.

"Rule 35—Except when under Call of the Senate, a motion to adjourn shall always be in order.

"Rule 52—The Senate may at any time, by a vote of the majority of the members present, suspend the rules and orders of the Senate for the purpose of going into the Committee of the Whole for the consideration of any bill, memorial or resolution before the Senate."

"The President believes that for a proper and orderly procedure, the Senate should consider the establishment of a new rule, to wit:

'When once begun, the roll call shall not be interrupted unless to order the Call of the Senate.'

The President stated the question before the Senate to be, it has been moved that Senator Gissberg be excused.

A division was requested and the motion carried on a rising vote. Senator Gissberg was excused.

#### PERSONAL PRIVILEGE

Senator Rasmussen:

"Mr. President, I should like to congratulate the President on pointing out that there is obviously a need for clarifying the rules of the Senate. They are in a mess, and I admire your courage."

Senator Hess:

"I think the Senator talks to excess. I, too, commend the President on clarifying one point in our rules. I think the Senator who is a freshman in our body is entirely too critical of this outstanding body. It has done a commendable job with both parties and will continue to do so if all parties act in the best interests."

Senator Rasmussen:

"May I apologize to the Senators if I have been impugning their duties. Coming from the lower house, it doesn't bother me when somebody has some constructive criticism. I only meant this as such. I do apologize."

#### POINT OF INQUIRY

Senator Woodall:

"Are all the Senators now present except those who have been excused?"

The Secretary finished calling the roll on the Call of the Senate and announced to the President that all Senators were present except Senators Cowen, Freise and Gissberg, all of whom were excused.

The President stated the question before the Senate to be, it has been moved that the rules be suspended and Substitute Senate Bill No. 33 be returned to second reading for the purpose of an amendment.

#### POINT OF INQUIRY

Senator Foster:

"Is this matter debatable?"

#### RULING OF THE PRESIDENT

The President:

"No. A suspension of the rules is not debatable."

The Secretary called the roll on returning Substitute Senate Bill No. 33 to second reading, and the motion lost by the following vote: Yeas, 23; nays, 24; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Donohue, Dore, Durkan, Gallagher, Gissberg, Greive, Herrmann, Hess, Hofmeister, Keefe, Kupka, McMillan, Martin, Morgan, Papajani, Rasmussen, Sandison, Washington—23.

Those voting nay were: Senators Chytil, DeGarmo, Elway, Jr., Foley, Foster, Hallauer, Hanna, Happy, Henry, Knoblauch, Lennart, McCormack, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Woodall—24.

Those absent and excused were: Senators Cowen, Freise—2.

On motion of Senator Foster, the rules were suspended, Substitute Senate Bill No. 33 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Extensive debate ensued.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 33, and the bill passed the Senate by the following vote: Yeas, 29; nays, 18; absent and excused, 2.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, DeGarmo, Dore, Elway, Jr., Foley, Foster, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Knoblauch, Lennart, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Woodall—29.

Those voting nay were: Senators Bailey, Cooney, Donohue, Durkan, Gallagher, Gissberg, Hess, Hofmeister, Keefe, Kupka, McCormack, McMillan, Martin, Morgan, Papajani, Rasmussen, Sandison, Washington—18.

Those absent and excused were: Senators Cowen, Freise—2.

Substitute Senate Bill No. 33, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### NOTICE OF RECONSIDERATION

Senator Herrmann, having voted on the prevailing side, gave notice that at the proper time, he would move for reconsideration of the vote by which Substitute Senate Bill No. 33 passed the Senate.

**Engrossed Senate Bill No. 428**, by Senators Durkan, Hanna, Gissberg, Thompson, Jr., Herrmann and Cooney:

Requiring wholesalers to mark beer prices up no more than twenty-five percent over cost to them.

The bill was read the third time by sections.

Senator DeGarmo moved that Engrossed Senate Bill No. 428 be indefinitely postponed.

#### POINT OF INQUIRY

Senator Greive:

"Mr. President, would the President consider the motion debatable?"

#### RULING OF THE PRESIDENT

The President:

"The President would consider the motion highly debatable."

Senator Martin moved that the motion of Senator DeGarmo be laid on the table.

Senator Washington moved that Senator Lennart be excused from the Call of the Senate.

The motion carried, and Senator Lennart was excused from the Call of the Senate.

Senator DeGarmo moved that the Senate do now adjourn until 10:30 o'clock a. m. on Monday.

With the permission of the Senate, Senator Hallauer withdrew the notice previously given by him that on the next working day he would move for reconsideration of the vote on Senate Bill No. 182.

Senator Bailey moved to amend the motion by Senator DeGarmo for adjournment until 11:00 o'clock a. m. on Monday.

#### PARLIAMENTARY INQUIRY

**Senator Durkan:**

"Is the motion to adjourn under the Call of the Senate in order?"

#### RULING OF THE PRESIDENT

**The President:**

"No, Senator Durkan, it is not in order."

#### NOTICE OF AMENDMENT TO SENATE RULE 32

**Senator Henry:**

"I now give notice that on the next working day I intend to amend Senate Rule 32 regarding interruption of roll call."

#### MOTION

Senator Riley moved that the Senate do now dispense with the Call of the Senate.

A division was requested.

**The President:**

"Will you read Rule 21, Senator Greive."

#### POINT OF ORDER

**Senator Hess:**

"Speaking to the point of order, Rule 21 does bear on this point, but it bears on the opposite way that you would have us believe."

Senator Hess read Rule 21.

**Senator Greive:**

"I would interpret the rule differently. I would interpret the rule as on third order, but since there is nothing set, it would be at the bottom of the calendar."

#### RULING OF THE PRESIDENT

**The President:**

"The President believes, in ruling straight off the cuff, that Senator Hess is correct.

"The President believes that to dispense with the Call of the Senate is of equal rank and therefore takes over the motion to table."

The motion lost on a rising vote, and the Call of the Senate was not dispensed with.

Senator Greive demanded a roll call, which was sustained by Senators Durkan, Bailey, Martin, Connor, Nunamaker, Henry and DeGarmo.

The President stated the question before the Senate to be, it has been moved by Senator Martin to lay on the table the motion by Senator DeGarmo that Engrossed Senate Bill No. 428 be indefinitely postponed.

The Secretary called the roll on the motion to lay on the table the motion by Senator DeGarmo, and the motion was laid on the table by the following vote: Yeas, 33; nays, 13; absent and excused, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Keefe, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Sandison, Talley, Thompson, Jr., Washington—33.

Those voting nay were: Senators DeGarmo, Elway, Jr., Foster, Happy, Hofmeister, Knoblauch, Neill, Rasmussen, Raugust, Riley, Ryder, Shannon, Woodall—13.

Those absent and excused were: Senators Cowen, Freise, Lennart—3.

#### PERSONAL PRIVILEGE

Senator Hess:

"At some time earlier this afternoon, in considerable heat, I reacted to a criticism of the Senate rules, and I think that this recent experience makes these remarks more in order. I would like to say to Senator Rasmussen that I regret the heat of my remarks and I think I could say that this same thing could happen under the House rules, but it is not likely to happen in the Senate because we are more of a deliberative group and we use the rules more fully because of this. I should have made this the tenure of my earlier remarks."

#### MOTION

Senator DeGarmo moved that Engrossed Senate Bill No. 428 be placed at the end of the next working day's calendar.

A division was requested and the motion lost on a rising vote.

#### POINT OF INQUIRY

Senator DeGarmo:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator DeGarmo:

"Talk about profit and loss—a few other things are involved here. Do you recall about a year and one-half ago when the bottoms in the beer glass became a little more glass? Well this is going to be handed right down to the little man who has a ten cent glass of beer."

The President:

"If you wish to ask a question, Senator DeGarmo, please do so."

Senator DeGarmo:

"Well, that's what I am asking."

Senators Nunamaker, Hess and Greive demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, the demand for the previous question was sustained.

#### PERSONAL PRIVILEGE

Senator Riley:

"It has been said that this is a deliberative body. There has been criticism that it is not a deliberative body. Today, standing here, I say it is not.

"We are talking about an issue that has been before us for three or four days, and if there is that much interest in it, Mr. President, I don't feel that . . . (interruption)."

Senator Greive stated he would withdraw his demand for the previous question.

**RULING OF THE PRESIDENT**

The President stated that the demand for the previous question had already been sustained.

**MOTION**

Senator Dore moved that the rules be suspended and Senator Riley be allowed to continue.

The President:

"Do you wish to confine your motion to the remarks of Senator Riley, or do you wish to open it up for debate?"

Senator Dore:

"I wish to confine it to Senator Riley."

Senator Riley:

"Thank you, Senator Dore, Mr. President, and members of the Senate. I am finished."

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 428, and the bill passed the Senate by the following vote: Yeas, 27; nays, 19; absent and excused, 3.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Keefe, Kupka, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Sandison, Talley, Thompson, Jr.—27.

Those voting nay were: Senators Bargreen, Chytil, DeGarmo, Donohue, Foster, Hallauer, Happy, Hofmeister, Knoblauch, McCormack, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Shannon, Washington, Woodall—19.

Those absent and excused were: Senators Cowen, Freise, Lennart—3.

Engrossed Senate Bill No. 428, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTION**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**RULING OF THE PRESIDENT**

The President:

"The President, with the permission of the Senate, should like to respectfully remind the members of the Senate of an earlier remark made with regard to the interruption of a roll call.

"From this point on, the President will refuse to recognize any Senator during roll call unless it is for the purpose of demanding a Call of the Senate.

"The President wishes to amend an earlier statement—in case of a fire, or something of that nature!"

**NOTICE OF RECONSIDERATION**

Senator Gallagher, having voted on the prevailing side, gave notice that at the proper time he would move for reconsideration of the vote by which Engrossed Senate Bill No. 428 passed the Senate.

Senator Elway:

"I also serve notice that on the next working day, I will move for reconsideration of the vote by which Engrossed Senate Bill No. 428 passed the Senate."

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**MOTION**

At 5:45 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Monday, February 27, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**FIFTIETH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, February 27, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Raugust.

The Color Guard, consisting of Pages Devere Duby, Color Bearer, and Vicki Papajani, presented the Colors.

Reverend Arthur Anderson, Pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Our Father God, whose we are and whom we serve, Giver of both time and talent, we thank Thee for another week, for this new day, for another opportunity to serve Thee and our fellowmen.

"We invoke now the blessing of Thy guidance upon the members of this chamber who, under Thee, are charged with the power of governance. Enlighten their understanding, strengthen their faith that they may be equal to the special problems of the day.

"Make us vividly conscious that beyond the appraisals of men, there falls upon our decisions and actions the searching light of Thy judgment.

"May Thy will be done, here and now, through Jesus Christ our Lord. Amen."

On motion of Senator Riley, the reading of the journal of the previous day was dispensed with and it was approved.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the Honorable Senator Victor F. DeGarmo, the President should like to present a group of seventy eighth grade students from Tumwater, under the direction of Mr. Davis, Mrs. Chaney and Mr. Thompson. Will this group please stand, along with Senator DeGarmo.

"At the request of the noted Senator from the Forty-sixth District, Senator John N. Ryder, the President should like to present a group of students from the Concordia Lutheran School in Seattle. These young people from the seventh and eighth grades are visiting under the direction of Mr. Kamprath. Would this group please stand, along with Senator Ryder, and be recognized.

"Also present today is a group of distinguished Forty-sixth District PTA members. These people are in the south gallery under the direction of Mrs. Ross Hambly. Senator Ryder, you are to be complimented on having such a large and attractive group visiting the Senate today. Senator Ryder, would you like to say a few words."

Senator Ryder:

"There have been many present here from the Forty-sixth District, and I am particularly happy to have so many interested groups here today. It looks like I hit the jackpot today!"

The President announced the presence in the north gallery of the Mayor of Sultan, the Honorable Elmer Broughton, and his companion, William Boyle.

At the request of Senator Kupka, the President announced the presence of a former member of the Senate, the Honorable Ray J. Hutchinson of the Thirty-ninth District. Senator Kupka was asked to stand along with Ray Hutchinson and be recognized.

(Applause.)

#### MOTION FOR RECONSIDERATION

Senator Elway:

"Having voted on the prevailing side, I move that the Senate do now reconsider the vote by which Engrossed Senate Bill No. 428 passed the Senate on Saturday."

Debate ensued.

On motion of Senator Greive, Senators Hofmeister, Foley and Petrich were excused subject to roll call.

Debate ensued.

#### POINT OF ORDER

Senator Herrmann:

"I just wanted to point out the question. What I really want is a point of information.

"Isn't it true, Mr. President, that an amendment was adopted on February 24th by this body?"

The President:

"The Secretary will check on that."

The Secretary read the amendment.

The President:

"Does this clarify your point, Senator Herrmann?"

Senator Herrmann:

"Yes, this clears up what I had in mind."

#### PERSONAL PRIVILEGE

Senator Elway:

"If the statement made by Senator Herrmann had been put in the form of a question, I would have had to say that was correct. The bill was changed by an amendment."

#### RULING OF THE PRESIDENT

The President stated he felt the discussion had ended.

The President stated the question before the Senate to be, it has been moved that the Senate do now reconsider the vote by which Engrossed Senate Bill No. 428 passed the Senate on Saturday.

A roll call was demanded, which was sustained by Senators Elway, Jr., Chytil, Happy, Ryder, Freise, Lennart, DeGarmo, Moriarty, Jr., Greive, and Riley.

Senators Greive, Herrmann and Sandison demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, and announced to the President that all Senators were present except Senator Morgan.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President:

"At the present time, members of the Senate, the President should like to ask the worthy Senators Gissberg, Hess, Riley and Bargreen to act as an escort committee to bring the Honorable Ray J. Hutchinson, former Senator from the Thirty-ninth District, to the rostrum."

The Honorable Ray Hutchinson was escorted to the rostrum.

The President:

"Members of the Senate; Ladies and Gentlemen:

"It is with great pride that the President presents the Honorable Ray J. Hutchinson, a former highly respected and esteemed member of this august body. Would you care to say a few words, Senator Hutchinson?"

Former Senator Hutchinson:

"Thank you, Mr. President. It is sure nice to be back in the Senate Chamber today and see a lot of the faces that were with me when I served here.

"It looks like a very fine group and I wish you all kinds of luck in this session. I know you have a lot of hard work, and I am rooting for you."

The President:

"Thank you very much, Senator. At this stage in the game, the members indeed need lots of people rooting for them."

Former Senator Hutchinson was escorted from the rostrum.

**PRESIDENT'S PRIVILEGE**

The President:

"The Honorable Robert Greive has called attention to a prominent and respected group from West Seattle Commercial Club in the gallery. The President should like to take the responsibility of expressing a word of appreciation to the members of this group. They are to be complimented and congratulated for the wonderful work they have achieved. Would this group please stand in order that they will be properly recognized. I am sure that Senator Greive joins with the President in extending a warm greeting to you."

(Applause.)

**MOTION**

On motion of Senator Greive, Senator Morgan was excused.

The President stated the question before the Senate to be, it has been moved that the Senate do now reconsider the vote by which Engrossed Senate Bill No. 428 passed the Senate.

The Secretary called the roll and the motion to reconsider the vote by which Engrossed Senate Bill No. 428 passed the Senate lost by the following vote: Yeas, 24; nays, 24; absent and excused, 1.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Elway, Jr., Foster, Freise, Hallauer, Happy, Hess, Knoblauch, Martin, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Washington, Woodall—24.

Those voting nay were: Senators Angevine, Bailey, Cooney, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hofmeister,

Keefe, Kupka, Lennart, McCormack, McCutcheon, McMillan, Nunamaker, Papajani, Petrich, Sandison, Talley—24.

Those absent and excused were: Senator Morgan—1.

#### MOTION FOR RECONSIDERATION

Senator Herrmann:

"Having given notice previously, I move that the Senate do now reconsider the vote by which Substitute Senate Bill No. 33 passed the Senate."

Extensive debate ensued.

Senators Greive, Nunamaker and McCutcheon demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

Senator Foster demanded a roll call, which was sustained by Senators Freise, Foster, Chytil, Elway, Jr., Woodall, Raugust, Riley, DeGarmo, Moriarty, Jr., and Greive.

The President stated the question before the Senate to be, it has been moved that the Senate do now reconsider the vote by which Substitute Senate Bill No. 33 passed the Senate.

The Secretary called the roll, and the motion to reconsider the vote by which Substitute Senate Bill No. 33 passed the Senate lost by the following vote: Yeas, 18; nays, 30; absent and excused, 1.

Those voting yea were: Senators Bailey, Bargreen, Cooney, Durkan, Gallagher, Gissberg, Hanna, Herrmann, Hess, Hofmeister, Kupka, McCormack, McMillan, Martin, Papajani, Rasmussen, Sandison, Washington—18.

Those voting nay were: Senators Angevine, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Greive, Hallauer, Happy, Henry, Keefe, Knoblauch, Lennart, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Woodall—30.

Those absent and excused were: Senator Morgan—1.

#### AMENDMENT TO SENATE RULE 32

Senator Henry:

"Having given notice on Saturday, I move that the Senate do now consider my proposed amendment to Senate Rule No. 32."

#### MOTION

Senator Greive:

"I move that the proposed amendment to Senate Rule No. 32 be considered on the first order of business for tomorrow."

The motion carried.

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 8; also

Senate Bill No. 37; also

Senate Bill No. 51; also

Engrossed Senate Bill No. 52; also

Senate Bill No. 67; also

Engrossed Senate Bill No. 117; also

Engrossed Senate Bill No. 132; also

Senate Bill No. 194; also

Senate Bill No. 230, have compared same with the original bills and find them correctly enrolled. MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 166, have compared same with the original bill and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 73** (reported by Committee on Commerce, Manufacturing and Licenses):

Do pass as amended.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 171** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 333** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 423:**

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses to whom was referred Senate Bill No. 423, regulating hazardous substance labels, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Fred H. Dore, F. Stuart Foster, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 486** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 495:**Senate Chamber,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks to whom was referred Senate Bill No. 495, relating to state parks; establishing a prehistoric and stone age museum; and making an appropriation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 503:**Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred Senate Bill No. 503, relating to municipal courts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 510** (reported by Committee on State Government, Military Affairs and Civil Defense):

Do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Herbert H. Freise, H. B. Hanna, Reuben A. Knoblauch, Mike McCormack, Marshall A. Neill, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 16** (reported by Committee on Medicine and Dentistry):

Do pass as amended.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: David C. Cowen, Harry Elway, Jr., John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 57** (reported by Committee on State Government, Military Affairs and Civil Defense):

Do pass as amended.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, John T. McCutcheon, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 75:**

Senate Chamber,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources to whom was referred Engrossed House Bill No. 75, relating to irrigation district elections, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 107:**

Senate Chamber,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources to whom was referred House Bill No. 107, establishing method of providing funds for drainage districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 110:**

Senate Chamber,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee to whom was referred Engrossed House Bill No. 110, excepting from endowment care cemetery fund deposits of cemeteries less than ten acres, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Frank W. Foley, F. Stuart Foster, Michael J. Gallagher, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 248 (reported by Judiciary Committee):**

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Frank W. Foley, F. Stuart Foster, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 355:**

Senate Chamber,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources to whom was referred Engrossed House Bill No. 355, relating to branding and transportation of forest products and booming equipment, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 397:**

Senate Chamber,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources to whom was referred Engrossed House Bill No. 397, providing for formation and establishing procedures for soil and water conservation districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 351 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 148 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 168 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

Under the provisions of Chapter 36, Laws of 1947, the Speaker has appointed as members of the Washington State Legislative Council: Representatives Alfred O. Adams, John Bigley, Keith H. Campbell, Thomas L. Copeland, Mrs. John W. "Kathryn" Epton, Marian C. Gleason, Slade Gorton, John L. O'Brien, Ralph L. Rickdall, Robert M. Schaefer, Harry A. Siler.

S. R. HOLCOMB, *Chief Clerk.*

**APPOINTMENT OF INTERIM COMMITTEE**

The President announced the appointments of the following members to the Legislative Council (under the provisions of Chapter 36, Laws of 1947): Senators Greive, Keefe, Kupka, Talley, Sandison, Freise, Thompson, Elway and Riley.

The President:

"The President will entertain a motion for confirmation."

Senator Riley:

"Did I hear the name of Senator Riley read in reference to the Legislative Council?"

The President:

"Yes, Sir."

**MOTIONS**

Senator Ryder moved that the appointments be confirmed.

Senator Freise:

"I move that the name of Senator Freise be stricken from the Legislative Council appointments."

Senator Greive:

"I move that the motion by Senator Freise be laid on the table temporarily."

The motion carried.

Debate ensued.

The President:

"With the permission of the Senate, the name of Senator Freise will be stricken from the Legislative Council and added to the World Fair Commission."

The motion carried.

**MOTION**

At 12:20 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:20 o'clock p. m.

**AFTERNOON SESSION**

At 2:20 o'clock p. m. the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Morgan, who had previously been excused.

**PRESIDENT'S PRIVILEGE**

The President announced, at the request of Senator Chytil, the presence in the south gallery of a group of four Cub Scouts under the direction of Mr. Dick Carrington from Chehalis. This group was asked to stand and be recognized along with Senator Chytil.

(Applause.)

The Secretary read:

**MESSAGE FROM THE HOUSE****HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 134 with the following amendments:

On page 4, section 3, line 2, after "of any" strike "municipal" and insert "municipal"

On page 5, section 4, line 17, after "of its" strike "[firemen] fireman" and insert "firemen", and the same is herewith transmitted. S. R. HOLCOMB, Chief Clerk.

On motion of Senator Gissberg, the Senate concurred in the House amendments to Senate Bill No. 134.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 134, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley,

Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Henry, Martin, Morgan, Nunamaker—4.

Engrossed Senate Bill No. 134, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, the following members of the Insurance Committee were excused for the purpose of holding a committee meeting: Senators Papajani, Chytil, Happy, Petrich and Sandison.

The Secretary read:

House of Representatives,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

The House has concurred in all of the Senate amendments to House Bill No. 72, except the amendment by Senator Herrmann to section 1, page 1, line 20, and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Herrmann, the Senate receded from its amendment to House Bill No. 72 in section 1, page 1, line 20 of the bill.

The Secretary called the roll on the final passage of House Bill No. 72, without the Senate amendment to section 1, page 1, line 20, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Connor, Happy, Henry, Martin, Morgan, Nunamaker, Papajani—7.

House Bill No. 72, without the Senate amendment to section 1, page 1, line 20, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

House of Representatives,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 468 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 148; also  
House Bill No. 168; also

House Bill No. 351, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 141; also  
House Bill No. 258; also  
House Bill No. 274; also  
Engrossed House Bill No. 342; also  
House Bill No. 348; also  
House Bill No. 453; also  
House Bill No. 546, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 26, 1961.

MR. PRESIDENT:

The House has passed: Engrossed House Bill No. 165; also  
Engrossed House Bill No. 195; also  
Engrossed House Bill No. 208; also  
House Bill No. 230; also  
House Bill No. 306; also  
Engrossed House Bill No. 365; also  
House Bill No. 377; also  
Engrossed House Bill No. 378; also  
Engrossed House Bill No. 388; also  
House Bill No. 394; also  
House Bill No. 395; also  
House Bill No. 424; also  
House Bill No. 425; also  
Engrossed House Bill No. 455; also  
Engrossed House Bill No. 458; also  
House Bill No. 469; also  
Engrossed House Bill No. 502; also  
Engrossed House Bill No. 515; also  
Engrossed House Bill No. 538; also  
Engrossed House Bill No. 549; also  
House Bill No. 569; also  
Engrossed House Joint Memorial No. 16; also  
House Joint Memorial No. 26; also  
House Joint Memorial No. 28; also  
House Joint Memorial No. 39; also  
House Joint Resolution No. 26, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 26, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 166, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 8; also  
Senate Bill No. 37; also  
Senate Bill No. 51; also  
Engrossed Senate Bill No. 52; also  
Senate Bill No. 67; also  
Engrossed Senate Bill No. 117; also  
Engrossed Senate Bill No. 132; also  
Senate Bill No. 194; also  
Senate Bill No. 230, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 557**, by Senators McCormack, Gissberg, Hanna, Angevine, Bargreen, Connor, DeGarmo, Durkan, Foley, Gallagher, Greive, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Petrich, Raugust, Riley, Sandison, Talley, Thompson, Jr. and Washington (by Executive request):

An Act relating to state government; establishing a youth development and conservation corps to provide healthful outdoor training and employment for young men of Washington state; and to provide for the care and improvement of our public properties through conservation and development of our natural resources of timber, soil, wildlife and recreation areas.

On motion of Senator McCormack, the rules were suspended, and more than three sponsors were permitted on Senate Bill No. 557.

Referred to Committee on Natural Resources.

**Senate Concurrent Resolution No. 9**, by Senators Hallauer, Foley and Neill: Requiring Legislative Council to study pension and retirement plans for state and local public officials.

On motion of Senator Hallauer, the rules were suspended, Senate Concurrent Resolution No. 9 was advanced to second reading and read the second time in full.

On motion of Senator Hallauer, the rules were suspended, Senate Concurrent Resolution No. 9 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

## POINT OF INQUIRY

Senator Bailey:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Bailey:

"By following on this resolution, do we preclude any consideration on the so-called pension bills, retirement systems etc.?"

Senator Hallauer:

"It is planned that there will be a meeting of the Ways and Means Committee for consideration of measures of all types in those categories."

## POINT OF INQUIRY

Senator Hess:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Hess:

"Why is this a matter for the Legislative Council, rather than the Legislative Budget Committee?"

Senator Hallauer:

"The Legislative Council has already done some work in connection with the Teachers' Retirement Plan. They have already entered into this field and are better prepared."

Senator Hess:

"How is this to be financed?"

Senator Hallauer:

"A line item for such study and approval by the Legislative Council will be provided."

Senator Hess:

"Some of us feel that the Legislative Council was somewhat opinionated and felt that such a study could be better made by the Legislative Budget Committee. Would you feel responsive to this if we had the feeling that the Legislative Council's opinion was biased?"

Senator Hallauer:

"I am surprised to hear you say this because there are twenty-one members on the Legislative Council who consist of both political parties and it is up to these members to make sure that they act in a fair manner. With this cross-section of thinking it seems to me they would be less opinionated than a smaller body.

"On the other hand there are only ten members in the other body. I am a bit surprised at your inquiry."

#### MOTION

Senator Hess:

"I move that further consideration of Senate Concurrent Resolution No. 9 be deferred until tomorrow's calendar."

The President stated the question before the Senate to be it has been moved that Senate Concurrent Resolution No. 9 hold its place on the third reading calendar for tomorrow.

The motion carried, and Senate Concurrent Resolution No. 9 was ordered retained on tomorrow's third reading calendar.

#### MOTION

On motion of Senator Greive, Senators Hallauer, Foley and Martin were excused subject to roll call.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 141**, by Representatives Gallagher, Braun and Shropshire:

An Act relating to unfair practices; and amending sections 2, 6, 7 and 9, chapter 221, Laws of 1939 and RCW 19.90.020, 19.90.060, 19.90.070, and 19.90.090.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Bill No. 165**, by Representatives Rickdall and Backstrom:

An Act relating to diking and drainage districts; providing procedures for the sale of surplus real and personal property; repealing sections 1, 2, 3, 4, 5 and 6, chapter 342, Laws of 1955 and RCW 85.04.550, 85.04.551, 85.04.552, 85.04.553 and 85.04.554; and adding new sections to chapter 85.04 RCW.

Referred to Committee on Natural Resources.

**Engrossed House Bill No. 195**, by Representatives Gleason, Swayze and McCormick:

An Act relating to fireworks; providing penalties; making an appropriation; repealing sections 1 through 11, chapter 174, Laws of 1951 as amended by sections 1 through 4, chapter 34, Laws of 1953 and RCW 70.77.010 through 70.77.110; and declaring an emergency.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Bill No. 208**, by Representatives Adams and McFadden:

An Act relating to physicians, surgeons, and osteopaths in certain emergency cases.

Referred to Judiciary Committee.

**House Bill No. 230**, by Representatives Campbell and Burtch (by Legislative Council request):

An Act relating to domestic relations and to prevent and punish family desertion or nonsupport; and adding a new section to chapter 26.20 RCW.

Referred to Judiciary Committee.

**House Bill No. 258**, by Representatives Adams and McFadden:

Modifying law relating to vital statistics.

Referred to Committee on Medicine and Dentistry.

**House Bill No. 274**, by Committee on Agriculture:

An Act relating to bee poisoning research, and making an appropriation.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 306**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to revenue and taxation and providing for a motor vehicle fuel tax; amending section 82.36.010, 82.36.180, 82.36.210, 82.36.220, 82.36.230, 82.36.260 and 82.36.300, chapter ....., Laws of 1961 (House Bill No. 6), and RCW 82.36.010, 82.36.180, 82.36.210, 82.36.220, 82.36.230, 82.36.260 and 82.36.300; and adding a new section to chapter 82.36 RCW.

Referred to Committee on Highways.

**Engrossed House Bill No. 342**, by Representatives Poff, Testu and Hood:

An Act relating to the foreclosure of mortgages, providing for limiting of the redemption period when the property has been abandoned by the mortgagor; and adding four new sections to chapter 53, Laws of 1899 and chapter 6.24 RCW.

Referred to Judiciary Committee.

**House Bill No. 348**, by Representatives Leland, Bigley and Testu:

An Act relating to recreational devices designed for conveyance of persons; and amending sections 1 and 7, chapter 327, Laws of 1959 and RCW 70.88.010 and RCW 70.88.070.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Bill No. 365**, by Representatives Day, Wang and Edwards:  
Relating to firemen's pensions.

Referred to Committee on Social Security.

**House Bill No. 377**, by Representatives Litchman, Jr., Testu and Metcalf:

An Act relating to cities and towns; authorizing the establishment of pedestrian malls; and repealing all conflicting acts or parts of acts.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 378**, by Representatives Bernethy, Testu and King (by Executive request):

An Act relating to state government and the board of natural resources; and amending section 4, chapter 38, Laws of 1957 and RCW 43.30.040.

Referred to Committee on Natural Resources.

**Engrossed House Bill No. 388**, by Representatives Brink, Williams and Hood:

An Act relating to securities; defining terms; providing for the simplification of fiduciary transfers; defining powers and duties and repealing chapter 159, Laws of 1947, and RCW 21.16.

Referred to Committee on Banks and Financial Institutions.

**House Bill No. 394**, by Representatives Beck, Conner and Beierlein:

An Act relating to the sale of, issuance of leases, licenses and permits and granting of franchises for any property of the toll bridge authority and Washington state ferry system; and declaring an emergency.

Referred to Committee on Highways.

**House Bill No. 395**, by Representatives Beck, Conner and Evans:

An Act relating to the toll bridge authority and authorizing the issuance of permits for the passage of vehicles on toll facilities on a credit basis.

Referred to Committee on Highways.

**House Bill No. 424**, by Representatives Kirk, Mahaffey and Testu:

An Act relating to legal descriptions of real property.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 425**, by Representatives Brink, Poff and Pritchard:

An Act relating to elections in cities and towns; and adding a new section to chapter 29.21 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Bill No. 453**, by Representatives Witherbee, Meyers and Perry:

An Act relating to workmen's compensation; amending section 51.48.060, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.48.060; adding two new sections to chapter ....., Laws of 1961 (House Bill No. 4) and to chapter 51.28 RCW; providing penalties; and declaring an emergency.

Referred to Committee on Labor and Industrial Insurance.

**Engrossed House Bill No. 455**, by Representatives Taylor, Braun and Henry:

An Act relating to cities and towns; amending section 15, page 141, Laws of 1890 and RCW 35.21.010 and 35.27.020; amending section 1, chapter 111, Laws of 1909 and RCW 35.21.160; and repealing section 1, chapter 109, Laws of 1951.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 458**, by Representatives Wedekind, Hawley and Bernethy:

Relating to state employees' retirement system.

Referred to Committee on Social Security.

**House Bill No. 469**, by Committee on Game and Game Fish:

An Act relating to the sale of lands held for the use of the state department of game and the manner in which said sale can be made.

Referred to Committee on Fisheries, Game and Game Fish.

**Engrossed House Bill No. 502**, by Representatives Brouillet, Copeland and Eldridge:

An Act relating to the legislature; creating a joint committee on education; providing for the selection, term, and reimbursement of certain expenditures of the members of the committee, and conferring rights, powers, duties and prescribing the functions of the committee; and declaring an emergency.

Referred to Committee on Education.

**Engrossed House Bill No. 515**, by Representatives Adams and McFadden: Relating to professional nurse licensing.

Referred to Committee on Medicine and Dentistry.

**Engrossed House Bill No. 538**, by Representatives Adams and McFadden: Relating to medicine and surgery.

Referred to Committee on Medicine and Dentistry.

**House Bill No. 546**, by Representatives Marsh, Mardesich and Gorton:

An Act relating to weighing of railroad cars loaded with lumber, shingles and other forest products; and repealing section 81.56.090, chapter 14, Laws of 1961, and RCW 81.56.090.

Referred to Committee on Public Utilities.

**Engrossed House Bill No. 549**, by Representatives Bernethy, Witherbee and Shropshire:

An Act relating to industrial insurance; amending section 51.52.060, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.52.060; amending section 51.52.080, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.52.080; amending section 51.52.095, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.52.095; amending section 51.52.100, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.52.100; amending section 51.52.102, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.52.102, and amending section 51.52.106, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.52.106.

Referred to Committee on Labor and Industrial Insurance.

**House Bill No. 569**, by Representatives Nicholson, O'Connell and Leland: An Act relating to parks and recreation.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**House Joint Memorial No. 16**, by Representatives Litchman, Jr. and Anderson (by Executive request):

Requesting Congress to incorporate medical care into social security system.

Referred to Committee on Social Security.

**House Joint Memorial No. 26**, by Representatives Poff, Anderson and Litchman, Jr.:

Requesting Congress to set up international tourist agency abroad.

Referred to Committee on Commerce, Manufacturing and Licenses.

**House Joint Memorial No. 28**, by Representatives Garrett, Beierlein and Bigley:

Requesting relief on Green River Valley watershed applications.

Referred to Committee on Natural Resources.

**House Joint Memorial No. 39**, by Representatives Litchman, Jr. and Bigley:

Requesting Congress to improve sports areas in Washington national parks.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**House Joint Resolution No. 26**, by Representatives Conner and McFadden: Relating to the centennial of Port Angeles.

Referred to Committee on State Government, Military Affairs and Civil Defense.

#### SECOND READING OF BILLS

**Substitute Senate Bill No. 111**, by Judiciary Committee:

Reorganizing the justice court system.

On motion of Senator Greive, Substitute Senate Bill No. 111 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 336**, by Senators Martin, Foster, Donohue and Chytil:

Enacting a milk marketing act.

On motion of Senator Greive, Senate Bill No. 336 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 554**, by Senators Durkan and Gissberg:

Revising RCW 84.40.210 relating to certain personal property tax exemptions.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 554 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 554, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Dore, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McMillan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators Cooney, Donohue, Durkan, Foley, Happy, Herrmann, Keefe, McCutcheon, Martin, Morgan, Papajani, Petrich—12.

Senate Bill No. 554, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 366**, by Senators Gallagher, Hofmeister and Talley:

Prohibiting action on incorporation or annexation of city or town pending final disposition of similar petition.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 366 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Dore:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Dore:

"I am sorry I didn't ask this before. Is there any time limitation on that? I can see how you could file some particular plan, and under this law you would be prohibited from filing another petition unless you dispose of this one."

Senator Gissberg:

"These are only provisions requiring either the County Commissioner or city officials to act. Procedures are already in the statute books in certain towns. The action must be taken within a certain time. The disposition is in this bill, and the time relation is written in."

The Secretary called the roll on the final passage of Senate Bill No. 366, and the bill passed the Senate by the following vote: Yeas, 32; nays, 0; absent or not voting, 17.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington—32.

Those absent or not voting were: Senators Connor, Cooney, Durkan, Foley, Foster, Hallauer, Happy, Herrmann, Keefe, McCutcheon, McMillan, Martin, Morgan, Papajani, Petrich, Shannon, Woodall—17.

Senate Bill No. 366, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 282**, by Representatives Poff, Leland and Bozarth:

Pertaining to enforcement of rules and regulations of the state game commission.

The bill was read the second time by sections.

Senator Talley moved that the following amendment be adopted:

Following Sec. 3 add a new section to read as follows:

The department of game shall issue to any veteran sixty-five years or older with a twenty-five percent disability, having a veterans' administration "C" number for a pension or compensation disability granted to such veteran, a fishing license.

#### POINT OF INQUIRY

Senator Hess:

"Is the amendment germane to the bill?"

#### RULING OF THE PRESIDENT

The President:

"The President feels that some revision will need to be made."

On motion of Senator Hess, House Bill No. 282 was ordered retained at the end of the second reading calendar for today.

**Senate Bill No. 53**, by Senators Angevine, Gissberg, Cooney, Neill, Hess, Morgan, Hofmeister, Kupka, Moriarty, Jr. and DeGarmo (by Executive request):

Regulating retail installment sales of goods.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 53, regulating retail installment sales of goods, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 1, subsection (7), page 2, line 27, after "means an" and before "entered" strike "instrument" and insert "agreement"

In new section 8, page 7, line 13, after "motor vehicle, as" strike the remainder of the section and insert "the sum of the monthly or lesser periodic time balances beginning one month or lesser period after prepayment is made, bears to the sum of all the monthly or lesser periodic time balances under the schedule of payments in the contract. Where the amount of such refund credit is less than one dollar, no refund need be made."

On page 7, beginning on line 25, strike all of new section 9 and substitute the following:

"NEW SECTION. Sec. 9. The holder of any retail installment contract or retail charge agreement may not collect any delinquency or collection charges, including any attorney's fee and court costs and disbursements, unless the contract or charge agreement so provides. In such cases, the charges shall be reasonable, and no attorney's fee may be recovered unless the contract or charge agreement is referred for collection to an attorney not a salaried employee of the holder.

"The contract or charge agreement may contain other provisions not inconsistent with the purposes of this act, including but not limited to provisions relating to refinancing, transfer of the buyer's equity, construction permits and title reports."

In new section 20, page 12, line 19, after "hereof", strike the period and insert "": *Provided*, That after commencement of any action by a prosecuting attorney, as provided herein, the attorney general may not accept an assurance of discontinuance without the consent of the prosecuting attorney." GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Kupka, the committee amendments were adopted.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"No, I will not."

On motion of Senator Kupka, the rules were suspended, Engrossed Senate Bill No. 53 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 53, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators Cooney, Durkan, Foley, Foster, Hallauer, Happy, Herrmann, Keefe, Martin, Morgan, Papajani, Petrich—12.

Engrossed Senate Bill No. 53, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 10**, by Senators Kupka, Martin and Keefe (by Legislative Council request):

Relating to jails and other detention facilities, authorizing the creation and government thereof and providing procedures for commitment, discipline, employment and discharge of prisoners.

Senate Chamber,  
Olympia, Wash., February 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 10, relating to jails and other detention facilities, authorizing the creation and government thereof and providing procedures for commitment, discipline, employment and discharge of prisoners, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 1, strike all of section 1 and renumber the remaining sections consecutively.

FRED J. MARTIN, *Chairman*.

We concur in this report: Karl V. Herrmann, Reuben A. Knoblauch, Frances Haddon Morgan, John A. Petrich, Gordon Sandison, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Kupka, the committee amendment was adopted.

On motion of Senator Kupka, the following amendments were adopted:

In section 5, renumbered section 4, page 3, line 16, after "section 6" insert ", renumbered section 5,"

In section 15, renumbered section 14, page 7, line 3, after "14 to 32" insert ", renumbered sections 13 to 31,"

In section 17, renumbered section 16, page 7, line 22, after "section 16" insert ", renumbered section 15,"

In section 17, renumbered section 16, page 7, line 26, after "section 16" insert ", renumbered section 15,"

In section 18, renumbered section 17, page 7, line 32, after "section 16" insert ", renumbered section 15,"

In section 19, renumbered section 18, page 8, line 16, after "section 18" insert ", renumbered section 17,"

In section 22, renumbered section 21, page 9, line 17, after "section 21" insert ", renumbered section 20,"

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"Yes, I will."

Senator Woodall:

"I notice that the first section of this particular bill has somewhat of a political speech involved in it. Could this be taken out?"

Senator Kupka:

"Yes, it has been taken out."

On motion of Senator Kupka, the rules were suspended, Engrossed Senate Bill No. 10 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 10, and the bill passed the Senate by the following vote: Yeas, 31; nays, 0; absent or not voting, 18.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cowen,

DeGarmo, Donohue, Dore, Freise, Gallagher, Gissberg, Hanna, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—31.

Those absent or not voting were: Senators Angevine, Cooney, Durkan, Elway, Jr., Foley, Foster, Greive, Hallauer, Happy, Herrmann, Keefe, McMillan, Martin, Morgan, Nunamaker, Papajani, Rasmussen, Talley—18.

Engrossed Senate Bill No. 10, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 85**, by Senators Donohue, Moriarty, Jr. and Martin:

Authorizing county commissioners to transfer surplus public health funds to public hospital districts.

On motion of Senator Donohue, Senate Bill No. 85 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 489**, by Senators Washington and Raugust:

Permitting irrigation districts to become irrigation and rehabilitation districts.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 489 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 489, and the bill passed the Senate by the following vote: Yeas, 36; nays, 0; absent or not voting, 13.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, Dore, Durkan, Elway, Jr., Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—36.

Those absent or not voting were: Senators Connor, DeGarmo, Donohue, Foley, Foster, Gissberg, Hallauer, Happy, Martin, Morgan, Nunamaker, Papajani, Petrich—13.

Senate Bill No. 489, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 56**, by Representatives Brouillet, Litchman, Jr. and Evans:  
Authorizing leaves of absence for school employees.

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred House Bill No. 56, authorizing leaves of absence for school employees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 3, subsection 15, strike all of the material from line 15 through 22, and insert the following: "(15) Adopt such rules and regulations as the board deems necessary or advisable in regard to granting leaves to persons under contracts of employment with the school district(s) in positions requiring certification qualification,

including leaves for attendance at official or private institutes and conferences, sabbatical leaves, and leaves for illness and injury and bereavement, and with such compensation as the board of directors prescribe: *PROVIDED, That the board of directors shall adopt rules and regulations granting to such persons annual leave with compensation for illness and injury as follows:*"

In section 1, page 4, add 2 new subsections following subsection (f) to read as follows:

"(g) accumulated leave under this proviso shall not be transferable from one district to another;"

"(h) leave accumulated by a person in a district prior to leaving said district may, under rules and regulations of the board, be granted to such person when he returns to the employment of the district."

ANDY HESS, Chairman.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, Don L. Talley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Hess, the committee amendments were adopted.

On motion of Senator Hess, the rules were suspended, House Bill No. 56, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 56, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 35; nays, 0; absent or not voting, 14.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, Dore, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—35.

Those absent or not voting were: Senators Connor, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Hallauer, Happy, Lennart, Martin, Morgan, Petrich, Talley—14.

House Bill No. 56, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 17**, by Representatives Campbell, Uhlman and England: Prescribes penalties for communicating with child for immoral purposes. The bill was read the second time by sections.

On motion of Senator Gissberg, House Bill No. 17 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 247**, by Senators Bailey and Riley:

Prohibiting professional strikebreaking.

On motion of Senator Bailey, Substitute Senate Bill No. 247 was substituted for Senate Bill No. 247, and Substitute Senate Bill No. 247 placed on second reading.

On motion of Senator Bailey, Substitute Senate Bill No. 247 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 315**, by Senators Papajani, Bailey and Riley (by Insurance Commissioner request):

Modifying law relating to insurance rates.

On motion of Senator Greive, Senate Bill No. 315 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 426**, by Senator Hanna:

Controlling ragweed.

The bill was read the second time by sections.

On motion of Senator Hanna, the rules were suspended, Senate Bill No. 426 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 426, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators DeGarmo, Elway, Jr., Foley, Hallauer, Happy, Lennart, Martin, Morgan—8.

Senate Bill No. 426, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 419**, by Senators DeGarmo, Rasmussen, Bargreen and Elway, Jr.:

Appointing a commission to study feasibility of water canals connecting Hood Canal, Puget Sound and Grays Harbor.

On motion of Senator Greive, Senate Bill No. 419 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 153**, by Senators McCormack, Washington and Raugust:

Providing for director divisions in irrigation districts.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Senate Bill No. 153 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 153, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators DeGarmo, Donohue, Foley, Gissberg, Hallauer, Kupka, Lennart, Martin, Morgan—9.

Senate Bill No. 153, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 316**, by Senators Gissberg and Bargreen:

Permitting cities to sell water outside its boundaries on firm contract.

The bill was read the second time by sections.

On motion of Senator Bargreen, the rules were suspended, Senate Bill No. 316 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 316, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators DeGarmo, Dore, Foley, Hallauer, Happy, Martin, Morgan—7.

Senate Bill No. 316, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the sixth order of business for the purpose of introduction of bills.

#### POINT OF ORDER

Senator Greive:

"Does that come under the fiftieth day, or do we have that under special rule? I don't want it to be knocked out."

The President:

"The record shows that the bill was here last night and I asked that it be held up."

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 558**, by Senators Gissberg and Bargreen:

An Act relating to public highways; making a reappropriation; and declaring an emergency.

Referred to Committee on Highways.

#### PERSONAL PRIVILEGE

Senator Thompson:

"The lady and gentlemen of the Senate will notice that the vitamin pills being distributed today are a different color, but I assure you that they are just as good."

The President:

"Thank you very much, Senator Thompson. I don't believe the Secretary and the secretarial staff have been supplied with the vitamins—they look a little run-down."

Senator Thompson:

"We will take care of that. I would say that the two groups mentioned need them the most!"

The Senate advanced to the seventh order of business.

## SECOND READING OF BILLS

**House Bill No. 320**, by Representatives Bozarth, Goldmark and Moos (by Departmental request):

Modifying law relating to custom slaughtering.

On motion of Senator Donohue, House Bill No. 320 was ordered to retain its place on the second reading calendar for tomorrow.

**House Joint Resolution No. 6**, by Representatives Litchman, Jr., Marsh and Shropshire (by Judicial Council request):

Authorizing certain judges to perform temporary judicial duties.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Joint Resolution No. 6, authorizing certain judges to perform temporary judicial duties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 2(a), lines 13 and 14 after "duties in" strike "any court of record in the state" and insert "the Supreme Court"

JOHN A. PETRICH, Chairman.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Perry B. Woodall.

The resolution was read the second time in full.

Senator Petrich moved that the committee amendment be adopted.

Debate ensued.

Senator Riley moved that the committee amendment be laid on the table.

On motion of Senator Gissberg, the rules were suspended, and Senator Freise was allowed to speak on the amendment.

## PERSONAL PRIVILEGE

Senator Dore:

"I would ask Senator Gissberg the same privilege he extended to Senator Freise, if you would make the motion, Senator."

Senator Greive:

"I will make the motion, Senator Dore."

Debate ensued.

The President stated the question before the Senate to be, it has been moved that the committee amendment be laid on the table.

Senator Greive raised a question of consideration of Senator Riley's motion to lay the committee amendment on the table.

The President stated the question before the Senate to be the question of consideration raised by Senator Greive to the motion by Senator Riley.

A division was requested.

The motion to consider Senator Riley's motion to table the committee amendment lost on a rising vote and the Senate declined to consider the motion presented by Senator Riley to table the committee amendment.

The President stated the question before the Senate to be, it has been moved that the committee amendment be adopted.

A division was requested.

The motion carried on a rising vote, and the committee amendment was adopted.

On motion of Senator Petrich, the rules were suspended, House Joint Resolution No. 6, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of House Joint Resolution No. 6, as amended by the Senate, and the resolution passed the Senate by the following vote: Yeas, 41; nays, 3; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those voting nay were: Senators Chytil, Lennart, Riley—3.

Those absent or not voting were: Senators DeGarmo, Durkan, Morgan, Papajani, Rasmussen—5.

House Joint Resolution No. 6, as amended by the Senate, having received the constitutional majority, was declared passed.

**Engrossed Substitute House Bill No. 16**, by Committee on Medicine, Dentistry and Drugs:

Placing examination of physical therapists in their examining committee.

Senate Chamber,  
Olympia, Wash., February 18, 1961.

MR. PRESIDENT:

We, your Committee on Medicine and Dentistry, to whom was referred Engrossed Substitute House Bill No. 16, placing examination of physical therapists in their examining committee, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 4, subsection (3) page 4, line 16, after "issued" insert "for a period of one year"

In section 4, subsection (d) page 4, line 23, after "registration fee." insert the following: "A person holding a probational certificate may practice physical therapy solely under the supervision of a person registered as a physical therapist under this act."

In section 4, subsection (d) page 4, line 23, after "registration fee." insert the material down to and including "committee" on line 29 and insert the following: ". Such certificate of registration shall be continued until the examining committee publishes the results of the first Washington state examination for registration held after the period for which the certificate was originally issued"

In section 10, page 7, line 28, after "licensed." insert a new sentence reading as follows:

"Nothing in this chapter shall prohibit any person who, at any time prior to January 1, 1961 was practicing any healing or manipulative art in the state of Washington and designating the same as physical therapy or physio therapy, from continuing to do so after the passage of this amendatory act: *Provided*, That no such person shall represent himself as being registered and shall not use in connection with his name the words or letters "registered" or "licensed" or "R.P.T."

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Wayne G. Angevine, John L. Cooney, David C. Cowen, Harry Elway, Jr., R. R. (Bob) Greive, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

The bill was read the second time by sections.

Senator Greive moved that the committee amendments be adopted.

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Greive yield to a question?"

Senator Greive.

"Yes, I will."

Senator Riley:

"This amendment with regard to the matter before us now, shall that mean that if somebody were practicing they would be blanketed in, but should it not properly say 'practicing with a license'?"

Senator Greive.

"Not all these people are licensed or hold degrees. As attorney of this act, we want to once and for all determine that the people in therapy will come under the act properly. For instance, I have four people licensed under licensing acts. These people are paid by short-stoppers. We want to make sure that these people are covered and yet it can be clearly spelled out to the public so that they will know when they are receiving treatment if it is a licensed therapist, or a registered therapist, in order that there is no misrepresentation. We expect, of course, from this time forward that the new classes of training will require a license and the new crop will all be licensed."

The President stated the question before the Senate to be the adoption of the committee amendments.

The motion carried, and the committee amendments were adopted.

**PERSONAL PRIVILEGE**

Senator Gissberg announced that the fine large cans of cheddar cheese being distributed were through the courtesy of the Washington State Dairy Farms, Inc.

**POINT OF INQUIRY**

Senator Kupka:

"Will Senator Gissberg yield to a question?"

Senator Gissberg.

"Yes, I will."

Senator Kupka:

"What effect do you think this will have on the dairy bill coming up on the floor shortly?"

Senator Gissberg.

"It will make it more binding!"

On motion of Senator Greive, the rules were suspended, Engrossed Substitute House Bill No. 16, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 16, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmusen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senator Talley—1.

Those absent or not voting were: Senators DeGarmo, Dore, Freise, Henry, Keefe—5.

Engrossed Substitute House Bill No. 16, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 282**, by Representatives Poff, Leland and Bozarth:

Pertaining to enforcement of rules and regulations of the state game commission.

On motion of Senator Greive, House Bill No. 282 was ordered retained on the second reading calendar for tomorrow.

**House Bill No. 17**, by Representatives Campbell, Uhlman and England:

Prescribes penalties for communicating with child for immoral purposes. The bill was read the second time by sections.

On motion of Senator Woodall, the following amendments were adopted:

In section 1, page 1, line 24, after "enticing" strike "or accosting"

In section 2, page 2, line 16, after "entices" strike ", accosts"

On motion of Senator Petrich, the rules were suspended, House Bill No. 17, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 17, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—48.

Those absent or not voting were: Senator Washington—1.

House Bill No. 17, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the second order of business.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 53; also Senate Bill No. 411, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### MOTION

At 4:45 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m. on Tuesday, February 28, 1961.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

## FIFTY-FIRST DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, February 28, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Tom Knoblauch, Color Bearer, and Susan Harris, presented the Colors.

Rev. Arthur I. Anderson, Pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"My words fly up; my thoughts remain below. Words without thoughts can never to heaven go.

"God forbid that this should be true of any one of us during these golden moments of meditation.

"May this sacred silence in this chamber just now be a moment before God for each one of us. Enable us to lay hold of life's last moment and make it our company-keeper throughout this day, that thoughts and words of great pith and moment might not lose the name of action.

"This we ask in the Name of Him who said, 'I must work the works of Him that sent me while it is day; night cometh when no man can work,' even Jesus Christ our Lord. Amen"

On motion of Senator Woodall, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESIDENT'S PRIVILEGE

The President introduced, at the request of Senator Gissberg, a group of Monroe Kiwanis Club. The group was asked to stand along with Senator Gissberg and Secretary of the Senate, Ward Bowden.

At the request of Senator DeGarmo, the President introduced thirty-six students of the Washington Junior High School in Olympia under the direction of Mr. Monroe Ware and Mrs. Peters. These eighth grade students are from the class in Social Studies. Senator DeGarmo was asked to stand with the group.

At the request of Senator DeGarmo, seventy students from the eighth grade of Michael T. Simmons School were presented, along with their teachers, Mr. Davis, Mrs. Chaney and Mr. Thompson. Senator DeGarmo was asked to stand with the group.

Also at the request of Senator DeGarmo, the President introduced twenty-five youngsters of Griffin Grade School. This group, also eighth grade students, were under the direction of Mr. Bangs.

The President complimented Senator DeGarmo on the attendance of such a splendid group of visitors here today.

**PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS****MOTION**

Senator Henry:

"Having given notice on Saturday, I now move that Rule 32 of the Senate Rules be amended by adding a new paragraph thereto to read as follows:

**AMENDMENT TO SENATE RULE 32**

"When once begun the roll call may not be interrupted for any purpose other than to move a Call of the Senate."

**PARLIAMENTARY INQUIRY**

Senator Hess:

"If this rule is adopted, would the Chair recognize a member for any motion other than to move for a Call of the Senate?"

"I specifically refer to a motion to suspend the rules for any of a number of purposes."

The President:

"The President believes that the member rising to suspend the rules will be recognized if the suspension is of enough importance."

Senator Hess:

"The reason for this parliamentary inquiry is that the Senate has been somewhat loose in this motion. If a Senator could use the right to suspend the rules for any purpose, then a roll call could be interrupted for any purpose."

The President:

"The President would be reluctant to recognize the Senators promiscuously.

"There could be occasions, for instance, when the Senate is under roll call which might unnecessarily delay the proceedings. The President also would give ample opportunity for the Senators who so desire to change their vote."

Senator Hess:

"It would be the intention of the President, then, to inquire as to the motion, and unless it would be an emergency of some nature, the President would not recognize him."

The President:

"The Senator has explained it very well."

**PRESIDENT'S PRIVILEGE**

The President:

"The President should like to respectfully remind the members of the Senate of a statement in Rule 11. The Secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called. The President believes that should apply on a roll call of a bill. The President believes this would expedite and be more orderly."

**PERSONAL PRIVILEGE**

Senator Greive:

"The only problem you have, there may come a time when someone might be in the middle of a roll call and want to vote at the end. It could be very crucial. I feel that it is going to have to remain the way it is to take care of such cases as this."

The President stated the question before the Senate to be, it has been moved that the proposed amendment to Senate Rule 32 be adopted.

The motion carried, and the amendment was adopted.

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 134, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytli.

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 127; also

Senate Bill No. 134, have compared same with the original bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytli.

**Senate Bill No. 17** (reported by Committee on Ways and Means):

Do pass as amended.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytli, Frank Connor, David C. Cowen, Dewey C. Donohue, R. R. (Bob) Greive, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, Marshall A. Neill, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

On motion of Senator Hallauer, the rules were suspended, and Senate Bill No. 17 was placed at the end of the second reading calendar for today.

**Senate Bill No. 360:**

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Medicine and Dentistry, to whom was referred Senate Bill No. 360, changing penalty provision of uniform narcotic drug act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Wayne G. Angevine, David C. Cowen, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 396:**

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 396, prescribing sheriffs' uniforms, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Dewey C. Donohue, Harry Elway, Jr., Michael J. Gallagher, Al Henry, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 424** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, John T. McCutcheon, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 460:**Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 460, extending firemen's pension benefits to fire department doctors, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Dewey C. Donohue, Harry Elway, Jr., Michael J. Gallagher, John H. Happy, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 500:**Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 500, increasing salaries of county officers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Frank W. Foley, Michael J. Gallagher, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 514:**Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 514, providing grand jury process may extend state-wide, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Martin J. Durkan, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 523:**Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred Senate Bill No. 523, providing for the protection and control of beavers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman*.VICTOR F. DEGARMO, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Fred H. Dore, Harry Elway, Jr., John Papajani, John A. Petrich, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 525:**

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred Senate Bill No. 525, prohibiting the use of poisons in the taking of wild life except in connection with rodent control, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman*.  
VICTOR F. DEGARMO, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, Harry Elway, Jr., David E. McMillan, John Papajani, John A. Petrich, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 544:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Medicine and Dentistry, to whom was referred Senate Bill No. 544, relating to the practice of nursing, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Wayne G. Angevine, David C. Cowen, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 12** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 150** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, John T. McCutcheon, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 333** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 352:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Medicine and Dentistry, to whom was referred

House Bill No. 352, repealing midwife statute, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANCES HADDON MORGAN, *Chairman.*

We concur in this report: Wayne G. Angevine, David C. Cowen, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

#### PRESIDENT'S PRIVILEGE

The President:

"At this time, at the request of the eminent Senator from Pierce County, John A. Petrich, the President would like to present a group of eighth grade students from the Holy Cross School in Tacoma. This group is present in the south gallery under the direction of Father Monahan, and accompanied by Mrs. Howard Ellefot, who is the first cousin of our distinguished Senator. Thank you for being in attendance. Would this group please stand, along with Senator Petrich, and be recognized."

(Applause.)

On motion of Senator Keefe, Senator Gissberg was excused.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

The House has passed: Substitute House Bill No. 68; also  
House Bill No. 69; also  
Engrossed House Bill No. 206; also  
House Bill No. 361; also  
House Bill No. 409; also  
House Bill No. 413; also  
House Bill No. 507; also  
Engrossed House Bill No. 513; also  
Engrossed House Bill No. 514; also  
Engrossed House Bill No. 516; also  
House Bill No. 527; also  
House Bill No. 536; also  
Engrossed House Bill No. 558; also  
House Bill No. 606; also  
House Bill No. 636, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 127, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 18 with the following amendments:

On page 2, section 1, line 14, after "election returns" and before the period insert "": *PROVIDED, That this chapter shall apply to votes cast by absentee and counted by the canvassing authority if specific request for such recount is made at the time the application is filed and the additional deposit is made as provided in section 2 of this 1961 amendatory act*"

On page 2, section 2, line 32, after "of \$.02" and before the period insert "": *and if a specific request is made for the recount of absentee ballots, then an additional deposit shall be made in a sum of money equal to the total number of such absentee ballots to be counted multiplied by the factor of \$.02*"

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Gallagher, the Senate concurred in the House amendments to Senate Bill No. 18.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 18, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Durkan, Foster, Hanna, Lennart, McCormack, Martin, Shannon—7.

Engrossed Senate Bill No. 18, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 8; also**

**Senate Bill No. 37; also**

**Senate Bill No. 51; also**

**Senate Bill No. 52; also**

**Senate Bill No. 67; also**

**Senate Bill No. 117; also**

**Senate Bill No. 127; also**

**Senate Bill No. 132; also**

**Senate Bill No. 134; also**

**Senate Bill No. 166; also**

**Senate Bill No. 194; also**

**Senate Bill No. 230; also**

**House Bill No. 148; also**

**House Bill No. 168; also**

**House Bill No. 351.**

The Senate reverted to the second order of business for the purpose of receiving standing committee reports:

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Highway Commission Appointments:

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred the appointment of E. J. Jones, of Sedro Woolley, to the Highway Personnel Board, by the State Highway Commission, for the term ending December 21, 1962, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman.*

AL HENRY, *Vice-Chairman.*

FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr.,

Frank W. Foley, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, John A. Petrich, Gordon Sandison, Don L. Talley.

Referred to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred the appointment of Thomas J. Richardson, of Spokane, to the Highway Personnel Board, by the State Highway Commission, for the term ending December 21, 1964, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman.*  
AL HENRY, *Vice-Chairman.*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, John A. Petrich, Gordon Sandison, Don L. Talley.

Referred to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred the appointment of Howard J. Thompson, of Seattle, to the Highway Personnel Board, by the State Highway Commission, for the term ending December 21, 1966, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman.*  
AL HENRY, *Vice-Chairman.*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, John A. Petrich, Edward F. Riley, Gordon Sandison, Don L. Talley.

Referred to Committee on Rules and Joint Rules.

The Senate reverted to the first order of business.

#### PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS

The Secretary read:

#### SENATE RESOLUTION

By Senator Bargreen:

WHEREAS, The residents of the state of Washington and the many friends of Russell S. (Rusty) Callow are saddened by the news of his death Thursday, February 23rd; and

WHEREAS, Russell S. (Rusty) Callow was an eminent and outstanding oarsman and rowing coach for the University of Washington; and

WHEREAS, Russell S. (Rusty) Callow's achievements and accomplishments in the field of sports elevated both the state of Washington and the University of Washington into a position of international fame and recognition, among other things, coaching the Huskies to national championships in 1923, 1924 and in 1926; and

WHEREAS, Russell S. (Rusty) Callow's later career as coach for the University of Pennsylvania and the United States Naval Academy reflected creditably upon the state of Washington and the Pacific Northwest; and

WHEREAS, Russell S. (Rusty) Callow was a man dedicated in civic, religious and charitable endeavors, and was also prominent in business in the city of Seattle and in the state of Washington; and

WHEREAS, Russell S. (Rusty) Callow has been an immortal inspiration to the people of the state of Washington in innumerable particulars;

*Now, Therefore, Be It Resolved*, By the Senate, that our sincerest sympathy and condolences are expressed to each member of the family of Russell S. (Rusty) Callow, and our assurance expressed that Russell S. (Rusty) Callow will long be remembered for his outstanding accomplishments by the people of the state of Washington; and

*Be It Further Resolved*, That a copy of this resolution be sent by the Secretary of the Senate to his wife, Dollie and to his sons, Gordon and Keith.

On motion of Senator Bargreen, the resolution was adopted.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Substitute House Bill No. 68**, by Committee on Judiciary-Criminal:

An Act relating to the payment of counsel for the accused in criminal case who by reason of poverty is unable to employ counsel; and amending section 53, chapter 249, Laws of 1909 as amended by section 1, chapter 151, Laws of 1941 and RCW 10.01.110.

Referred to Judiciary Committee.

**House Bill No. 69**, by Representatives Marsh, Litchman, Jr. and Harris (by Judicial Council request):

An Act relating to judicial conferences and study committees; and amending section 6, chapter 259, Laws of 1957 and RCW 2.56.060.

Referred to Judiciary Committee.

**Engrossed House Bill No. 206**, by Representatives Mardesich, Hawley and Braun:

An Act relating to motor vehicles; amending section 46.08.110, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.08.110; amending section 46.24.170, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.24.170; amending section 46.24.180, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.24.180; amending section 46.52.120, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.52.120; adding two new sections to chapter 46.52 RCW; and declaring an emergency.

Referred to Committee on Highways.

**House Bill No. 361**, by Representatives Cecil, Johnston and Wedekind:

An Act relating to county revenue bonds for park and recreational facilities purposes.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 409**, by Representatives Ackley, Gorton and Burns:

An Act relating to commercial waterway districts; repealing sections 1 through 51, chapter 11, Laws of 1911; repealing sections 1 through 12, chapter 46, Laws of 1913; repealing sections 1 and 2, chapter 152, Laws of 1917; repealing sections 1 through 10, chapter 38, Laws of 1923; repealing section 1, chapter 222, Laws of 1947; repealing sections 1 through 7, chapter 227, Laws of 1947; and repealing RCW 91.04.010 through 91.04.670.

Referred to Committee on Natural Resources.

**House Bill No. 413**, by Representatives Wedekind, Beck and Conner:

An Act relating to transportation on Puget Sound; amending section 46.68.100, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.68.100; amending section 47.65.110, chapter ....., Laws of 1961 (House Bill No. 3) and RCW 47.65.110; and making an appropriation.

Referred to Committee on Highways.

**House Bill No. 507**, by Representatives Wedekind, Bergh and King:

An Act relating to industrial insurance; providing coverage of certain state employees; and amending section 51.12.100, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.12.100.

Referred to Committee on Labor and Industrial Insurance.

**Engrossed House Bill No. 513**, by Representatives Andersen, Garrett and Morrissey:

An Act relating to sewer districts; providing for the association of sewer district commissioners; and adding a new section to chapter 56.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 514**, by Representatives Andersen, Garrett and Morrissey:

An Act relating to water districts; providing for the association of water district commissioners; and adding a new section to chapter 57.08 RCW.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 516**, by Representatives Garrett, Eldridge and McFadden:

Relating to municipal officers' conflict of interest.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 527**, by Representatives Olsen, Kirk and Ackley:

An Act relating to official fees of county treasurers; and adding a new section to chapter 36.29 RCW.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 536**, by Representatives Shropshire, Beierlein and Moos:

An Act relating to motor vehicles; and amending section 46.44.045, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.44.045.

Referred to Committee on Highways.

**Engrossed House Bill No. 558**, by Representatives Klein, Hood and Lewis:

An Act relating to corporations and to the transfer of shares of stock and other securities issued by corporations in joint tenancy form.

Referred to Judiciary Committee.

**House Bill No. 606**, by Representatives Conner and McFadden:

Authorizing park and recreation districts in fourth class counties.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 636**, by Representatives Olsen, Comfort and Campbell:

An Act relating to counties and funds thereof; amending section 1, chapter 14, Laws of 1933 extraordinary session as amended by section 1, chapter 94, Laws of 1935, and sections 2 and 3, chapter 14, Laws of 1933 extraordinary session and RCW 36.33.060; repealing section 36, page 314, Laws of 1890 and RCW 36.33.050; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

The Senate reverted to the fifth order of business.

The Secretary read:

## MESSAGE FROM THE HOUSE

House of Representatives  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 216 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Petrich moved that the Senate insist on its position regarding Engrossed House Bill No. 216.

## POINT OF INQUIRY

Senator Hallauer:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Hallauer:

"What is the difference of opinion with the House?"

"Does the House take the position that there should not be two judges in the Klickitat-Skamania Area?"

Senator Petrich:

"I don't think that was the question involved. It was a question as to King County, and I believe the people who raised the question were not informed as to that situation."

The motion carried, and the Senate insisted on its position regarding Engrossed House Bill No. 216.

## PRESIDENT'S PRIVILEGE

At the request of Senator Hofmeister, the President introduced a group of twenty-two students from Federal Way High School, under the direction of their teacher, Mr. Salisbury. This group was asked to stand and be recognized along with Senator Hofmeister.

(Applause.)

## SECOND READING OF BILLS

**Substitute Senate Bill No. 111**, by Judiciary Committee:

Reorganizing the justice court system.

On motion of Senator Greive, Substitute Senate Bill No. 111 was ordered made a special order of business immediately before the second reading calendar for this evening.

**Senate Bill No. 336**, by Senators Martin, Foster, Donohue and Chytil:

Enacting a milk marketing act.

On motion of Senator Greive, Senate Bill No. 336 was ordered made a special order of business to be considered at 3:00 o'clock p. m. today.

**Senate Bill No. 85**, by Senators Donohue, Moriarty, Jr. and Martin:

Authorizing county commissioners to transfer surplus public health funds to public hospital districts.

The bill was read the second time by sections.

On motion of Senator Donohue, the following amendment was adopted:

On page 1, after section 1, add a new section reading as follows:

Sec. 2. Section 3, chapter 117, Laws of 1959 and RCW 70.32.090 are each amended to read as follows:

In any county where the state director of health has certified that the proceeds of the six-tenths mill tax levy is more than adequate to provide for tuberculosis control, including hospitalization, case finding, prevention, and follow-up of known

cases of tuberculosis in the county, the board of county commissioners, after a special public hearing conducted in accordance with the procedures established for hearings on budgetary matters as delineated in RCW 36.40.060 and 36.40.070 and upon making a finding that an adequate general public health program is being carried out in the county, may budget and reappropriate such surplus funds from the six-tenths mill tax levy for the ensuing year to the country treasury for general purposes of the county, as authorized by law, *or the board in its discretion may budget, reappropriate and transfer such surplus fund to any public hospital district within the county.*

On motion of Senator Donohue, the following amendment to the title was adopted:

In line 1 of the title after "public health" and before "funds" insert "and tuberculosis control"; in line 3 of the title after "districts;" and before "adding a" strike "and"; also in line 4, after "70.12 RCW" and before the period at the end of the line insert "and amending section 3, chapter 117, Laws of 1959 and RCW 70.32.090"

On motion of Senator Donohue, the rules were suspended, Engrossed Senate Bill No. 85 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 85, and the bill passed the Senate by the following vote: Yeas, 39; nays, 2; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, Martin, Neill, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senators Chytil, Moriarty, Jr.—2.

Those absent or not voting were: Senators Bargreen, Connor, Kupka, McMillan, Morgan, Nunamaker, Rasmussen, Shannon—8.

Engrossed Senate Bill No. 85, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President introduced, at the request of Senator John N. Ryder, a group of students from Nathan Eckstein School, under the leadership of Mrs. Robert Faris, present in the south gallery. This group, along with Senator Ryder, was asked to stand.

At the request of Senator Henry, the President introduced a group of thirty students from Columbia Academy at Battle Ground. They were accompanied by their Assistant Principal, L. W. Cornforth. This group, along with Senator Henry, was asked to stand and be recognized.

(Applause.)

**Substitute Senate Bill No. 247**, by Committee on Labor and Industrial Insurance:

Prohibiting professional strikebreaking.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendments were adopted:

In section 1, page 1, line 5, after "corporation" strike the comma

In section 1, page 1, line 6, after "out" strike the comma

In section 1, page 1, beginning on line 10, after "employees in" strike "an industry in this state where a labor strike or a lockout exists" and insert "a business owned

by a person, firm or corporation involved in a labor strike or lockout, or to have such persons act as pickets of a business owned by a person, firm or corporation where a labor strike or lockout exists"

In section 2, page 1, line 15, after "of a" and before "misdemeanor" strike "gross"

On motion of Senator Bailey, the rules were suspended, Engrossed Substitute Senate Bill No. 247 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 247, and the bill passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those voting nay were: Senators Freise, Hallauer—2.

Those absent or not voting were: Senators Hanna, Kupka, Lennart—3.

Engrossed Substitute Senate Bill No. 247, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

At the request of Senator Joe Chytil, the President introduced the Civics Club group from St. Joseph School in Chehalis, accompanied by Sister Mary Loréttta. This group, present in the south gallery, was asked to stand, along with Senator Chytil, and be recognized.

At the request of Senator Morgan, the President introduced a group from Kitsap Regional Library who were present in the south gallery accompanied by Mrs. Evelyn Bowen, librarian of Bremerton. This group and Mrs. Morgan were asked to stand and be recognized.

(Applause.)

**Senate Bill No. 315**, by Senators Papajani, Bailey and Riley (by Insurance Commissioner request):

Modifying law relating to insurance rates.

On motion of Senator Greive, Senate Bill No. 315 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 419**, by Senators DeGarmo, Rasmussen, Bargreen and Elway, Jr.:

Appointing a commission to study feasibility of water canals connecting Hood Canal, Puget Sound and Grays Harbor.

The bill was read the second time by sections.

On motion of Senator Talley, the following amendment was adopted:

In section 4, page 1, line 26, after "Grays Harbor," insert "Willapa Harbor and the Columbia River"

#### POINT OF INQUIRY

Senator Kupka:

"Will Senator Talley yield to a question?"

Senator Talley:

"Yes, I will."

Senator Kupka:

"What effect will this have on the fish in Grays Harbor? Will they be able to make a complete circuit, or will they have to turn around and come back?"

Senator Talley:

"That's a good point! I will get an opinion from the Game Department as soon as possible."

On motion of Senator DeGarmo, the rules were suspended, Engrossed Senate Bill No. 419 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 419, and the bill passed the Senate by the following vote: Yeas, 34; nays, 4; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Gallagher, Gissberg, Greive, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Rasmussen, Ryder, Sandison, Shannon, Talley, Washington, Woodall—34.

Those voting nay were: Senators Foley, Freise, Neill, Riley—4.

Those absent or not voting were: Senators Durkan, Foster, Hallauer, Hanna, Happy, Keefe, Lennart, McMillan, Petrich, Raugust, Thompson, Jr.—11.

Engrossed Senate Bill No. 419, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 320**, by Representatives Bozarth, Goldmark and Moos (by Departmental request):

Modifying law relating to custom slaughtering.

On motion of Senator Dore, House Bill No. 320 was ordered to retain its place at the end of the second reading calendar for today.

**House Bill No. 282**, by Representatives Poff, Leland and Bozarth:

Pertaining to enforcement of rules and regulations of the state game commission.

The bill was read the second time by sections.

Senator Talley moved that the following amendment be adopted:

On page 2, following Sec. 3 add a new section to read as follows:

The Department of Game shall issue to any veteran sixty-five years or older with a twenty-five percent disability, having a Veterans Administration "C" number for a pension or compensation disability, granted to such veteran, a fishing license.

#### POINT OF ORDER

Senator Hess:

"My point of order is whether the amendment is germane, and whether it enlarges the scope and object of the bill."

The President:

"As the President remembers the inquiry, it was in regard to whether or not the amendment was germane to the bill. The President believes it is germane to the bill."

**POINT OF ORDER**

Senator Hallauer:

"Under Rule 62, no amendment to any bill will be allowed that will change the scope and object of the bill. I would regard this amendment as changing the scope and object of the bill."

**RULING OF THE PRESIDENT**

The President:

"The scope of the bill prescribes the enforcement of rules and regulations of the State Game Commission.

"The amendment grants a license to certain classes of citizens. The President does believe the amendment enlarges the scope and object of the bill.

"Therefore, under Rule 62, the amendment is declared out of order."

**PERSONAL PRIVILEGE**

Senator Talley:

"Mr. President, I would like to thank you for the time and deliberation that you have taken on this. I have no question that you were not sincere in arriving at your conclusions, and I am grateful to you."

The President:

"Thank you very much, Senator Talley. The President appreciates your remarks."

Senator McCutcheon moved that the following amendment be adopted:

In section 2, page 2, line 2, after "all" and before "real" insert "live spawning streams,"

Senator Cooney moved that the amendment by Senator McCutcheon be laid on the table.

Senator McCutcheon withdrew the amendment with the consent of the Senate.

On motion of Senator McCutcheon, House Bill No. 282 was ordered placed at the end of the second reading calendar for today.

**Senate Bill No. 325**, by Senators Bailey and DeGarmo:

Requiring public auction in lease of oyster lands, and allowing appeal on fixed rental value or renewal of lease.

On motion of Senator Greive, Substitute Senate Bill No. 325 was substituted for Senate Bill No. 325, and Substitute Senate Bill No. 325 was placed on the second reading calendar.

The bill was read the second time by sections.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 325 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 325, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Donohue, Dore, Hallauer, Raugust, Talley—5.

Substitute Senate Bill No. 325, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator McCutcheon, the rules were suspended and House Bill No. 282 was ordered to be considered immediately.

**House Bill No. 282**, by Representatives Poff, Leland and Bozarth:

Pertaining to enforcement of rules and regulations of the state game-commission.

The bill was read the second time by sections.

#### POINT OF INQUIRY

Senator McCutcheon:

"Does the record show that my amendment has been withdrawn, Mr. President?"

The President:

"The record shows that your amendment has been withdrawn."

On motion of Senator McCutcheon, the rules were suspended, House Bill No. 282 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 282, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Neill, Nunamaker, Papajani, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senators Foster, Lennart, Moriarty, Jr., Rasmussen—4.

Those absent or not voting were: Senators Greive, Martin, Petrich—3.

House Bill No. 282, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 147**, by Senators Rasmussen and Chytil (by Legislative Council request):

Adding administrative charge to public lands sales contracts and leases.

On motion of Senator Greive, Substitute Senate Bill No. 147 was substituted for Senate Bill No. 147, and Substitute Senate Bill No. 147 was placed on second reading.

On motion of Senator Greive, Substitute Senate Bill No. 147 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 458**, by Senators Durkan, Thompson, Jr. and Henry:

Establishing procedures for counting or rejecting voting ballots which have been challenged.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Senate Bill No. 458 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 458, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Woodall—39.

Those absent or not voting were: Senators Donohue, Elway, Jr., Foster, Greive, Hallauer, Hanna, Martin, Petrich, Talley, Washington—10.

Senate Bill No. 458, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 479**, by Senators Gallagher, Durkan and Bargreen (by Executive request):

Removing requirement that ballot must be rejected if identifying mark thereon.

The bill was read the second time by sections.

Senator Gissberg moved that the following amendment be adopted:

In section 1, page 1, line 7, beginning with "Ballots" strike all of the material down to and including the period after "voter is"] in line 8 and insert the following:

"Ballots must be rejected if:

- (1) Two are found folded together;
- (2) Marked so as to identify who the voter is: *PROVIDED, That this subsection shall not apply to absentee ballots.*"

#### POINT OF INQUIRY

Senator Ryder:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Ryder:

"I think your amendment makes this bill much better, but I am wondering how many of these marked ballots came in from absentee voters. Would you say about five percent, 10 percent, or just how many?"

Senator Gissberg:

"I don't have any knowledge of that. I can't answer the question. Senator Gallagher may be able to help out on this."

Senator Gallagher:

"While it is true that the number was not great, in the recent congressional election, at least it might have been enough to determine the outcome—forty or fifty—but it could be enough to throw the election."

The motion carried, and the amendment was adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 479 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 479, and the bill passed the Senate by the following vote: Yeas, 32; nays, 5; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Dore, Durkan, Freise, Gallagher, Gissberg, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon—32.

Those voting nay were: Senators Happy, Neill, Ryder, Thompson, Jr., Woodall—5.

Those absent or not voting were: Senators DeGarmo, Donohue, Elway, Jr., Foley, Foster, Greive, Hallauer, Hanna, McCormack, Martin, Talley, Washington—12.

Engrossed Senate Bill No. 479, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 241**, by Representatives Adams and Garrett: Amending election laws.

On motion of Senator Durkan, Engrossed House Bill No. 241 was ordered to be considered as a special order of business at 2:30 o'clock p. m. this afternoon.

**Senate Bill No. 13**, by Senators Kupka, Martin and Keefe (by Legislative Council request):

Restoring civil rights by board of prison terms and paroles.

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, Senate Bill No. 13 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 13, and the bill passed the Senate by the following vote: Yeas, 37; nays, 3; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Hanna, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—37.

Those voting nay were: Senators Happy, McMillan, Woodall—3.

Those absent or not voting were: Senators Donohue, Foley, Greive, Hallauer, Henry, Keefe, Martin, Papajani, Talley—9.

Senate Bill No. 13, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 465**, by Senators Keefe, Rasmussen and Sandison:

Preventing retired appointive officials and public employees from receiving both pensions and public salaries.

On motion of Senator Sandison, Senate Bill No. 465 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 216**, by Senators Angevine, Gallagher and Cooney:

Authorizing certain political activities by employees covered by Initiative No. 207.

On motion of Senator Angevine, Senate Bill No. 216 was ordered to be considered as a special order of business on the second reading calendar for tonight immediately following Senate Bill No. 111.

**Senate Bill No. 401**, by Senators Hofmeister, Washington and Bailey (by Highway Interim Committee request):

Regulating display of stop sign and flashing lamps on school buses.

The bill was read the second time by sections.

On motion of Senator Hofmeister, the rules were suspended, Senate Bill No. 401 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 401, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Durkan, Elway, Jr., Foster, Freise, Gallagher, Greive, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Donohue, Dore, Foley, Gissberg, Hallauer, Henry, Martin, Papajani, Riley—9.

Senate Bill No. 401, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Joint Resolution No. 11**, by Senators McCormack, McCutcheon and Elway, Jr.:

Constitutional amendment providing for change in publication of city charters.

Senate Chamber,  
Olympia, Wash., January 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Joint Resolution No. 11, constitutional amendment providing for change in publication of city charters, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 2, line 8, after "of" and before "general" insert "greatest"

JOHN T. MCCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr., Perry B. Woodall.

The resolution was read the second time in full.

On motion of Senator McCormack the committee amendment was adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed Senate Joint Resolution No. 11 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 11, and the resolution passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—40.

Those absent or not voting were: Senators Donohue, Dore, Foley, Hallauer, Henry, Martin, Papajani, Raugust, Washington—9.

Engrossed Senate Joint Resolution No. 11, having received the constitutional two-thirds majority, was declared passed.

**Senate Bill No. 345**, by Senators Petrich and Martin:

Prohibiting sales of young fowl and rabbits as toys.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Senate Bill No. 345 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### PARLIAMENTARY INQUIRY

Senator Durkan:

"I wonder if the title is broad enough to include fire crackers?"

#### POINT OF INQUIRY

Senator McCutcheon:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator McCutcheon:

"Do you have any information regarding the coloring of these young animals? Is this harmful to them?"

Senator Petrich:

"Senator, the information that I have is that the dyeing materials used is very dangerous and damaging to the skins of the animals and causes irritations and infections to these animals and fowl and they soon demise."

On motion of Senator Woodall, Senate Bill No. 345 was returned to second reading for the purpose of an amendment.

Senator Woodall:

"I move that we consider Senate Bill No. 345 immediately after Senate Bill No. 58."

The President stated the question to be that Senate Bill No. 345 be considered immediately after Senate Bill No. 58.

The motion carried, and Senate Bill No. 345 was placed on the second reading calendar immediately after Senate Bill No. 58.

**Senate Bill No. 436**, by Senators Kupka, Connor and Hess:

Authorizing cities to lease store space.

The bill was read the second time by sections.

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"Yes, I will."

Senator Rasmussen:

"In section 6 of the bill: 'notwithstanding any provisions to the contrary, no action taken by cities with respect to acquisition and disposition of off-street parking facilities is subject either to initiative or to referendum propositions subjecting such action to review by such cities' voters.' Do you think that section should be left in, Senator Kupka?"

Senator Kupka:

"Yes, that is what we are trying to correct. In Tacoma the City Council can't see eye to eye with the Planning Commission, and we are trying to accomplish this."

Senator Rasmussen:

"If there be no objection, I suggest to correct this. I will prepare an amendment striking section 6 and renumbering."

Senator Kupka:

"I object to the amendment."

On motion of Senator Kupka, Senate Bill No. 436 was ordered retained at the foot of the second reading calendar for today.

**Senate Bill No. 58**, by Senator Bargreen:

Providing assistance program for parolees and discharged prisoners.

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 58, providing assistance program for parolees and discharged prisoners, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 3, section 9, line 18, after "sum of" strike "thirty" and insert "fifteen"

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, Dewey C. Donohue, R. R. (Bob) Greive, Andy Hess, George W. Kupka, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunmaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

On motion of Senator Greive, the Senate resolved itself into a Committee of the Whole, Senator Henry in the Chair, for the purpose of considering Senate Bill No. 58.

#### COMMITTEE OF THE WHOLE

Senate Bill No. 58 was considered in the Committee of the Whole and reported back to the Senate, President Cherberg presiding, with the recommendation that it do pass.

On motion of Senator Greive, the report of the committee was adopted.

On motion of Senator Riley, the reading had in the Committee of the Whole was considered the second reading of Senate Bill No. 58.

On motion of Senator Bargreen, the committee amendment to Senate Bill No. 58, adopted in the Committee of the Whole, was adopted by the Senate.

On motion of Senator Martin, the rules were suspended, Engrossed Senate Bill No. 58 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 58, and the bill passed the Senate by the following vote: Yeas, 37; nays, 5; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—37.

Those voting nay were: Senators Chytil, Elway, Jr., Happy, Moriarty, Jr., Ryder—5.

Those absent or not voting were: Senators DeGarmo, Foster, Hallauer, Herrmann, Lennart, Papajani, Woodall—7.

Engrossed Senate Bill No. 58, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 345**, by Senators Petrich and Martin:

Prohibiting sales of young fowl and rabbits as toys.

The bill was read the second time by sections.

On motion of Senator Woodall, the following amendments were adopted:

In section 1, page 1, beginning with "baby" on line 8, strike all of the material down to and including "rabbits," on line 11.

In section 1, page 1, line 14, after "misdemeanor" strike all of the material down to and including "raising" on line 18.

#### POINT OF INQUIRY

Senator Moriarty:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"Yes, I will."

Senator Moriarty:

"In line 12, shouldn't there be an amendment to strike the word, 'such'. If I understand your amendments, that word should not be there."

Senator Woodall:

"Yes, I agree with you, that word 'such' can be taken out."

On motion of Senator Woodall, the following amendment was adopted:

In section 1, page 1, line 12, after "any" and before "baby" strike "such"

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 345 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Chytil:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Chytil:

"Senator Petrich, now if some of the poultry people have to use some medicine on the chick or fowl which would change its color, according to this, they would be guilty of a misdemeanor. Is this correct?"

Senator Petrich:

"That is not the intention. We are not talking about a medication. I don't think the law would ever be interpreted for that particular purpose."

On motion of Senator Chytil, Engrossed Senate Bill No. 345 was ordered to retain its place on the third reading calendar for tomorrow.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 10, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 313** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Dewey C. Donohue, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, W. C. Raugust, Edward F. Riley, Gordon Sandison, W. D. Shannon, Don L. Talley.

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Highways, to whom was referred Senate Bill No. 313, making mandatory chemical tests for determination of alcoholic content in blood, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman*,  
....., *Vice-Chairman*,  
....., *Vice-Chairman*.

We concur in this report: Frank Connor, John L. Cooney, Martin J. Durkan, Harry Elway, Jr., William A. Gissberg, Wilbur G. Hallauer, John A. Petrich.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 397:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 397, making Good Friday a legal holiday, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 431:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 431, providing for lower Columbia river toll bridge, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Resolution No. 19:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Joint Resolution No. 19, eliminating forty percent requirement for school elections, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Fred H. Dore, Frank W. Foley, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, John Papajani, John A. Petrich, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 15:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 15, relating to discrimination as to race, color, national origin or ancestry in the disposition of human remains and denying tax exemptions to cemeteries where practiced, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 207:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Engrossed House Bill No. 207, relating to aeronautics commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 319:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred House Bill No. 319, increasing membership of state aeronautics commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 1:10 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

**AFTERNOON SESSION**

At 2:00 o'clock p. m. the Senate was called to order by President Pro Tempore Al Henry.

The Secretary called the roll and announced to the President that all Senators were present except Senator Foley.

**SECOND READING OF BILLS**

**Senate Bill No. 17**, by Senators Kupka, Keefe and Sandison (by Legislative Council request):

Creates the charitable, education, penal and reformatory institutions account in the general fund and from such, or by sale of bonds, authorizes the financing of the correctional institution established by chapter 72.13 RCW.

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 17, creating the charitable, educational, penal and reformatory institutions account in the general fund and from such, or by sale of bonds, authorizes the financing of the correctional institution established by chapter 72.13 RCW, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Beginning on page 2, line 4, strike the whole of sections 3 through 10 and insert the following:

**NEW SECTION.** Sec. 3. For the purpose of retiring the bonds issued pursuant to chapter ....., Laws of 1961 (Senate Bill No. 481) to finance the construction of the correctional institution established by chapter 214, Laws of 1959 (chapter 72.13 RCW), there is appropriated from the charitable, educational, penal and reformatory institutions account of the general fund to the state building construction bond redemption fund created by chapter 298, Laws of 1957, the sum of seven million five hundred thousand dollars, or so much thereof as may be necessary.

Renumber Sec. 11 to read Sec. 4.

In line 3 of the title after "fund;" strike all of the matter down to and including the semicolon following "treasury" on line 8.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, David C. Cowen, Dewey C. Donohue, R. R. (Bob) Greive, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, Marshall A. Neill, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Ryder, the committee amendments were adopted.

On motion of Senator Hallauer, the committee amendment to the title was adopted.

On motion of Senator Hallauer, the rules were suspended, Engrossed Senate Bill No. 17 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 17, and the bill passed the Senate by the following vote: Yeas, 38; nays, 1; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr.—38.

Those voting nay were: Senator Chytil—1.

Those absent or not voting were: Senators Cooney, Foley, Foster, Gissberg, Happy, Lennart, Neill, Nunamaker, Washington, Woodall—10.

Engrossed Senate Bill No. 17, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special honor committee of the following Senators to escort Mr. Charles Talmadge Conover to the rostrum: Senators Connor, Henry, Woodall, Happy, Greive and Bailey.

The committee of honor escorted Mr. Conover to the rostrum.

The President:

"Members of the Senate; Ladies and Gentlemen:

"This is indeed an auspicious occasion, and we have the honor of the presence of Mr. and Mrs. Charles Talmadge Conover with us today in the Senate chamber. As you all know, Charles Talmadge Conover is not a stranger to the legislature. In fact, as a young newspaperman, he reported the last Territorial Legislature in 1887. We have a true pioneer in every sense of the word on the rostrum portrayed by this gentleman. His ancestors were among those who received the first land grants on Manhattan Island many years ago. The state of Washington and the entire Pacific Northwest benefited immensely when, in 1884, Charles Talmadge Conover came to the West Coast.

"To this eminent pioneer and newspaperman, we are all indebted. Through his efforts the state of Washington has come to be called, 'The Evergreen State.'

"It is also due to his tireless crusade with the wondrous mountain east of Olympia that it retained its name, Mount Rainier, with all due respect to the Pierce County delegation.

"As a newspaperman, civic leader, and business man, Mr. Conover has watched the city of Seattle increase from 20,000 people to 557,000 people in a span of seventy-seven years, during which time he has always put the progress of the state of Washington and the betterment of its citizens above all. His eloquent pen still thrills and encourages readers throughout the Pacific Northwest and his articles are a living tribute to his superiority as a historian.

"I now present to you an outstanding citizen and his wife, Mr. and Mrs. Charles Talmadge Conover.

"Mr. Conover is a man of true modesty. Mr. Conover would like very much to speak to the members of the Senate, but has requested that the President get him out of it, and the President will surely do that.

"Would the committee of honor please escort Mr. and Mrs. Conover from the rostrum."

The committee of honor escorted Mr. and Mrs. Conover from the rostrum to the State reception room.

(Applause.)

#### MOTIONS

On motion of Senator Ryder, a group of women from King County were granted the use of the Senate Hearing Room for one-half hour on Saturday morning at 10:15 a. m.

On motion of Senator McCormack, Engrossed Senate Joint Resolution No. 11 was immediately transmitted to the House.

**House Bill No. 320**, by Representatives Bozarth, Goldmark and Moos (by Departmental request):

Modifying law relating to custom slaughtering.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 320 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

On motion of Senator Morgan, the rules were suspended and House Bill No. 320 was returned to second reading for the purpose of an amendment.

Senator Rasmussen moved that the following amendment be adopted:

On page 3, following section 4, add 12 sections as follows:

**NEW SECTION.** Sec. 5. There is added to chapter 101, Laws of 1959 and chapter 16.50 RCW nine new sections to read as set forth in sections 6 through 14 of this act.

**NEW SECTION.** Sec. 6. The legislature of the state of Washington finds that the use of humane methods in the slaughter of livestock prevents needless suffering, results in safer and better working conditions for persons engaged in the slaughtering industry, brings about improvement of products and economy in slaughtering operations, and produces other benefits for producers, processors and consumers which tend to expedite the orderly flow of livestock and their products.

It is therefore declared to be the policy of the state of Washington that all slaughter of livestock and all handling of livestock in connection with slaughter must be carried out by humane methods only, and that all methods of slaughter must conform generally to those authorized by the federal humane slaughter act of 1958 and regulations thereunder.

**NEW SECTION.** Sec. 7. For the purpose of sections 8 through 14 of this act:

(1) "Department" means the department of agriculture of the state of Washington.  
 (2) "Director" means the director of the department or his duly appointed representative.

(3) "Person" means a natural person, individual, firm, partnership, corporation, company, society and association and every officer, agent or employee thereof. This term imports both the singular and plural, as applicable.

(4) "Slaughterer" means any person regularly engaged in the commercial or custom slaughtering of livestock in a permanent establishment.

(5) "Livestock" means cattle, calves, sheep, swine, horses, mules and goats.

(6) "Packer" means any person engaged in the business of slaughtering, of manufacturing or preparing meat or meat products for sale, either by such person or others, or of manufacturing or preparing livestock products for sale by such person or others.

(7) "Humane method" means either:

(a) a method whereby the animal is rendered insensible to pain by mechanical, electrical, chemical or other rapid and effective means before being shackled, hoisted, thrown, cast or cut; or

(b) a method in accordance with ritual requirements of the Jewish faith or of any religious faith whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

**NEW SECTION.** Sec. 8. No slaughterer or packer may bleed or slaughter any livestock except by a humane method: *Provided*, That the director may by administrative order exempt from compliance with sections 6 through 14 of this act for a period of not to exceed one year after the effective date of this act any slaughterer or packer if he finds that an earlier compliance may cause such person an undue hardship.

**NEW SECTION.** Sec. 9. The director must administer the provisions of sections 6 through 14 of this act. He must adopt, and may from time to time revise, rules which conform substantially to the rules and regulations promulgated by the secretary of agriculture of the United States pursuant to the federal humane slaughter act of 1958 (public law 85-765, 72 stat. 862) and any amendments thereto. Such rules must be adopted in accordance with the procedure of the provisions of chapter 34.04 RCW (as enacted or hereafter amended concerning the adoption of rules).

**NEW SECTION.** Sec. 10. The use of a manually operated hammer, sledge or pole axe is declared to be an inhumane method of slaughter within the meaning of sections 6 through 14 of this act.

**NEW SECTION.** Sec. 11. The director may bring an action to enjoin the violation of any provisions of sections 6 through 14 of this act or of any rule adopted pursuant to sections 6 through 14 of this act in the superior court in the county in which such violation occurs or is about to occur, notwithstanding the existence of any other remedies at law.

**NEW SECTION.** Sec. 12. The provisions of sections 6 through 14 of this act are cumulative and nonexclusive and do not affect any other remedy.

**NEW SECTION.** Sec. 13. The enactment of sections 6 through 14 of this act does not have the effect of terminating or in any way modifying any liability, civil or criminal, which is already in existence on the effective date of sections 6 through 14 of this act.

**NEW SECTION.** Sec. 14. Any person violating the provisions of sections 6 through 14 of this act or rules adopted hereunder is guilty of a misdemeanor for the first offense, and guilty of a gross misdemeanor for any subsequent offense: *Provided*, That any offense committed more than five years after a previous conviction may be treated as a first offense.

**NEW SECTION.** Sec. 15. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Sec. 16. Sections 1 through 7, chapter 101, Laws of 1959 and RCW 16.50.010, 16.50.020, 16.50.030, 16.50.040, 16.50.050, 16.50.060 and 16.50.070 are each repealed.

**NEW SECTION.** Sec. 17. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing institutions and takes effect immediately.

#### POINT OF ORDER

Senator Hallauer:

"Mr. President, under Senate Rule 62, I think the scope and object of this bill is being enlarged by scalping this measure, the 'Humane Slaughter Act'."

Senator Greive:

"Until this amendment is read in full . . . (interruption)."

Senator Woodall:

"I move that the rules be suspended and the Secretary read the last line of the amendment."

A division was requested.

The motion carried on a rising vote.

The Secretary read the last line of the amendment.

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Woodall:

"Would you give to us now the number of the bill that you are taking this legislation out of so that we can all follow it in our books?"

Senator Rasmussen moved that the amendment be adopted.

#### POINT OF ORDER

Senator Hallauer:

"Speaking further to the point of order raised, Mr. President, the title of the bill, 'An Act relating to meat inspection; providing penalties; making an exemption; and adding four new sections to chapter 204; Laws of 1959 and chapter 16.49 RCW, 'The question, I think, is whether the amendment to House Bill No. 320 is germane."

#### POINT OF ORDER

Senator Rasmussen:

"Speaking to the point of order, I think that you will find if you read the amendment this is not the same as the bill you have before you. The bill as it was proposed, was not in accordance with the specifications that these Rabbis attached to the bill. The real question here is what is the content of the bill. Does the content of the bill enlarge the scope of the bill? It is a decision that has to be decided by reading the bill, reading the title and deciding upon the merits of the bill."

Senator Morgan:

"We feel that this amendment is definitely germane because it relates to slaughter and the other bill also relates to slaughter, and this is just humane slaughter."

#### POINT OF ORDER

Senator Hallauer:

"I believe the merits of the bill are not the question. We are talking on the point of order."

#### RULING OF THE PRESIDENT

The President:

"Would you please confine your remarks to the point of order; to wit: that it is not germane."

#### POINT OF ORDER

Senator Riley:

"Couldn't the slaughtering be done at local wholesale slaughter-houses where a farmer slaughtered only for his own use? It seems to me that this certainly does widen the scope and object of the bill."

#### POINT OF INQUIRY

Senator Freise:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Freise:

"You stated that the bill was passed at the last session of the legislature and merely hasn't been enforced. Now, why do we have this bill again if it was passed at the last session of the legislature? Was this bill vetoed?"

Senator Rasmussen:

"No one has mentioned that this bill was vetoed. It is simply because Joe Dwyer used his authority and said he wouldn't enforce it."

Senator Greive:

"Mr. President, would it be your desire if the presiding officer should read the two bills and then decide?"

The President:

"The President appreciates your suggestion. Because of the great text of the bills involved, he believes that this is a matter that requires considerable study and would not like to give a ruling immediately."

#### MOTION

On motion of Senator Greive, the matter was made a special order of business to be considered first on the second reading calendar for tomorrow.

#### PARLIAMENTARY INQUIRY

Senator Woodall:

"This motion would keep the bill on the calendar?"

#### RULING OF THE PRESIDENT

The President:

"This motion would keep the bill on the calendar on second reading."

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the President declared the special order of business to be consideration of Engrossed House Bill No. 241, on second reading.

**Engrossed House Bill No. 241**, by Representatives Adams and Garrett:  
Amending election laws.

The bill was read the second time by sections.

On motion of Senator Hess, the following amendment was adopted:

On page 10 of the engrossed bill, same being page 9 of the printed bill, add a new section after section 22, reading as follows:

**NEW SECTION.** Sec. 23. There is added to chapter 28.57 RCW a new section to read as follows:

The qualified electors residing within a joint school district shall vote on the office of school director of their district and on the office of county board of education of the county to which the district belongs, even though they reside outside that county.

Whenever a joint school district lies partially within either a class AA or class A county and a county of lower class and the jurisdiction of the election rests with the clerk of such district, the elections (whether general or special), shall be handled in the following manner:

(1) There shall be at least one polling place in each county.

(2) At least twenty days prior to the elections concerned, the county auditor of such class AA or class A county shall certify in writing to the clerk of the school district the number and location of the polling places established by him for such regular or special elections together with the number of ballots needed for such polling places. Upon receipt of such certification, the clerk of the school district shall furnish the required number of ballots no later than the fifth day prior to said elections.

It is the intention of this section that the qualified electors of a joint school district shall vote for school directors of their district and members of the county board of education concerned with their school district and shall not be forced to go to different polling places on the same day when other elections are being held.

On motion of Senator Hess, the following amendment to the title was adopted:

In line 17 of the title of the engrossed bill, being line 16 of the title of the printed bill as amended, after "RCW 29.30.120" and before the period, insert "; and adding a new section to chapter 28.57 RCW"

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 241, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 241, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Connor, Hallauer, Herrmann, Keefe, Kupka, Talley—6.

Engrossed House Bill No. 241, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President announced, at the request of Senator Thompson, the presence of a group of Lake Washington High School students. Present also with this group was their Counselor, Robert Lundquist, Sr. This group, sponsored by Kirkland Kiwanis Club was asked to stand, along with Senator Thompson, to be recognized.

(Applause.)

The President announced, at the request of the worthy Senator from King County, the presence in the gallery today of Jeanne Dofelmier of Blanchet High School, who was presented an award this morning by the Governor. Jeanne won the annual scholarship contest of the James Shields General Assembly of the Knights of Columbus of Seattle essay contest on the subject of the meaning and purpose of the First Amendment. Contestants were from the Catholic High Schools in the Seattle area. Of the seven finalists, five were from Blanchet High, one from Seattle Prep, and one from Holy Names Academy. The first place winner was Jeanne Dofelmier of Blanchet, winning a \$500.00 college scholarship to the school of her choice.

(Applause.)

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the President declared the special order of business to be consideration of Senate Bill No. 336 on second reading.

Senators Martin, Hofmeister and Greive demanded a Call of the Senate. A Call of the Senate was ordered.

## CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Kupka.

On motion of Senator Greive, Senator Kupka was excused.

On motion of Senator Greive, the Senate proceeded with business under the Call of the Senate.

## SECOND READING OF BILLS

**Senate Bill No. 336**, by Senators Martin, Foster, Donohue and Chytil:  
Enacting a milk marketing act.

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 336, enacting a milk marketing act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 10, page 5, line 2, after "created." insert the following:

"Such board shall be created upon the directors determination that it is necessary to carry out the provisions of section 29 of this act."

In section 10, page 5, line 9, strike all of subsection 2 and insert the following:

"(2) Three milk dealers to be selected from existing representative marketing areas of the state, one such milk dealer member shall represent an agricultural cooperative association which markets milk produced by its members and others as provided under chapter 24.32 RCW, one shall be a producer dealer and one an independent milk dealer; and"

In section 15, page 8, line 9, after "(j)" insert a new subsection reading as follows:

"(k) Determine by rule, what portion of any increase in the demand for fluid milk subject to a stabilization and marketing plan providing for quotas shall be assigned new producers or existing producers who because of their established quotas are not able to maintain efficient economic units."

In section 29, page 14, line 8, strike all of new section 29 and insert the following:

**NEW SECTION. Sec. 29.** The director, either upon his own motion or upon the application of producers or milk dealers, may provide for a public hearing, subject to the notice requirements of section 25 of this act, for the purpose of determining whether unfair trade practices exist in any marketing area, and whether such unfair trade practices will, or will tend to, demoralize and disrupt the orderly marketing of milk in such marketing areas. If he finds, following such hearing, that such practices do exist in such marketing area, the director with the advice and consent of the board, may immediately establish such minimum retail prices to be paid in such area as will best protect the milk industry and insure a sufficient quantity of pure and wholesome milk in the public interest. The director, with the advice and consent of the board, may establish such minimum retail prices for a period of not more than ninety days at any one time. The director, with the advice and consent of the board, may reestablish minimum retail prices in any such area; however, such minimum retail prices shall not be reestablished within thirty days after the termination date of any prior retail price order in such area. The director shall take into consideration all conditions affecting the milk industry, including the prices necessary to produce a reasonable return to the producer and milk dealer. The director, with the advice and consent of the board, may invoke the authority of this section regardless of whether a stabilization and marketing plan is in effect under state law in such area or whether a milk marketing order is in effect in such area under federal law: *Provided*, That in establishing such minimum retail prices, the director, with the advice and consent of the board, shall establish prices providing for reasonable differentials for different methods of distribution, including, but not limited to, drive-ins, super markets and home delivery.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Fred J. Martin, W. C. Raugust, Perry B. Woodall.

The bill was read the second time by sections.

Senator Freise moved that the following amendment to the committee amendment be adopted:

In section 29, page 14, line 1 of the committee amendment, strike "either upon his own motion or"

On motion of Senator Hofmeister, the amendment by Senator Freise was laid on the table.

Senator Martin moved that the committee amendments be adopted.

On motion of Senator Freise, the following amendment to the committee amendments was adopted:

In line 3 of the committee amendment to section 29, line 3, before "provide" strike "may" and insert "shall"

On motion of Senator Hess, the following amendments to the committee amendments were adopted:

In line 10 of the committee amendment to section 29, after "consent of" and before "the board," insert "two-thirds of the members of"

In line 15 of the committee amendment to section 29, after "of" and before "the board," insert "two-thirds of the members of"

In line 17 of the committee amendment to section 29, after "consent of" and before "the board," insert "two-thirds of the members of"

In line 25 of the committee amendment after "consent" and before "the board," strike "to" and insert "of two-thirds of the members of"

In line 31 of the committee amendment after "of" and before "the board," insert "two-thirds of the members of"

#### POINT OF INQUIRY

Senator Martin:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Martin:

"Under your amendment, as it reads now, the director may provide for a public hearing. What is your understanding of this bill now? How many milk producers would have to make application—one, or sixty-five percent?"

Senator Freise:

"I don't think the bill provides for a number. No minimum number is required."

On motion of Senator Martin, the committee amendments as amended were adopted.

On motion of Senator Hess, the following amendments were adopted:

In section 10, page 5, line 14, before "members" strike "three" and insert "four"

In section 10, page 5, line 25, after "years" and before the period insert ", and the fourth consumer member for a term of one year"

On motion of Senator Lennart, the following amendment was adopted:

In section 15, subsection (f), page 7, line 17, after "sold," and before "subject" insert the following: "except when an alternate plan of pooling agreed upon between producers, producer groups, and handlers consistent with and in compliance with this act and regulations adopted hereunder, has been filed with and approved by the director,"

In section 15, subsection (h), page 7, line 32, after "pools" and before "or" insert "and/"

In section 15, subsection (h), page 8, line 2, after "pools" and before "or" insert "and/"

On motion of Senator Martin, the following amendment was adopted:

In section 49, page 22, lines 21 and 22, after "misdemeanor" and before the period insert ": *Provided*, That this section shall not apply to retail purchasers who purchase milk for domestic consumption"

On motion of Senator Martin, the rules were suspended, Engrossed Senate Bill No. 336 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Extensive debate ensued.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 336, and the bill passed the Senate by the following vote: Yeas, 37; nays, 12; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gissberg, Hanna, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Petrich, Rasmussen, Raugust, Sandison, Shannon, Talley, Washington Woodall—37.

Those voting nay were: Senators Cowen, Freise, Gallagher, Greive, Hallauer, Happy, Keefe, Moriarty, Jr., Papajani, Riley, Ryder, Thompson, Jr.—12.

Engrossed Senate Bill No. 336, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 416:

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 416, modifying boundary lines of Clark and Cowlitz counties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Herbert H. Freise, H. B. Hanna, Louis E. Hofmeister, Mike McCormack, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 494:

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Financial Institutions, to whom was referred Senate Bill No. 494, modifying law relating to investment of pension funds in certain securities by cities and towns, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

KARL V. HERRMANN, *Chairman*

We concur in this report: Frank Connor, John L. Cooney, George W. Kupka, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 545** (reported by Committee on Insurance):

Do pass as amended.

JOHN PAPAJANI, *Chairman.*

We concur in this report: Joe Chytil, John L. Cooney, Martin J. Durkan, John H. Happy, Karl V. Herrmann, John A. Petrich, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 24** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 37** (reported by Committee on State Government, Military Affairs and Civil Defense):

Do pass as amended.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 70:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 70, relating to the filing of conditional sales contracts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 260:**

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Insurance, to whom was referred House Bill No. 260, relating to disability insurance policies and to payment of licensed chiropractors and podiatrists, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN PAPAJANI, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Karl V. Herrmann, John A. Petrich.

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Insurance, to whom was referred House Bill No. 260, relating to disability insurance policies and to payment of licensed chiropractors and podiatrists, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

I concur in this report: John H. Happy.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 261** (reported by Committee on Commerce, Manufacturing and Licenses):

Do pass as amended.

GEORGE W. KUPKA, *Chairman*!

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 296:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 296, amending law relating to bonds for motor vehicle dealer's licenses, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 338:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 338, consenting to suits against state in tort actions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, F. Stuart Foster, Herbert H. Freise, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 339:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 339, relating to selection of jurors, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, F. Stuart Foster, Herbert H. Freise, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 538:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Medicine and Dentistry, to whom was referred Engrossed House Bill No. 538, relating to medical examining board, licensing, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Wayne G. Angevine, John L. Cooney, David C. Cowen, Harry Elway, Jr., R. R. (Bob) Greive, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 6:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred House Joint Memorial No. 6, requesting Congress to keep USS Missouri stationed at Puget Sound Naval Ship Yard, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Resolution No. 26:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred House Joint Resolution No. 26, relating to the centennial of Port Angeles, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 4:10 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

**EVENING SESSION**

At 8:00 o'clock p. m. the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Cooney and Keefe.

The Secretary read:

**MESSAGE FROM THE HOUSE****HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 114 with the following amendment:

On page 1, section 1, beginning on line 20, after the period following "public necessity" strike the remainder of the section, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Gissberg, the Senate concurred in the House amendment to Senate Bill No. 114.

The Secretary called the roll on the final passage of Senate Bill No. 114, as amended by the House, and the Bill passed the Senate by the following vote: Yeas, 36; nays, 4; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Papajani, Petrich, Rasmussen, Riley, Sandison, Shannon, Thompson, Jr., Washington—36.

Those voting nay were: Senators McCutcheon, Neill, Raugust, Ryder—4.

Those absent or not voting were: Senators Connor, Cooney, Elway, Jr., Hallauer, Happy, Keefe, Nunamaker, Talley, Woodall—9.

Senate Bill No. 114, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 18.**

#### PARLIAMENTARY INQUIRY

Senator Hess:

"In the event that Notice to Reconsider was to be given on the passage of Senate Bill No. 114, would it be in order to reconsider it on the following day, or would it have to be reconsidered immediately?"

The President:

"The President will check with the Secretary as to the present status of the bill."

#### RULING OF THE PRESIDENT

The President:

"Reconsideration would be in order any time notice is given by a member who voted on the prevailing side, provided notice is given on the day the action to be reconsidered was taken."

Senator Hess:

"Would it be in order for such reconsideration to be taken at the end of the calendar for tonight?"

#### RULING OF THE PRESIDENT

The President:

"The President believes that you could reconsider at that time."

Senator Gallagher:

"Quoting from Rule 31, 'a motion to reconsider shall have precedence over any motion except a motion to adjourn; and when the Senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting. On and after the fiftieth day of the session a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.'

"Mr. President, I think your ruling is entirely in order."

**NOTICE OF RECONSIDERATION**

Senator Hess:

"Having voted on the prevailing side, I hereby give notice that I will during this evening's session ask that the vote be reconsidered by which Senate Bill No. 114 passed the Senate today."

**POINT OF ORDER**

Senator Woodall:

"I would like to either have it done by agreement or else to give notice that I shall amend the rules providing that messages regarding Senate bills passed by the House with amendments be given publicity. These matters are running concurrently. We are desperately trying to grab our books and see the effect of House amendments upon the bill, and I don't think I am the slowest member of the body, but to see what effect it has upon a bill does take some study.

"I would suggest that until we get to the closing hours of the session that these messages be printed and made available at our desks so that we will know exactly what effect these House amendments make upon our bills."

The President:

"Notice received."

**PERSONAL PRIVILEGE**

Senator Hess:

"I wish to join Senator Woodall in this request that some system be worked out whereby the members may be notified in writing in advance of the bills coming back from the other body for concurrence or difference. We just passed a law that makes every fire department much more liable. I don't know if this is so, but I think I would have enjoyed a prior notice and I think we would all have been more informed upon what we were voting on, if we had."

**SPECIAL ORDER OF BUSINESS**

The time having arrived, the President declared the special order of business to be consideration of Substitute Senate Bill No. 111, set for 8:00 o'clock p. m. this evening.

**SECOND READING OF BILLS**

**Substitute Senate Bill No. 111**, by Judiciary Committee:  
Reorganizing the justice court system.

The bill was read the second time by sections.

**POINT OF INQUIRY**

Senator Nunamaker:

"Will Senator Dore yield to a question?"

Senator Dore:

"Yes, I will."

Senator Nunamaker:

"Just what salary do these justices receive now?"

Senator Dore:

"Some receive as high as \$23,000 to \$25,000; and some receive \$2.00. It just depends upon how popular they are with the State Patrol, and in what district they are situated."

Senators Freise, DeGarmo and Petrich demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the door of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

The President instructed the Sergeant-at-Arms to lock the elevators, draw the curtains, and not permit anyone to enter or leave the chamber, and clear the lobby of all unauthorized personnel.

Senator Raugust moved that the following amendment be adopted:

In section 2, page 2, line 30 after "court" strike the period and insert "": *Provided*, That this act shall apply to counties having a population in excess of fifteen thousand persons."

#### POINT OF INQUIRY

Senator Durkan:

"Does Senator Raugust's amendment say 'only', or 'to'?"

The Secretary read the amendment.

Senator Durkan:

"It would appear, Senator Raugust, that your amendment is meaningless because it does not apply. You don't limit it to those mentioned."

Senator Raugust:

"My attorney drafted this and if it is incorrect he made an error."

On motion of Senator Dore, the rules were suspended and Senator Raugust was allowed to orally insert the word "only" between the words "apply" and "to".

#### POINT OF INQUIRY

Senator Dore:

"Will Senator Raugust yield to a question?"

Senator Raugust:

"Yes, I will."

Senator Dore:

"One of your counties is Wahkiakum. Wahkiakum has one justice. Looking on page 4 of the bill, chapter 2, section 11, there are three justices of the peace allowed."

Senator McMillan:

"I would like to move that an amendment be added to Senator Raugust's amendment. It will be an oral amendment. I will move that Senator Raugust's amendment be amended to the figure of '40,000' instead of '15,000'."

#### POINT OF INQUIRY

Senator Dore:

"If a lower number is defeated, is it in order to give a higher number, or is it true that you can only go lower?"

Senator Greive:

"Once we defeat 40,000, according to Reed's, you can only go downward, and not upward."

The President stated the question before the Senate to be the oral amendment proposed by Senator McMillan to the amendment by Senator Raugust.

#### PARLIAMENTARY INQUIRY

Senator Henry:

"I also represent a number of these smaller counties, but I also was the author of the J. P. bill to remove the fee system in 1951. My point of inquiry is this. If Senator McMillan's amendment prevails, I would like to know just how we are going to get out of this mess."

The President stated the question before the Senate to be, it has been moved that the amendment proposed by Senator McMillan be adopted.

Senator Neill moved that the amendments as presented shall be taken up in order, section by section, as they refer to each section of the bill.

The President stated the question before the Senate to be the adoption of the motion by Senator Neill.

The motion carried.

#### POINT OF INQUIRY

Senator Lennart:

"Would it be too presumptuous to inquire how long it will be to get the amendments in order?"

The President:

"The President wishes to advise Senator Lennart that the amendment proposed by Senator McCutcheon will take its place after those proposed by the others."

#### POINT OF INQUIRY

Senator Happy:

"Would it be in order to move to postpone to some certain time on this?"

The President:

"The Secretary has put these amendments in order in proper continuity, and we are ready to consider the first amendment."

Senator Gallagher:

"I would like to move that action on Substitute Senate Bill No. 111 be deferred until a special order of business at 11:30 a. m. tomorrow, and that the Secretary be asked to mimeograph a copy of all the amendments before him so the members could have them on their desks at that time."

Debate ensued.

The motion carried and Substitute Senate Bill No. 111 was ordered made a special order of business for 11:30 a. m. tomorrow, at which time the Secretary would have mimeographed copies of all amendments on each Senator's desk.

#### PRESIDENT'S PRIVILEGE

The President:

"The President should like to advise the members of the Senate that it will be a Herculean task to prepare, inasmuch as one amendment at least is fourteen pages long."

#### PARLIAMENTARY INQUIRY

Senator Rasmussen:

"Could the Secretary advise you if the time is too short in which to prepare this?"

The President:

"The Secretary is a very capable young man and has already advised the President that the job will be prepared in good time."

Senator Rasmussen:

"Congratulate the young man!"

The President:

"Congratulations, young man!"

#### MOTION

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

**Senate Bill No. 216**, by Senators Angevine, Gallagher and Cooney:

Authorizing certain political activities by employees covered by Initiative No. 207.

The bill was read the second time by sections.

Senator Woodall moved that the following amendment be adopted:

On page 1, line 5 after "of 1961" strike the remainder of the section and insert "is hereby repealed."

On motion of Senator Nunamaker, the amendment proposed by Senator Woodall was laid on the table.

Senator Angevine moved that the rules be suspended, Senate Bill No. 216 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Senator Woodall demanded a roll call, which was sustained by Senators Shannon, Raugust, Woodall, Neill, Lennart, Ryder, Freise, Moriarty, Jr. and Chytil.

The Secretary called the roll on the motion to advance Senate Bill No. 216 to third reading and final passage, and the motion failed by the following vote: Yeas, 18; nays, 31; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, DeGarmo, Donohue, Dore, Greive, Hallauer, Hanna, Hofmeister, Kupka, McCormack, McCutcheon, Morgan, Nunamaker, Papajani, Washington—18.

Those voting nay were: Senators Bargreen, Chytil, Cowen, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Lennart, McMillan, Martin, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—31.

Passed to Committee on Rules and Joint Rules for third reading.

**Senate Bill No. 436**, by Senators Kupka, Connor and Hess:

Authorizing cities to lease store space.

The bill was read the second time by sections.

Senator Rasmussen moved that the following amendment be adopted:

In section 2, page 1, line 19 after "sale of" strike the words "revenue, *general fund and*"

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Talley yield to a question?"

Senator Talley:

"Yes, I will."

Senator Rasmussen:

"I am not as well versed on city funds as you are. Could you tell me if it is possible that general obligation bonds could be issued with an inside levy?"

Senator Talley:

"That's what I am wondering. It seems that this bill is a passable scheme with an inside levy. You might ask Senator Connor regarding a levy."

Senator Rasmussen:

"It is possible to issue general obligation bonds bought out of an inside levy. Money on the levy is available. And that is just what I think is wrong in setting this up."

**POINT OF INQUIRY**

Senator Nunamaker:

"Will Senator Talley yield to a question?"

Senator Talley:

"Yes, I will."

Senator Nunamaker:

"Do you think that the revenue from an inside levy can be used for the payment of bonds?"

Senator Talley:

"I think Senator Henry has been faced with that problem. I think he could answer it better than I."

Debate ensued.

Senator Gallagher moved that the Senate do now dispense with the Call of the Senate.

A division was requested.

The motion lost on a rising vote, and the Senate did not dispense with the Call of the Senate.

On motion of Senator Talley the amendment proposed by Senator Rasmussen was laid on the table.

Senator Rasmussen moved that the following amendment be adopted:

In section 1, page 2, lines 6 and 7 after "or by" strike the words "issuing general fund bonds and"

Debate ensued.

Senator Elway moved that the amendment proposed by Senator Rasmussen be laid on the table.

The motion carried.

Senator Kupka moved that the following amendment be adopted:

In section 6, page 2, line 30, after "voters" and before the period insert " , unless financing of such facilities is provided in whole or in part by general obligation bond financing"

**POINT OF INQUIRY**

Senator Elway:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"Yes, I will."

Senator Elway:

"I question the intent of your amendment. Is it the intent that you would disallow free surplus from part of the revenue to apply to construction, or must it all be applied?"

Senator Kupka:

"If you will read section 6, it rules out any provision of referendum. What I am doing is putting it back in there. If they are general obligation bonds, you have the use of the referendum."

Senator Talley:

"Are you saying that part of the parking facilities must be financed by general obligation bonds?"

Senator Kupka:

"If you will read section 6, Notwithstanding any charter provisions to the contrary, no action taken by cities with respect to acquisition and disposition of

off-street parking facilities is subject either to initiative or to referendum propositions subjecting such action to review by such cities' voters.' The amendment would give them the right to use general obligation bonds."

Senator Washington:

"If there are general obligation bonds, doesn't it mean that there would have to be a vote of the people in order to have the general obligation bonds in the first place?"

Senator Kupka:

"In answer to Senator Washington, if you will read section 6, it outlaws any action by referendum and the amendment would provide that should general obligation bonds be used, they would have a right to action by referendum."

Senator Washington:

"In this case there would be no need for a referendum, because you can't issue general obligation bonds in the city without having a vote of the people, so they would have already had to approve it."

The President stated the question to be the adoption of the amendment proposed by Senator Kupka.

The motion carried, and the amendment was adopted.

On motion of Senator Talley, the rules were suspended, Engrossed Senate Bill No. 436 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 436, and the bill passed the Senate by the following vote: Yeas, 42; nays, 7; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senators Cowen, Durkan, Foster, Hallauer, Moriarty, Jr., Riley, Ryder—7.

Engrossed Senate Bill No. 436, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

### THIRD READING OF BILLS

**Senate Concurrent Resolution No. 9**, by Senators Hallauer, Foley and Neill:

Requiring legislative council to study pension and retirement plans for state and local public officials.

On motion of Senator Hallauer, Senate Concurrent Resolution No. 9 was returned to second reading for the purpose of an amendment.

On motion of Senator Hess, the following amendment was adopted:

On page 1, line 22, after "limited to" strike all of the material down to and including "legislation." on line 25 and insert the following:

(a) Actuarial reports and valuations, projections of cost, comparison of benefits, elimination of overlapping, together with recommendations or suggested alternatives and their potential actuarial impact, all of which shall be obtained by contract with an independent, qualified actuarial firm; and

(b) Such other or supplemental information, including employment statistics, salary levels, departmental recommendations, and related material which will assist the legislature in developing a state policy in regard to retirement programs.

On motion of Senator Hallauer, the rules were suspended; Engrossed Senate Concurrent Resolution No. 9 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 9 and the resolution passed the Senate by the following vote: Yeas, 48; nays, 1; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—48.

Those voting nay were: Senator Gissberg—1.

Engrossed Senate Concurrent Resolution No. 9, having received the constitutional majority, was declared passed.

**Engrossed Senate Bill No. 229**, by Senators Riley and Shannon:

Enforcing of judgments, execution sales, and redemption of property.

The bill was read the third time by sections.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 229, and the bill passed the Senate by the following vote: Yeas, 34; nays, 15; absent or not voting, 0.

Those voting yea were: Senators Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Hanna, Happy, Henry, Hofmeister, Keefe, Kupka, Lennart, McMillan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—34.

Those voting nay were: Senators Angevine, Bargreen, Dore, Durkan, Greive, Hallauer, Herrmann, Hess, Knoblauch, McCormack, McCutcheon, Martin, Morgan, Papajani, Talley—15.

Engrossed Senate Bill No. 229, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 345**, by Senators Petrich and Martin:

Prohibiting sales of young fowl and rabbits as toys.

The bill was read the third time by sections.

The Secretary called the roll on the final passage of Senate Bill No. 345, and the bill passed the Senate by the following vote: Yeas, 43; nays, 6; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senators Gallagher, Greive, Hallauer, McCormack, Nunamaker, Riley—6.

Senate Bill No. 345, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 18; also

Senate Joint Resolution No. 11, have compared same with the original bill and resolution and find them correctly engrossed. MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Engrossed Senate Bill No. 18, have compared same with the engrossed bill and find it correctly enrolled. MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### Senate Bill No. 15:

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 15, relating to standards for grades of apples, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, Ernest W. Lennart, Mike McCormack, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Bill No. 427:

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 427, providing for the development, regulation, and utilization of sources of ionizing radiation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

#### Substitute Senate Bill No. 455:

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Rules and Joint Rules, to whom was referred Substitute Senate Bill No. 455, relating to Sunday a. m. liquor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to Committee on Liquor Control.

JOHN A. CHERBERG, *Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, John L. Cooney, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, John H. Happy, Louis E. Hofmeister, James E. Keefe, Reuben A. Knoblauch, Edward F. Riley, William D. Shannon.

On motion of Senator Greive, the report of the committee was adopted and Substitute Senate Bill No. 455 was referred to the Committee on Liquor Control.

**Senate Bill No. 557** (reported by Committee on Natural Resources):  
Do pass as amended.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 55:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 55, changing procedure of appointing superior court judges upon claim of prejudice, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, F. Stuart Foster, R. R. (Bob) Greive, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

#### MOTION

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

The Secretary read:

#### MESSAGE FROM THE HOUSE HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 206 with the following amendments:

On page 9, section 4, beginning on line 20, after the period following "specified" strike the remainder of the section.

Beginning on page 14, strike all of section 8.

In line 13 of the title, after the semicolon following "32.20.270" and before "amending" insert "and"; and in line 14 of the title, after "RCW 32.20.275" insert a period and strike the remainder of the title, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Greive, the Senate concurred in the House amendment to Engrossed Senate Bill No. 206.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 206, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon,

McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Gissberg, Hallauer, Martin, Talley—4.

Engrossed Senate Bill No. 206, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

The House has passed: House Joint Resolution No. 39, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

The House has passed House Bill No. 72, as amended by the Senate, except the amendment to page 1, section 1, line 20, from which the Senate has receded.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 468, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### SIGNED BY THE PRESIDENT

**The President signed: House Bill No. 468.**

#### MOTION

At 10:20 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m. on Wednesday, March 1, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FIFTY-SECOND DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, March 1, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Tom Knoblauch, Color Bearer, and Rita Cooney, presented the Colors.

Reverend Arthur I. Anderson, Pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Lord, teach us to pray.

"Let the privilege of prayer be not just an incident in our lives, not merely a formality at the beginning of another legislative session; but a continued source of growing power and victory throughout this day and the days of our years until we stand in Thy presence in that day in which there is no sunset and no dawn.

"May we think and speak and act as seeing Thee who art now invisible, and as those who must then give an account to Thee of their stewardship.

"In the Name of the Father and of the Son and of the Holy Ghost. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESIDENT'S PRIVILEGE

The President:

"At the request of the Honorable Senator Victor F. DeGarmo from Thurston County, the President should like to present to the Senate a group of seventy-five students from Tenino High School. This prominent group of young citizens are accompanied by their teachers, Mr. Dwain Parker, Mr. Richard Brock and Mrs. Thompson. Would this group please stand together with Senator DeGarmo."

(Applause.)

The President:

"At the request of the worthy Senator, Honorable Charles P. Moriarty, Jr., the President is happy to have the opportunity to present a group of seventy-five members of the PTA from the Thirty-sixth District, Queen Anne Hill, the garden spot of the state of Washington. Would these attractive guests please stand with Senator Moriarty, in order that you may be properly recognized."

(Applause.)

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 520** (reported by Committee on Liquor Control):

Do pass as amended.

FRANK CONNOR, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Michael J. Gallagher, Al Henry, Louis E. Hofmeister, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 531:**

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Senate Bill No. 531, relating to intoxicating liquor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANK CONNOR, *Chairman.*

We concur in this report: John L. Cooney, Victor F. DeGarmo, Martin J. Durkan, Herbert H. Freise, Al Henry, Louis E. Hofmeister, James E. Keefe, George W. Kupka, W. C. Raugust, Edward F. Riley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 469:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred House Bill No. 469, relating to sale of lands by the department of game, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman,*  
VICTOR F. DEGARMO, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Fred H. Dore, Karl V. Herrmann, David E. McMillan, Fred J. Martin, John Papajani, John A. Petrich, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Substitute House Bill No. 30; also House Bill No. 82; also Substitute House Bill No. 109; also Engrossed House Bill No. 111; also House Bill No. 184; also Substitute House Bill No. 198; also Substitute House Bill No. 199; also Re-Engrossed House Bill No. 270; also Engrossed House Bill No. 316; also Substitute House Bill No. 389; also House Bill No. 396; also House Bill No. 443; also Engrossed House Bill No. 446; also House Bill No. 499; also Engrossed House Bill No. 519; also House Bill No. 521; also Engrossed House Bill No. 557; also Engrossed House Bill No. 598; also House Bill No. 661; also Engrossed House Bill No. 673, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Engrossed Substitute House Bill No. 30**, by Committee on State Resources, Forestry and Lands:

An Act enlarging the powers of counties to control flood waters; authorizing counties to create flood control zone districts; vesting such flood control zone districts with all the powers available to counties to control flood waters; authorizing the levy, assessment and collection of taxes and the issuing of bonds; and declaring an emergency.

Referred to Committee on Natural Resources.

**House Bill No. 82**, by Representatives Taylor, Goldmark and Adams (by Legislative Council request):

An Act relating to the prosecution for crimes committed without the state of confinement of persons confined to penal institutions; and adopting the uniform mandatory disposition of detainers act, and declaring an emergency.

Referred to Judiciary Committee.

**Substitute House Bill No. 109**, by Committee on State Resources, Forestry and Lands:

An Act relating to public lands.

Referred to Committee on Natural Resources.

**Engrossed House Bill No. 111**, by Representatives King, Bernethy and Anderson:

An Act relating to industrial insurance; providing payments to pensioners of certain amounts in addition to pensions now payable thereunder; amending section 51.32.070, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.32.070; repealing section 51.32.071, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.32.071; and declaring an effective date.

Referred to Committee on Labor and Industrial Insurance.

**House Bill No. 184**, by Representatives Moos, Wedekind and Garrett:

An Act relating to cities and counties; authorizing agreements for construction and maintenance of city streets by counties; and adding a new section to chapter 36.75 RCW.

Referred to Committee on Highways.

**Substitute House Bill No. 198**, by Committee on Highways:

An Act relating to regulation of outdoor advertising upon lands adjacent to certain state highways; providing for the establishment of scenic areas; authorizing adoption of regulations and execution of agreements with federal government relating thereto; providing for the issuance of permits and collection of fees therefor; defining a public nuisance and authorizing abatement thereof; defining crimes and providing penalties for violation thereof; authorizing a study and report to the legislature and declaring an emergency.

Referred to Committee on Highways.

**Substitute House Bill No. 199**, by Committee on Medicine, Dentistry and Drugs:

An Act relating to licensed practical nurses and adding a new section to chapter 222, Laws of 1949 and to chapter 18.78 RCW.

Referred to Committee on Medicine and Dentistry.

**Re-Engrossed House Bill No. 270**, by Representatives Brink, Testu and Wintler (by Executive request):

An Act relating to public assistance; and providing for an advisory council on aging and prescribing powers and duties in relation thereto.

Referred to Committee on Social Security.

**Engrossed House Bill No. 316**, by Representatives Kink, Shropshire and Marsh (by Departmental request):

An Act relating to the Washington public service commission; and amending section 81.80.070, chapter ....., Laws of 1961 (House Bill No. 5), and RCW 81.80.070; amending section 81.80.318, chapter ....., Laws of 1961 (House Bill No. 5), and RCW 81.80.318; and providing penalties.

Referred to Committee on Public Utilities.

**Substitute House Bill No. 389**, by Committee on Agriculture and Livestock:

An Act relating to agricultural commodities and products thereof; providing for assessments; and providing penalties.

Referred to Committee on Agriculture and Horticulture.

**House Bill No. 396**, by Representatives Beck, Conner and Evans:

An Act relating to motor vehicles and the operation thereof upon toll facilities; providing penalties for evasion of tolls and improper operation of a vehicle within toll areas; and declaring an emergency.

Referred to Committee on Highways.

**House Bill No. 443**, by Representatives Avey and McElroy:

An Act relating to classification of counties by population; and amending section 1, chapter 136, Laws of 1901 as last amended by section 1, chapter 22, Laws of 1953 and RCW 36.13.010.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 446**, by Representatives Day, McCormick and Perry:

An Act relating to certain duties of employers toward employees; adding a new section to chapter 49.48 RCW; and providing a penalty.

Referred to Committee on Labor and Industrial Insurance.

**House Bill No. 499**, by Representatives Ritner, Wedekind and Shropshire:

An Act relating to meals furnished employees of restaurants and commercial eating places; and amending section 33, chapter 35, Laws of 1945, as last amended by section 2, chapter 8, Laws of 1953, first extraordinary session, and RCW 50.04.320; and section 82.04.040, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 82.04.040.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 519**, by Representatives Gleason, O'Connell, Testu, Brink, Smith, Beierlein, Chatalas, Epton, Hurley, May, Nicholson, McFadden, King and Anderson (by Executive request):

An Act relating to the distribution of federal surplus food; adding a new section to chapter 26, Laws of 1959 and to chapter 74.04 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Social Security.

**House Bill No. 521**, by Representatives Hurley and Gleason:

An Act relating to public assistance and providing a work relief program; and adding six new sections to chapter 26, Laws of 1959 and chapter 74.04 RCW; and declaring an emergency.

Referred to Committee on Social Security.

**Engrossed House Bill No. 557**, by Representatives Leland and Braun:

An Act relating to cities and towns; and providing for the disposition of certain real property acquired for park purposes.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 598**, by Representatives Evans, Brink and Pritchard:

An Act relating to municipally owned transit systems and certain improvements thereto; and providing for the creation of local improvement districts by cities and towns and the levying and collection of special assessments upon property therein to defray the costs of such improvements.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 661**, by Representatives Kink, Mardesich and Bergh:

An Act relating to food fish and shellfish; and adding a new section to chapter 12, Laws of 1955 and to chapter 75.08 RCW.

Referred to Committee on Fisheries, Game and Game Fish.

**Engrossed House Bill No. 673**, by Representative Brink:

An Act relating to public assistance; and providing certain eligibility requirements in relation thereto; and providing for negotiations for an interstate compact.

Referred to Committee on Social Security.

**House Joint Resolution No. 39**, by Representatives Ritner, Conner and McFadden:

Naming fish hatchery for late Representative George N. Adams.

Referred to Committee on Fisheries, Game and Game Fish.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

**REPORTS OF STANDING COMMITTEE**

**Substitute Senate Bill No. 455:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Substitute Senate Bill No. 455, relating to the sales of liquor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Second Substitute Senate Bill No. 455 be substituted for Substitute Senate Bill No. 455 and that the Second Substitute Bill do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: Howard Bargreen, John L. Cooney, Victor F. DeGarmo, Martin J. Durkan, Michael J. Gallagher, John H. Happy, Al Henry, Louis E. Hofmeister, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani, Edward F. Riley.

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Liquor Control, to whom was referred Second Substitute Senate Bill No. 455, relating to the sales of liquor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass. ...., *Chairman*.

We concur in this report: Herbert H. Freise, W. C. Raugust.

Senator Greive moved that the majority committee report be adopted, and that Second Substitute Senate Bill No. 455 be substituted for Substitute Senate Bill No. 455.

Senator Lennart moved that Second Substitute Senate Bill No. 455 be indefinitely postponed.

**POINT OF ORDER**

Senator Gallagher:

"What is before the Senate?"

The President:

"A motion to indefinitely postpone Second Substitute Senate Bill No. 455."

Senator Gallagher:

"Is it my understanding that this bill was sent to Rules?"

The President stated that the bill was before the Senate.

**RULING OF THE PRESIDENT**

The President:

"Ladies, you are the invited guests of the members of the Senate. The members of the Senate and the President are delighted to have you here with us today. We hope you are enjoying the legislative processes. Certainly, you will agree that your demonstration doesn't add anything in particular to the Senate proceedings.

"If there is any further demonstration, the President in compliance with the Senate Rules will clear the gallery and the President would dislike doing that. Thank you very much."

Senator Lennart demanded the previous question which was sustained by Senators Knoblauch, Greive and Keefe.

Senators Keefe, Greive and DeGarmo demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate chamber, cleared the lobby and locked the elevators.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The President stated the question before the Senate to be, it has been moved that the Second Substitute Senate Bill No. 455 be indefinitely postponed.

Senator Gallagher moved that the motion by Senator Lennart be laid on the table.

Senator Lennart demanded a roll call, which was sustained by Senators Bailey, Lennart, Morgan, Bargreen, Gissberg, Dore, Rasmussen, McCutcheon, Shannon, Raugust and Chytil.

The motion carried, and the demand for a roll call was sustained.

The President stated the question before the Senate to be, it has been moved that the motion by Senator Lennart be laid on the table.

The Secretary called the roll, and the motion by Senator Lennart was laid on the table by the following vote: Yeas, 27; nays, 22; absent or not voting, 0.

Those voting yea were: Senators Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Foster, Gallagher, Greive, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Nunamaker, Papajani, Riley, Sandison, Talley, Thompson, Jr., Woodall—27.

Those voting nay were: Senators Angevine, Chytil, Cowen, Donohue, Foley, Freise, Gissberg, Hallauer, Herrmann, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Ryder, Shannon, Washington—22.

Senator Lennart moved that further action on Second Substitute Senate Bill No. 455 be deferred until a copy of the bill be printed and placed on each senator's desk.

#### PERSONAL PRIVILEGE

Senator Lennart:

"I believe in all fairness to everyone we should take a look at this before voting on it."

Senator Gallagher raised a question of consideration on the motion presented by Senator Lennart.

Senator Woodall:

"I rise to speak in support of this motion. I think we should see the bill printed before either passing or postponing."

#### POINT OF INQUIRY

Senator Gallagher:

"Mr. President, it is my understanding that this bill would now go to the Rules Committee. Is this correct?"

#### RULING OF THE PRESIDENT

The President:

"That is correct unless there is a motion that carries otherwise, the bill would go to the Committee on Rules and Joint Rules, the committee of which you are a member."

#### POINT OF INQUIRY

Senator Gissberg:

"I assumed that since Senator Lennart's motion was laid on the table that you will strike your gavel and rule for the disposal of the bill."

The President:

"The President believes that Senator Lennart's motion precludes such a ruling."

Debate ensued.

#### POINT OF ORDER

Senator Durkan:

"Senator Rasmussen, I don't believe that you are speaking on the motion."

#### RULING OF THE PRESIDENT

The President:

"Senator Durkan, upon the point of order, your point is well taken. Senator Rasmussen, please confine your remarks to the motion to delay consideration of Senate Bill 455 until a copy is placed on each senator's desk."

#### MOTION

Senator Greive moved to amend the motion by changing the wording "printed" to read "mimeographed", and that it shall be placed upon the members' desks as soon as the Secretary can have it mimeographed, and that the bill be passed to the Rules Committee.

Debate ensued.

The President stated the question before the Senate to be, it has been moved that further action on Second Substitute Senate Bill No. 455 be deferred until a mimeographed copy of the bill was placed on each senator's desk, and that the bill be passed to Rules and Joint Rules Committee for second reading.

The motion carried.

The Senate reverted to the first order of business for the purpose of a resolution.

The Secretary read:

#### SENATE RESOLUTION

By Senators McMillan, Herrmann, Cooney, Morgan, Papajani and Sandison:

WHEREAS, There appears to be a lack of uniformity in the civil and criminal laws of this state and those of the federal government relating to the conduct of Indian affairs; and

WHEREAS, The consequences of imposing like criminal and civil jurisdiction of the state to Indians as upon other citizens of the state (excluding aliens) seems never to have been thoroughly studied by any agency of this state; and

WHEREAS, There appears to be a definite lack of reliable information available to the members of this Legislature relative to the Indian tribal units within this state and their economical and sociological contribution as an ethnic unit of the state; and

WHEREAS, No agency of the state has made a concerted effort to consult with and obtain opinions of tribal chiefs or members of the various tribes as to the foreseeable consequences of exchanging federal jurisdiction for state jurisdiction, more particularly in the criminal field of law;

Now, Therefore, Be It Resolved, By the Senate that the legislative council is requested to study the condition of Indian affairs in this state with respect to those fields as enumerated in this resolution, including in such study such personal exchanges with leaders of the larger tribal units as is possible, and report its findings with any corrective legislation necessary to the next regularly convening legislature, but not later than the third Monday in January 1963;

And Be It Further Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to the legislative council.

Senator McMillan moved that the resolution be adopted.

Debate ensued.

#### POINT OF INQUIRY

Senator Woodall:

"Does this resolution merely recommend a council study, or does it command?"

Senator McMillan:

"The resolution requests a study."

#### MOTION

On motion of Senator Hess, the resolution was ordered retained until the first order of business tomorrow, and it was ordered that mimeographed copies of the resolution be placed on each senator's desk.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, Senators Riley, Hallauer and Foley were excused.

#### SECOND READING OF BILLS

**House Bill No. 320**, by Representatives Bozarth, Goldmark and Moos (by Departmental request):

Modifying law relating to custom slaughtering.

The bill was read the second time by sections.

An amendment pending by Senator Rasmussen was withdrawn.

## POINT OF INQUIRY

Senator Woodall:

"I thought that was the esteemed Senator Morgan's amendment."

The President:

"The amendment was presented by Senator Rasmussen, Senator Woodall."

On motion of Senator Donohue, the rules were suspended, House Bill No. 320 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 320, and the bill passed the Senate by the following vote: Yeas, 38; nays, 2; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Sandison, Shannon, Thompson, Jr., Woodall—38.

Those voting nay were: Senators Elway, Jr., Foster—2.

Those absent or not voting were: Senators Cowen, Hanna, Hofmeister, Kupka, McMillan, Riley, Ryder, Talley, Washington—9.

House Bill No. 320, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as title of the act.

**Senate Bill No. 315**, by Senators Papajani, Bailey and Riley (by Insurance Commissioner request):

Modifying law relating to insurance rates.

The bill was read the second time by sections.

On motion of Senator Papajani, the following amendment was adopted:

In section 2, page 2, line 33, strike the misspelled word "employees" and insert "employs"

Senator Papajani moved that the rules be suspended, Engrossed Senate Bill No. 315 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A division was requested.

The motion lost on a rising vote.

Passed to Committee on Rules and Joint Rules for third reading.

**Substitute Senate Bill No. 147**, by Committee on State Government, Military Affairs and Civil Defense:

Creating resource management cost account in general fund.

Senator Hess moved that Substitute Senate Bill No. 147 be placed at the end of the second reading calendar for today.

## POINT OF INQUIRY

Senator Greive:

"What is the reason for this, Senator Hess?"

Senator Hess:

"Several of us have had this bill under discussion and we are trying to determine if twenty percent is a reasonable figure, and would like to determine if the procedure

of taking money from school funds is a wise approach to take. My original motion was to be to refer the bill to the Committee on Education. I would like that opportunity."

Debate ensued.

The motion carried and Substitute Senate Bill No. 147 was placed at the end of the second reading calendar for today.

**Senate Bill No. 465**, by Senators Keefe, Rasmussen and Sandison:

Preventing retired appointive officials and public employees from receiving both pensions and public salaries.

The bill was read the second time by sections.

On motion of Senator Keefe, the following amendment was adopted:

In section 1, page 1, line 6, after "contractual" and before "by" insert a comma and after "by" strike ", including but not limited to,"

On motion of Senator Hess, the following amendment was adopted:

On page 5, after section 5, insert a new section reading as follows:

**NEW SECTION.** Sec. 6. Sections 3, 4, and 5 of this act shall not apply to any person retired from public employment before the effective date of this act who on the effective date of this act holds any office, position, or employment with the state, or any agency or political subdivision thereof, or any county, city, town, or municipality.

Renumber the remaining sections consecutively.

#### POINT OF INQUIRY

Senator McCutcheon:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator McCutcheon:

"Why do you make the distinction of these men who are on the payroll now and those who will be affected in the future if this bill passes?"

Senator Hess:

"I think, Senator McCutcheon, that there are several reasons. I don't think many of us want to disrupt conditions as they are now. On the other hand, many of the pensions now are quite small and I think it should be quite different in the future for someone who may want to go back to work."

Senator Hallauer moved that the following amendment be adopted:

In section 1, page 1, lines 8 and 9, after the word "municipalities" insert a period and strike the wording "but shall not include elective officers."

Debate ensued.

The President stated the question before the Senate to be, the adoption of the amendment proposed by Senator Hallauer.

A division was requested and the motion lost on a rising vote. The amendment was not adopted.

#### POINT OF INQUIRY

Senator Washington:

"I wish to ask someone the question as to the position of the bill now, in view of the amendments which were adopted. I want to make specific inquiry regarding this because of one member of the House of Representatives. I understand that Representative A. E. Edwards became retired when he was defeated, and I wonder what particular effect this bill would have on him, with this type of amendment."

Senator Hallauer:

"Under the bill he would be still eligible because he would still be able to serve as a legislator in view of the fact that the salary is only one thousand two hundred dollars, and he would be allowed one thousand eight hundred dollars under this bill."

On motion of Senator Rasmussen, the rules were suspended, Engrossed Senate Bill No. 465 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 465, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 5.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Thompson, Jr., Woodall—40.

Those voting nay were: Senators Dore, Durkan, Hallauer, Riley—4.

Those absent or not voting were: Senators Angevine, Martin, Papajani, Talley, Washington—5.

Engrossed Senate Bill No. 465, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 72**, by Senators Dore, Petrich and Neill:

Enacting a uniform commercial code.

On motion of Senator Greive, Senate Bill No. 72 was ordered to retain its place on the second reading calendar for tomorrow.

#### PERSONAL PRIVILEGE

Senator Cowen:

"Lieutenant Governor Cherberg, Members of the Senate:

"In the south gallery are fifteen men and one woman from the country of Israel who are here in the Seattle area to purchase three 707 Boeing Jets. These men are guests of our government and the Boeing Aircraft factory and they represent fifteen political parties in the country of Israel.

"Some of these members have lost many relatives—fathers, mothers, brothers and sisters—in Buchenwald, Dachau and the Belsen concentration camps in Germany. A few of these men have fought against Hitler.

"As you all know, the country of Israel is a beautiful land that has been converted into an agricultural state. Every man in the country of Israel is working to make that country one of the greatest nations on the face of the globe. I believe you all know and have heard of the wonderful opportunities these people have been given in this land since their persecution by Hitler. This is one of the finest groups that has visited the Washington State Senate this session.

"I welcome them to our legislature to see our proceedings and see the way in which we make laws and how we operate. I sincerely hope that you will give them your wonderful acclamation. Will the group please stand and be recognized."

(Applause.)

#### PRESIDENT'S PRIVILEGES

The President:

"Members of the Senate, we have present today in the south gallery a group of attractive and lovely ladies from Seattle, accompanied by Mrs. John Cherberg. Would this group please stand, along with all the Senators from King County."

(Applause.)

The President:

"At the request of two very eminent and respected Senators from Pierce County, the President should like to announce the presence in the south gallery of eighty-five students from Jerry Meeker Junior High School in Tacoma, accompanied by Mr. Haugen, Mrs. Brownell and Mr. Livingston. Would this group please stand and be recognized, along with Senators Knoblauch and Kupka."

(Applause.)

The President:

"At the request of the worthy and respected Senator from King County, Martin J. Durkan of Issaquah, the President should like to announce the presence of a group of high school seniors in the south gallery. Would this group please stand with Senator Durkan."

(Applause.)

**Senate Bill No. 321**, by Senators Rasmussen, Riley, Shannon, DeGarmo and Cowen (by Departmental request):

Department of general administration to handle purchases, rental and leases of certain real property for state agencies.

On motion of Senator DeGarmo, Senate Bill No. 321 was placed on the calendar immediately following Engrossed House Bill No. 22.

#### PERSONAL PRIVILEGE

Senator DeGarmo:

"I understand it is against Senate policy to place literature of any kind on the senators' desks, but I do have on my desk copies of a brief prepared on Senate Bill No. 321. With the permission of the Senate, I would like to distribute these."

Permission was granted, and the briefs were distributed.

**House Bill No. 244**, by Representatives Adams and McFadden:

**Authorizing** the direction by written instrument of the use for medical purposes of human remains or parts thereof.

The bill was read the second time by sections.

On motion of Senator Morgan, the rules were suspended, House Bill No. 244 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 244, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Shannon, Talley, Thompson, Jr., Woodall—42.

Those absent or not voting were: Senators Hofmeister, Keefe, Martin, Raugust, Ryder, Sandison, Washington—7.

House Bill No. 244, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

The President announced, at the request of Senator Shannon, the presence in the south gallery of a group of sixty students from St. Nicholas School in Seattle, under the leadership of Mrs. Frank Hiscock. Senator Shannon was asked to stand with this group.

At the request of Senator DeGarmo, the President announced the presence of Mayor of Olympia Neil McKay accompanied by a group of Thurston County business and industrial men. This group was asked to stand along with Senator DeGarmo.

**SPECIAL ORDER OF BUSINESS**

The time having arrived, the President declared the special order of business to be consideration of Substitute Senate Bill No. 111, which had been set for 11:30 o'clock a. m. today.

**SECOND READING**

**Substitute Senate Bill No. 111**, by Judiciary Committee:

Reorganizing the justice court system.

The bill was read the second time by sections.

The Secretary read the following pending amendment by Senator Raugust:

In section 2, page 2, line 30, after "court" strike the period and insert ": *Provided*, That this act shall apply only to counties having a population in excess of fifteen thousand persons."

Senator McMillan moved that the following amendment to the amendment by Senator Raugust be adopted:

Strike the figures "15,000" and insert the figures "40,000"

Senators Dore, Petrich and Gissberg demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The President stated the question before the Senate to be, the adoption of the amendment by Senator McMillan to the amendment by Senator Raugust.

Debate ensued.

Senator Dore demanded a roll call, which was not sustained.

Debate ensued.

Senators Hofmeister, Nunamaker and Greive demanded the previous question.

The President (President Pro Tempore Al Henry in the Chair) stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

Senator Dore demanded a roll call, which was sustained by Senators Connor, Dore, Petrich, Bailey, Chytil, Martin, Morgan, Greive and Hofmeister.

The Secretary called the roll, and the amendment by Senator McMillan to the amendment was not adopted by the following vote: Yeas, 23; nays, 26; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Elway, Jr., Foster, Gallagher, Hallauer, Henry, Hofmeister, McCormack, McCutcheon, McMillan, Morgan, Neill, Rasmussen, Raugust, Sandison, Shannon, Woodall—23.

Those voting nay were: Senators Connor, Cowen, Dore, Durkan, Foley, Freise, Gissberg, Greive, Hanna, Happy, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, Martin, Moriarty, Jr., Nunamaker, Papajani, Petrich, Riley, Ryder, Talley, Thompson, Jr., Washington—26.

The President stated the question before the Senate to be, the adoption of the amendment by Senator Raugust.

Extensive debate ensued.

Senators Hanna, Bailey and Greive demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

Senator Dore demanded a roll call, which was sustained by Senators McCutcheon, Moriarty, Jr., Petrich, DeGarmo, Freise, Connor, Bailey and Herrmann.

The President stated the question before the Senate to be, the adoption of the amendment by Senator Raugust.

The Secretary called the roll, and the amendment by Senator Raugust was not adopted by the following vote: Yeas, 13; nays, 36; absent or not voting, 0.

Those voting yea were: Senators Bargreen, Chytil, Foster, Gallagher, Hallauer, Hofmeister, McCutcheon, McMillan, Morgan, Rasmussen, Raugust, Shannon, Woodall—13.

Those voting nay were: Senators Angevine, Bailey, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington—36.

On motion of Senator Woodall, the following amendment was adopted:

In section 2, page 2, line 30, after "court" and before the period insert "except as provided in chapter 5 of this act"

#### PRESIDENT'S PRIVILEGE

At the request of Senator Robert C. Bailey, the President introduced a group of seniors of South Bend High School in the south gallery, under the leadership of Superintendent Gareth Giles and Dewey Doe.

(Applause.)

Senator Petrich moved that the following amendment be adopted:

In new section 11, page 4, beginning on line 26, after "Asotin," and before "; Benton" strike "two" and insert "one"; also on line 27 after "Columbia," and before "; Cowlitz" strike "two" and insert "one"; also on lines 29 and 30 after "Kitsap," and before "; Kittitas" strike "three" and insert "four"; also on line 32 after "San Juan," and before "; Skagit" strike "two" and insert "one"

Senator Rasmussen moved that the following amendment to Senator Petrich's amendment be adopted:

Strike "Pierce 8" and insert "Pierce 6"

## POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Rasmussen:

"Senator, where in the bill does it provide for part-time justices?"

Senator Petrich:

"Senator Rasmussen, the question of full-time or part-time justices depends upon what type of district and what the population is. Where there is 40,000 population, then it is a full-time justice.

"There are a total number of justices who will be employed in the respective counties. I would presume that the total population would be considered. For instance, my district has a population of less than 40,000; therefore, I would assume that it would not have a full-time justice."

The President stated the question before the Senate to be, the adoption of the amendment by Senator Rasmussen to the amendment by Senator Petrich.

A division was requested and the motion lost on a rising vote. The amendment to the amendment was not adopted.

## POINT OF INQUIRY

Senator McCutcheon:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator McCutcheon:

"I notice a number of various districts and counties, in looking over the amendment to the bill, where there appear to be discrepancies. I notice that Pend Oreille county has two justices and Stevens, one. Pend Oreille has a population of less than one-half of Stevens County. On what basis did you make the allocations?"

Senator Petrich:

"The allotments were made, and I recommended them, on the basis of an inquiry sent out to the counties. Apparently, the people from that district did not specify. This is not based solely upon a population basis. Some of the counties have a peculiar geographical problem because of distance involved, lack of roads, etc. In that instance, it might be two part-time justices, rather than a full-time justice on lower salary."

## POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Rasmussen:

"In order that I may be clearer on this, I am asking this question. In my area, and I know in the Lakewood area and in Senator McCutcheon's district in Steilacoom, they are very much interested in maintaining a Justice of the Peace. In those districts do you assume they are going to set up special judicial areas? What is the number allowed for Pierce County?"

Senator Petrich:

"Twenty to twenty-five active ones.

"It is true that this bill provides for the total number of justices that will act

in these counties, and I would assume that Pierce County would set up the proper number for the accommodation of the different areas."

Senator Petrich withdrew his first amendment with the permission of the Senate.

Senator Petrich moved that the following amendment be adopted:

In section 11, page 4, beginning on line 26, after "Asotin," and before "; Benton" strike "two" and insert "one"; also on line 27 after "Columbia," and before "; Cowlitz" strike "two" and insert "one"; also on lines 29 and 30 after "Kitsap," and before "; Kittitas" strike "three" and insert "four"; also on line 32 after "San Juan," and before "; Skagit" strike "two" and insert "one"; also on lines 32 and 33 after "Snohomish," and before "; Spokane" strike "eight" and insert "six"

Senator Woodall moved that the following amendment be adopted:

In section 11, page 5, line 1, after "Yakima," strike "nine" and insert "seven"

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Woodall:

"Senator Freise, can you give me the names of the county commissioners who received the questionnaires?"

Senator Freise:

"I can't give you the names, but they were sent to all the county commissioners."

With permission of the Senate, the President stated the question before the Senate to be: first, the adoption of the amendment by Senator Woodall.

The motion carried and the amendment by Senator Woodall was adopted.

The President stated the question before the Senate to be, the adoption of the amendment by Senator Petrich.

The motion carried, and the amendment was adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President:

"At this time, the President should like to request the following Senators to act as an escort of honor to present the distinguished Mayor of Olympia, Neil McKay, to the rostrum: Senators DeGarmo, Hanna and Happy."

Mayor McKay was escorted to the rostrum.

The President:

"At this time I would like to ask our distinguished guest and friend and old colleague of mine in the National Guard, Neil McKay, to say a few words to us. I think Mayor McKay can still get into his uniform, I can't!"

Mayor McKay:

"Mr. President, Ladies and Gentlemen of the Senate and Friends:

"On behalf of the Board of County Commissioners of Thurston County, the mayors of all the cities and towns of Thurston County, I present you greetings and our very best wishes for a very successful session.

"Living as close as we do to the place where you gentlemen and ladies come every two years to hold your session, we are not unaware of the fact that you are extremely busy—especially at this stage of your session.

"We know we can't take much of your time, and don't propose to. We just want

to bring you greetings, wish you well, and let you know you are welcome to come back again. Come frequently; come annually!

"Thank you very much for the honor of allowing us to be present today. Thank you very much."

(Applause.)

#### PERSONAL PRIVILEGE

Senator Knoblauch:

"This last summer I had the pleasure of making a trip to New Mexico with General McKay, and he is a real fine traveling companion and extremely fair, and I can see how he was elected Mayor of the city of Olympia."

#### PERSONAL PRIVILEGE

Senator DeGarmo:

"I would like to call on the Sergeant-at-Arms to wait upon me to do honors and furnish the cigars in honor of our guest, Mayor McKay. I am sure the members appreciate having him visit us today."

The President:

"I am sure there would be no objection to that."

On motion of Senator Freise, the following amendment was adopted:

In section 11, page 5, line 1, after "Walla Walla," strike "four" and insert "three"

On motion of Senator Rasmussen, the following amendment was adopted:

In section 13, page 5, line 26, after "greater than" strike "ten thousand" and insert "eight thousand"

On motion of Senator Freise, the following amendment was adopted:

In section 13, page 5, line 31, strike the period and add "but such justice shall not use the office or supplies furnished by the judicial district for his private business but shall maintain a separate office for his private business."

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Woodall:

"Does Yakima contemplate that there will be stenographic or clerical help furnished to these part-time justices?"

Senator Freise:

"It is my understanding that the clerks will be furnished upon approval of the county commissioners."

Senator Woodall:

"My question was whether or not we would need an amendment stating that the justice of the peace could not use a clerk or stenographic help for his own private use. My feeling is that the county should not pay for a clerk used for a justice's own private business."

#### PRESIDENT'S PRIVILEGE

The President introduced a group of women present from the City Club of Seattle, and asked the Senators from Seattle to stand and be recognized along with the ladies. The President thanked the ladies for being present.

(Applause.)

**MOTION FOR RECONSIDERATION**

Senator Woodall:

"Having voted on the prevailing side, I move that the Senate do now reconsider the vote by which the amendment by Senator Freise was adopted."

The motion carried.

On motion of Senator Woodall, the following amendment to the amendment by Senator Freise was adopted:

Following "business" in the last line of the amendment to section 13, page 5, line 31, strike the period and add the following: "nor shall he use the services of any clerk or secretary paid for by the county for his private business."

On motion of Senator Freise, the amendment, as amended, was adopted.

Senator Rasmussen moved that the following amendment be adopted:

In section 15, page 6, lines 28 and 29, strike lines 28 and 29 and re-letter the subsections.

Senator Gallagher moved that Substitute Senate Bill No. 111 be referred to the Judiciary Committee.

Senators Greive, Nunamaker and Riley demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

Senator Dore demanded a roll call and the demand was sustained by Senators Moriarty, Jr., Petrich, DeGarmo, Freise, Nunamaker, Dore, Connor, Greive, Martin and Hofmeister.

The Secretary called the roll, and the motion to refer Substitute Senate Bill No. 111 to the Judiciary Committee was lost by the following vote: Yeas, 13; nays, 36; absent or not voting, 0.

Those voting yea were: Senators Bargreen, DeGarmo, Foster, Gallagher, Hallauer, Hofmeister, McCormack, McMillan, Nunamaker, Rasmussen, Raugust, Sandison, Woodall—13.

Those voting nay were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington—36.

Senator Herrmann moved that the amendment proposed by Senator Rasmussen be laid on the table.

The motion carried, and the amendment was tabled.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of the Honorable Senator Louis E. Hofmeister, the President should like to introduce a group of ladies from Kent. This group of ladies from the Thirtieth District, are visiting Olympia because of their keen and strong interest in matters pertaining to education. Would this group please stand and be recognized, together with Senator Hofmeister?"

(Applause.)

**MOTION**

At 1:10 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:10 o'clock p. m.

**AFTERNOON SESSION**

At 2:10 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Cooney, DeGarmo, Foster, Gissberg, Greive, Hallauer, Happy, Martin, Papajani, Petrich, Ryder, Thompson and Washington; Senator DeGarmo being excused.

On motion of Senator Washington, Senator Happy was excused.

On motion of Senator Neill, Senator Ryder was excused.

Senators Dore, Angevine and Hanna demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber, escorted all unauthorized personnel from the lobby, drew the drapes, locked the elevators, and was instructed not to permit anyone to leave or enter.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Happy and Ryder, who were excused.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Charles P. Moriarty, Jr., the President introduced a group of twenty-five members of the Seattle Delphian Assembly in the south gallery, in company of their president, Mrs. Helen Gustafson. This group was asked to stand in order that the members may properly recognize them. Senator Moriarty was asked to stand along with the group.

(Applause.)

**POINT OF INQUIRY**

Senator Moriarty:

"Mr. President, were those members excused prior to the Call of the Senate?"

The President:

"Senators Happy and Ryder were excused prior to the Call of the Senate."

**SECOND READING OF BILLS**

On motion of Senator Greive, the Senate proceeded with further consideration of Substitute Senate Bill No. 111 under the Call of the Senate.

Senator Woodall moved that the following amendment be adopted:

In section 15, page 7, line 2, strike the word "supreme" and insert "superior"

The President stated the question to be, the adoption of the amendment by Senator Woodall.

A division was requested and the motion lost on a rising vote.

On motion of Senator Rasmussen, the following amendment was adopted:

In section 18, page 7, line 21, after "duties." add the following: "Such bond may be a blanket bond."

On motion of Senator Rasmussen, the following amendment was adopted:

After "qualified." in the last line of the amendment by Senator Gallagher add

the following: "Justice of peace shall be granted sick leave in the same manner as other county employees."

Senator Woodall moved that the following amendment be adopted:

In section 18, page 7, line 16, strike "County Commissioners" and insert "State Supreme Court"

A division was requested and the amendment was not adopted on a rising vote.

#### PRESIDENT'S PRIVILEGE

On request of Senator Nunamaker, the President announced the presence in the gallery of the Fairhaven Junior High School students of Bellingham. Present with this group were Mrs. Bernice Hall, Mr. Don Jansen, and Mr. Louis Lallas. This group was asked to stand and be recognized, along with Senator Nunamaker.

(Applause.)

On motion of Senator Gallagher, the following amendment was adopted:

In section 19, page 7, line 27, strike "for the remainder of the term" and insert "and the justice thus appointed shall hold office until the next general election and until his successor is elected and qualified."

#### MOTION

On motion of Senator Greive, the rules were suspended, and Senator Nunamaker was excused from under the Call of the Senate for ten minutes to visit with his friends in the gallery.

On motion of Senator Gallagher, the following amendments were adopted:

In section 23, page 8, line 27, after "absent" and before the period insert the following: "Provided, That the board of county commissioners of the county in which such justice court is located shall first approve such temporary absence and no justice of the peace pro tempore shall be required to serve during his absence"

In section 23, page 8, line 28, after "district" and before the period insert the following: "Provided, That no such traveling or living expenses shall be paid to the visiting justice unless the county commissioners of the county in which the visited district is located shall have consented and approved thereto prior to such visit"

On page 8, strike all of section 25 and renumber the remaining sections consecutively.

Senator Gallagher moved that the following amendment be adopted:

In section 26, renumbered section 25, page 9, line 23, after "county;" strike "and"; also in line 28 after "member" strike the period and insert a semicolon and add two new subsections reading as follows:

(7) The chairman of the board of county commissioners; and

(8) The county auditor."

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Riley:

"In view of the fact that your previous amendment struck section 25, do you not feel that your amendment should read that section 25 should be deleted rather than making it section 26?"

Senator Gallagher:

"I think that this is correct and the Secretary will make the proper corrections on the numbers."

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator McCutcheon:

"We are talking about redistricting of the county into one or more justice court districts. If the amendment carries, who will they put on the redistricting committee?"

Senator Gallagher:

"They will have the judges of the Supreme Court, a practicing attorney, a prosecuting attorney, a judge of the inferior court of the county selected by the Washington State Magistrates' Association, the mayor or his representative of each of the first, second and third class cities of the county, and one person to represent the fourth class cities of the county, if any, to be represented by Chester Biesen. The mayor or his representative of each fourth class city will be a member."

The motion carried, and the amendment was adopted.

Senator Gallagher moved that the following amendment be adopted:

On page 10, section 28, line 28, following "the county." strike all of the matter down to and including "plan." on line 3, page 11, and insert "If the commissioners find that the plan proposed by the districting committee conforms to the standards set forth in this act and is conducive to the best interests and welfare of the county as a whole it may adopt such plan. If the commissioners find that such plan does not conform to the standards or that it is not in the best interests and welfare of the county to adopt such plan, they may modify, revise or amend the plan and adopt such amended or revised plan as the county's justice court districting plan."

Senator Petrich moved that the following amendment to the amendment be adopted:

In line 6 of the amendment by Senator Gallagher, after the words "the standards" strike all matter down to and including the words "adopt such plan" on line 6 and insert the following: "as provided in this act"

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator McCutcheon:

"What standards are they talking about?"

Senator Petrich:

"We have throughout the bill, Senator McCutcheon, standards which a full-time justice shall meet; also, what a part-time justice shall meet, and what his range of salary shall be. We have provisions for the people who are going to be eligible for the act and throughout the act, the standards are adopted on what can or may not be done within certain restrictions."

**POINT OF INQUIRY**

Senator Woodall:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Woodall:

"Is salary a standard?"

Senator Petrich:

"Yes, it is."

Senator Woodall:

"How do county commissioners feel that that is a standard? That is, or is it not, being applied locally?"

Senator Petrich:

"Depending upon the size of the district or depending on the amount of salary?"

Senator Woodall:

"No, Senator, with reference to the geographical areas involved."

Senator Petrich:

"If that particular area involves a certain number of people, a certain salary is involved."

The President stated the question to be, the adoption of the amendment by Senator Petrich to the amendment by Senator Gallagher.

A division was requested and the amendment by Senator Petrich to Senator Gallagher's amendment was adopted on a rising vote.

The President stated the question before the Senate to be the adoption of the amendment by Senator Gallagher, as amended by Senator Petrich.

The motion carried, and the amendment, as amended, was adopted.

Senator Woodall moved that the following amendment be adopted:

In section 36, page 13, line 6 after the word "(city)." insert "Provided, That a municipality may maintain its present municipal court system by adopting a resolution of the city legislative body, a copy of the resolution to be filed with the county commissioners."

Extensive debate ensued.

#### POINT OF INQUIRY

Senator Gallagher:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Gallagher:

"Is it my understanding that the municipal court judges are blanketed into this new justice court plan?"

Senator Freise:

"Yes, but I would like to have Senator Dore answer the question."

Senator Dore:

"Unless they use Chapter Five, they may not want to be blanketed in. Then they exercise the rights under this chapter and set up their own municipal court."

Senator Gallagher:

"Are they then not part of the standards?"

Senator Dore:

"Yes, they are, because then they must select their judge from one of the Justices of the Peace, who, state-wide have been endorsed by this association as their repre-

sentative, and also if the final draft of Substitute Senate Bill No. 111 is acceptable to their association."

Senator Gallagher:

"It is my understanding that you will set forth standards. Is it true that where you have municipal courts that they would also come under this so-called J. P. Act?"

Senator Dore:

"Yes, technically they do, but it wouldn't affect their autonomy. Like the city of Seattle, for instance. We repealed the Seattle Municipal Bill, but Seattle decided to have their own municipal court. It is where we will have one uniform court system. The judges are satisfied and have endorsed the bill.

"At first Seattle, like many other areas, wanted to get out from under the Act, so I think Judge McGovern realizes the tremendous dangers and the importance of the administrative judges of this state; he said he would not want to be the one to kill this bill, and if we can work out something to keep his court the same, he would endorse the bill. He did so."

Debate ensued.

#### MOTIONS

Senator Nunamaker moved that Substitute Senate Bill No. 111, with all its amendments, be indefinitely postponed.

Senator Hanna moved that the motion presented by Senator Nunamaker be laid on the table.

The motion carried.

Debate ensued.

Senator Herrmann moved that the amendment proposed by Senator Woodall be laid on the table.

Senator Woodall demanded a roll call, which was sustained by Senators Talley, Woodall, Raugust, Freise, Lennart, DeGarmo, McCutcheon, Chytil and Rasmussen.

On motion of Senator Greive, the rules were suspended and Senator Cowen was excused from this particular roll call.

The Secretary called the roll and the amendment by Senator Woodall was laid on the table by the following vote: Yeas, 27; nays, 20; excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Dore, Durkan, Foley, Freise, Gissberg, Hanna, Herrmann, Keefe, Kupka, Lennart, McCormack, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Riley, Ryder, Shannon, Thompson, Jr., Washington—27.

Those voting nay were: Senators Chytil, DeGarmo, Donohue, Elway, Jr., Foster, Gallagher, Greive, Hallauer, Henry, Hess, Hofmeister, Knoblauch, McCutcheon, McMillan, Nunamaker, Rasmussen, Raugust, Sandison, Talley, Woodall—20.

Those excused were: Senators Cowen, Happy—2.

Senator Woodall moved that the following amendment be adopted:

In section 37, page 13, line 8, after "department" and before "be" strike "shall" and insert "may"

Senator Dore moved that the amendment by Senator Woodall be tabled.

Senator Woodall demanded a roll call, which was sustained by Senators McCutcheon, DeGarmo, Raugust, McMillan, Chytil, Rasmussen, Durkan, Hallauer, Morgan and Gallagher.

The President stated the question to be, it has been moved that the amendment proposed by Senator Woodall be laid on the table.

The Secretary called the roll on the motion to lay on the table the amendment by Senator Woodall, and the motion lost by the following vote: Yeas, 23; nays, 25; excused, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Dore, Elway, Jr., Foley, Freise, Gissberg, Hanna, Herrmann, Hess, Keefe, Kupka, McCormack, Moriarty, Jr., Neill, Papajani, Petrich, Ryder, Thompson, Jr., Washington—23.

Those voting nay were: Senators Chytil, Cowen, DeGarmo, Donohue, Durkan, Foster, Gallagher, Greive, Hallauer, Henry, Hofmeister, Knoblauch, Lennart, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Woodall—25.

Those excused were: Senator Happy—1.

Senators Greive, Herrmann and Kupka demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The President stated the question before the Senate to be, the adoption of the amendment by Senator Woodall.

Senator Greive demanded a roll call, and the demand was sustained by Senators Hallauer, Herrmann, Kupka, Bargreen, Hofmeister, Connor, McCutcheon and Woodall.

The Secretary called the roll, and the amendment by Senator Woodall was not adopted by the following vote: Yeas, 24; nays, 24; excused, 1.

Those voting yea were: Senators Bargreen, Chytil, DeGarmo, Donohue, Elway, Jr., Foster, Gallagher, Gissberg, Hallauer, Henry, Hess, Hofmeister, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Neill, Nunamaker, Rasmussen, Raugust, Sandison, Woodall—24.

Those voting nay were: Senators Angevine, Bailey, Connor, Cooney, Cowen, Dore, Durkan, Foley, Freise, Greive, Hanna, Herrmann, Keefe, Kupka, Morgan, Moriarty, Jr., Papajani, Petrich, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington—24.

Those excused were: Senator Happy—1.

#### POINT OF ORDER

Senator Riley:

"In view of the fact, Mr. President, that we have talked about interruption of roll calls and regarding firm rules, I cannot find out why we have members answering under the Call of the Senate out of their alphabetical location."

Senator Greive:

"Speaking to Senator Riley's point of order, I know of no rule that says that they should be called in any particular order."

#### RULING OF THE PRESIDENT

The President:

"The only statement I know of pertaining to the order in which Senators shall be called, is in Rule 11, which states, beginning with the third word, second line on page 247, 'the Secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called.' In Rule 32, which applies to the ayes and nays, there is no reference to the order."

Senator Riley:

"In Rule 32, I think we have provided and re-emphasized, and I thought we had an agreement, that there shall not be any interruption of a roll call once established."

**RULING OF THE PRESIDENT**

The President:

"Except a demand for a Call of the Senate and any other motions which the President thought might be of great enough significance and importance."

**MOTION**

Senator Rasmussen:

"I move that the rules be quoted in order that the Senators answering . . ." (interruption)

The President:

"Senator Rasmussen, do you wish to give notice of your intention to amend the rules?"

**POINT OF ORDER**

Senator Greive:

"Rule 16 reads that 'When any senator is about to speak in debate, or submit any matter to the senate, he shall rise from his seat, and standing in his place, respectfully address himself to "Mr. President," and when recognized shall in a courteous manner, confine himself to the question under debate, avoiding personalities, and when finished shall resume his seat.'"

Senator Rasmussen:

"Mr. President, I would direct you to Rule 69, 'The order of names on the roll call, shall be determined by the Committee on Rules and Joint Rules.' Could I inquire if this is an official roll call?"

**RULING OF THE PRESIDENT**

The President:

"To the best knowledge of the President, that is not an official roll call inasmuch as the Committee on Rules and Joint Rules has not considered an official roll call."

Senator Rasmussen:

"Could we expect the Committee on Rules and Joint Rules to consider what might be an official roll call?"

The President:

"The President believes that you could expect it."

Senator Gallagher moved that the following amendment be adopted:

Strike all of section 45 and insert the following:

"NEW SECTION. Sec. 45. A vacancy in a position of a full-time or part-time municipal judge shall be filled by the board of county commissioners by appointment and such municipal judge thus appointed shall hold office until the next general election, and until his successor is elected and qualified."

A division was requested.

The motion was lost on a rising vote, and the amendment was not adopted.

On motion of Senator Rasmussen, the following amendment was adopted:

In section 49, renumbered section 48, page 15, line 16, after "by the" strike "municipal judge or judges" and insert "city" and in lines 18 and 19, after "city, and" strike ", except for the chief clerk and balliff,"

The President:

"Senator McCutcheon, would you please come to the Secretary's desk and determine if this amendment is in order?"

Senator McCutcheon:

"Yes, it is in perfect order."

## MOTION

Senator McCutcheon moved that the rules be suspended and an oral amendment be made to his amendment prior to the reading in full, changing the figure to twenty thousand.

The motion carried, and it was so ordered.

Senator McCutcheon moved that the following amendment be adopted:

On page 15, after section 50, renumbered section 49, insert a new chapter 6, reading as follows:

## Chapter 6

## MUNICIPAL DEPARTMENTS—ALTERNATE PROVISION

**NEW SECTION.** Sec. 50. Any city or town with a population of 20,000 or less may by ordinance provide for an inferior court to be known and designated as a municipal court, which shall be entitled "The Municipal Court of ..... (insert name of city or town)", hereinafter designated and referred to as "municipal court", which court shall have jurisdiction and shall exercise all powers by this act declared to be vested in the municipal court, together with such other powers and jurisdiction as generally conferred in this state by either common law or by express statute upon said court.

**NEW SECTION.** Sec. 51. The municipal court shall have exclusive original criminal jurisdiction of all violations of city ordinances duly adopted by the city in which the municipal court is located and shall have original jurisdiction of all other actions brought to enforce or recover license penalties or forfeitures declared or given by such ordinances or by state statutes. The municipal court is empowered to forfeit cash bail or bail bonds and issue execution thereon; to hear and determine all causes, civil or criminal, arising under such ordinances and to pronounce judgment in accordance therewith.

**NEW SECTION.** Sec. 52. Every city or town may establish and operate under the supervision of the municipal court a violations bureau to assist the court in processing traffic cases. Each municipal court shall designate the specific traffic offenses under the city or town ordinance which may be processed by the violations bureau. A violations bureau may be authorized to receive the posting of bail for specified offenses and, to the extent authorized by court order, permitted to accept forfeiture of bail. Any violations bureau, upon accepting the prescribed bail, shall issue a receipt therefor to the alleged violator, acknowledging the posting thereof and informing the accused of the legal consequences of bail forfeiture. Any person charged with any traffic offense within the authority of the violations bureau may, upon signing a written appearance, a written plea of guilty and a written waiver of trial, pay to the violations bureau the fine established for the offense waived and costs and this shall have the same effect as a court conviction. All penalties and forfeitures paid to a violations bureau for the violation of municipal ordinance shall be placed in the city or town general fund or such other fund as may be prescribed by ordinance of the city or town or laws of the state of Washington. Any employee of an existing violations bureau of any city shall continue as a city employee.

**NEW SECTION.** Sec. 53. Within thirty days after the effective date of the ordinance, the mayor of each city or town shall, with the approval of the legislative body thereof, appoint a municipal judge or judges of the municipal court for a term of four years, commencing January 15, 1962. Succeeding appointments shall be made in like manner by the fifteenth day of December preceding the end of every four year term.

The person appointed as municipal judge shall be a citizen of the United States of America and of the state of Washington; and an attorney duly admitted to practice law before the courts of record of the state of Washington and practicing law in the municipality or residing in the municipality where the department is located: *Provided*, That in a municipality having a population less than five thousand persons, a person other than a practicing attorney may be the judge. Any city or town shall have authority to appoint a duly elected justice of the peace as its municipal judge when the municipal judge is not required to serve full time. In the event of the appointment of a justice of the peace, the city or town shall pay a pro rata share of his salary.

**NEW SECTION.** Sec. 54. The legislative authority of each city or town may, by

ordinance, provide that the position of municipal judge within the city or town shall be an elective position. The ordinance shall provide for the qualifications of the municipal judge which shall be the same as the qualifications necessary for the appointment thereof; and further, shall provide that the municipal judge shall be elected in the same manner as other elective city officials are elected to office, and that the term of the municipal judge shall be concurrent with other city officials of the city or town.

**NEW SECTION.** Sec. 55. Additional full or part time judges may be appointed by the mayor, subject to the approval of the legislative body of the city or town in the same manner as set forth in section 4, when public interest and the administration of justice makes necessary the appointment of an additional judge or judges.

**NEW SECTION.** Sec. 56. The salary of the municipal court judge or judges, together with all costs of operating the municipal court, shall be paid wholly out of the funds of the city or town and the compensation of the municipal court judge and all employees of the municipal court shall, for all purposes, be deemed employees of the city or town.

**NEW SECTION.** Sec. 57. The mayor shall, in writing, appoint judges pro tem who shall act in the absence or disability of the regular judge of a municipal court. The judges pro tem shall be qualified to hold the position of a judge of the municipal court as provided herein. The municipal court judges pro tem shall receive such compensation as shall be fixed by the ordinances of the legislative body of the city or town wherein the municipal court is located.

**NEW SECTION.** Sec. 58. All fees, costs, fines, forfeitures and other moneys imposed or collected by any municipal court for the violation of any municipal or town ordinances, together with any other revenues received by the court, shall be deposited with the city or town treasurer as a part of the general fund of the city or town, or deposited in such other fund of the city or town, or deposited in such other funds as may be designated by the laws of the state of Washington.

**NEW SECTION.** Sec. 59. The municipal court shall be open and shall hold such regular and special sessions as may be prescribed by the legislative body of the city or town: *Provided*, That such municipal court shall not be open on nonjudicial days.

**NEW SECTION.** Sec. 60. Each criminal prosecution in a municipal court shall be instituted by a complaint. The complaint shall contain and shall be sufficient if it contains a plain, concise and definite statement of the essential facts constituting the specific offense or offenses with which the defendant is charged.

**NEW SECTION.** Sec. 61. The complaint shall be sworn to before the municipal court judge and shall be filed by him when, from his examination of the complainant and other witnesses, if any, he has reasonable grounds to believe that an offense of which he has jurisdiction has been committed and that the defendant committed it. No objection to a complaint on grounds that it was not signed or sworn to as herein required may be made after a plea to the merits has been entered.

**NEW SECTION.** Sec. 62. No oath shall be required when the complaint is made by a county or municipal prosecutor or city attorney and if it contains or be verified by a written declaration that it is made under the penalties of perjury.

Any person who wilfully certifies falsely to any matter set forth in any such complaint shall be guilty of a misdemeanor.

**NEW SECTION.** Sec. 63. The court may permit a complaint to be amended at any time before judgment if no additional or different offense is charged, and if substantial rights of the defendant are not thereby prejudiced.

**NEW SECTION.** Sec. 64. If, from the examination of the complainant and other witnesses, if any, the court has reasonable ground to believe that an offense has been committed and that the defendant has committed it, a warrant shall issue for the arrest of the defendant.

**NEW SECTION.** Sec. 65. The warrant shall be in writing and in the name of the state, shall be signed by the municipal court judge with the title of his office, and shall state the date when issued and the municipality where issued. It shall specify the name of the defendant, or, if his name is unknown, any name or description by which he can be identified with reasonable certainty. It shall describe the offense charged against the defendant. It shall command that the defendant be arrested and brought before the court at a stated place, without unnecessary delay, unless he deposits bail as stated in the warrant and is released for appearance in court on a date certain stated therein.

**NEW SECTION.** Sec. 66. The warrant shall be directed to all peace officers in the

state and shall be executed only by a peace officer. It shall be executed by the arrest of the defendant and may be executed in any county or municipality of the state by any peace officer in the state. The officer need not have the warrant in his possession at the time of arrest, but in that case he shall then inform the defendant of the offense charged and of the fact that a warrant has been issued; and, upon request, shall show the warrant to the defendant as soon as possible.

**NEW SECTION.** Sec. 67. The officer executing a warrant shall forthwith make return thereof to the court issuing it. Any unexecuted warrants shall be returned to the municipal court by whom issued and may be cancelled by him. While a complaint is pending, a warrant returned unexecuted and not canceled, or a duplicate thereof, may be delivered by the municipal court to a peace officer for execution or service.

**NEW SECTION.** Sec. 68. No person arrested under a warrant shall be discharged from custody or dismissed because of any informality in the warrant, but it may be amended so as to remedy the informality.

**NEW SECTION.** Sec. 69. If, during the trial of any person arrested under a warrant, it shall appear that the warrant or complaint does not properly name or describe the defendant or the offense with which he is charged; or that, although not guilty of the offense specified, there is reasonable ground to believe that he is guilty of some other offense, the municipal court shall not discharge or dismiss the defendant but shall forthwith cause a new complaint to be filed and shall thereupon issue a new warrant.

**NEW SECTION.** Sec. 70. An officer making an arrest under a warrant shall take the arrested person without unnecessary delay and, in any event, within twenty-four hours, exclusive of nonjudicial days, before the municipal court or admit him to bail as commanded in the warrant. Any person making an arrest without a warrant shall take the arrested person without unnecessary delay before the municipal court in the municipality in which the arrest is made. When a person is arrested without a warrant and brought before the municipal court, a complaint shall be filed forthwith.

**NEW SECTION.** Sec. 71. Judges of the municipal court may accept money as bail for the appearance of persons charged with bailable offenses. The amount of bail or recognizance in each case shall be determined by the court in its discretion and may, from time to time, be increased or decreased as circumstances may justify.

**NEW SECTION.** Sec. 72. If it appears by affidavit, and after ex parte hearing that the testimony of any person is material in any criminal proceedings pending before that court and it may be impracticable to secure his attendance by subpoena, then the municipal court may require him to give bail for his appearance as a witness in an amount fixed by the court. If he fails to give bail, the court may commit him to custody pending final disposition of the proceedings in which his testimony is needed, may order his release if he has been detained for an unreasonable length of time; and may modify the requirement as to bail.

**NEW SECTION.** Sec. 73. A person required or permitted to give bail may execute a bond conditioned upon his appearance at all stages of the proceedings until final determination of the cause, unless otherwise ordered by the court. One or more sureties may be required; cash may be accepted; and, in proper cases, no security need be required. Bail given on appeal shall be deposited with the clerk of the court from which the appeal is taken.

**NEW SECTION.** Sec. 74. Every surety, except an approved corporate surety, shall justify by affidavit and shall describe in the affidavit the property which he proposes to justify and the encumbrances thereon; the numbered amount of bonds and undertakings for bail entered into by him and remaining undischarged and all of his other liabilities. No bond shall be approved unless the surety thereon shall be financially responsible. The municipal court judge shall approve all bonds.

**NEW SECTION.** Sec. 75. When a person arrested either under a warrant or without a warrant is brought before the court, he shall then be informed of the charge against him and he shall then be arraigned thereon. The arraignment shall be conducted in open court and shall consist of stating to him the substance of the charge and calling on him to plead thereto. The defendant shall be given a copy of the complaint if he requests the same. Defendants who are jointly charged may be arraigned separately or together in the discretion of the court.

**NEW SECTION.** Sec. 76. The defendant may plead guilty; not guilty; and a former conviction or acquittal of the offense charged, which may be pleaded with or without a plea of not guilty. The court may refuse to accept a plea of guilty; and

shall not accept a plea without first determining that the plea is made voluntarily with understanding of the nature of the charge. If a defendant refuses to plead, or if the court refuses to accept a plea of guilty, or if a defendant corporation fails to appear, the court shall enter a plea of not guilty. The court may strike out a plea of guilty and enter a plea of not guilty, if it deems such action necessary in the interest of justice.

**NEW SECTION.** Sec. 77. The municipal court may, in its discretion, grant continuances for good cause shown. If a continuance is granted, the cost thereof shall abide the event of the prosecution in all cases. If a continuance is granted, the court may recognize the defendant and the witnesses to appear from time to time, in the same manner as is provided in other criminal examinations.

**NEW SECTION.** Sec. 78. If the complaint is for a crime within the jurisdiction of the court, and the defendant pleads guilty, the court shall sentence him.

If the defendant pleads not guilty or a former conviction or acquittal of the offense charged, the court shall hear and determine the cause, and either acquit or convict and punish.

**NEW SECTION.** Sec. 79. In all trials for offenses in municipal court, no jury shall be allowed. No change of venue shall be taken from the municipal court, and the defendant shall not be entitled to file an affidavit of prejudice against any judge of the municipal court.

**NEW SECTION.** Sec. 80. Sentence shall be imposed by the court without unreasonable delay. Pending sentence, the court may commit the defendant or may allow the defendant to post bail anew.

**NEW SECTION.** Sec. 81. In all cases of conviction, unless otherwise provided in this act, where a jail sentence is given to the defendant, execution shall issue accordingly and where the judgment of the court is that the defendant pay a fine and costs, he may be committed to jail to be placed at hard labor until the judgment is paid in full, but the defendant shall not be imprisoned for a longer aggregate time than one day for each six dollars of fine and costs.

A defendant who has been committed shall be discharged upon the payment for such part of the fine and costs as remains unpaid after deducting from the whole amount any previous payment, and six dollars for every day he has been imprisoned upon commitment.

**NEW SECTION.** Sec. 82. If a corporation is convicted of any offense, the court may give judgment thereon and may cause the judgment to be enforced in the same manner as a judgment in a civil action.

**NEW SECTION.** Sec. 83. After a conviction, the court may defer sentencing the defendant and place him on probation and prescribe the conditions thereof, but in no case shall it extend for more than one year from the date of conviction. During the time of the deferral, the court may, for good cause shown, permit a defendant to withdraw his plea of guilty, permit him to enter a plea of not guilty, and dismiss the charges against him.

**NEW SECTION.** Sec. 84. For a period not to exceed one year after imposition of sentence, the court shall have continuing jurisdiction and authority to suspend the execution of all or any part of its sentence upon stated terms, including installment payment of fines.

**NEW SECTION.** Sec. 85. Deferral of sentence and suspension of execution of sentence may be revoked if the defendant violates or fails to carry out any of the conditions of the deferral or suspension. Upon the revocation of the deferral or suspension, the court shall impose the sentence previously suspended or any unexecuted portion thereof. In no case shall the court impose a sentence greater than the original sentence, with credit given for time served and money paid on fine and costs.

**NEW SECTION.** Sec. 86. Clerical mistakes in judgments, orders or other parts of the record, and errors in the record arising from oversight or omission may be corrected by the court at any time and after such notice, if any, as the court may order.

If an appeal has been taken, such mistakes may be so corrected until the record has been filed in the appellate court and thereafter, while the appeal is pending, may be so corrected with leave of the appellate court.

**NEW SECTION.** Sec. 87. The defendant shall be present in person or by counsel at the arraignment and shall be present at every later stage of the trial. The defendant's voluntary absence, after the trial has commenced in his presence, shall not prevent continuing the trial to and including judgment and sentence. A corporation may appear by counsel for all purposes.

**NEW SECTION.** Sec. 88. All criminal proceedings before the municipal court, and judgments rendered therein, shall be subject to review in superior court of the county wherein the municipal court is located by appeal as provided in section 39, or by a writ of review.

The writ of review shall be sought by the city only in those instances wherein the municipal court dismisses an action solely for reasons of law, and shall not be available after a trial on the merits. The procedure thereby used in seeking a writ of review shall be substantially the same as that provided for in appeal.

**NEW SECTION.** Sec. 89. The appeal shall be to the superior court of the county in which the municipal court is located. The appeal shall be taken by serving a copy of a written notice of appeal upon the attorney for the plaintiff and filing the original thereof with an acknowledgment of service or affidavit of service with the municipal court within ten days after entry of judgment.

After notice of appeal is given, as herein required, the appellant shall diligently prosecute his appeal and, within thirty days from the date of entry of judgment, shall file with the clerk of the superior court a transcript duly certified by the municipal court judge and furnished by the municipal court free of charge containing a copy of all written pleadings and docket entries of the police court.

Within ten days after the transcript is filed, the appellant shall note the case for trial. The case shall be set for trial at the earliest open date thereafter and the clerk of the superior court shall, in writing, notify the respondent's counsel of the date thereof.

**NEW SECTION.** Sec. 90. If the appellant fails to proceed with the appeal within the time and manner provided in section 39, or have the same actually set for trial at the time it is noted for trial, then the superior court shall, upon motion of the respondent, dismiss the appeal if the transcript has been there filed. If the transcript has not been filed with the superior court, then the municipal court shall dismiss the appeal. Upon dismissal of the appeal for failure of the appellant to proceed diligently with the appeal and as herein required, or for any other cause, the judgment of the lower court shall be enforced by the municipal judge. If, at the time of the dismissal, cash deposit or appeal bond as hereinafter required has been furnished and is in the custody of the superior court, the same shall be returned to the lower court without any deduction therefrom for costs. The municipal court shall have power to forfeit the cash bail or appeal bond and issue execution thereon for breach of any condition under which it is furnished.

**NEW SECTION.** Sec. 91. The appellant shall be committed to the city jail until he shall recognize or give bond to the state in such reasonable sum with such sureties as said municipal court may require that he will diligently prosecute the appeal and, within thirty days after the entry of judgment in the lower or municipal court, file with the clerk of the superior court a transcript duly certified by the lower court judge containing a copy of all records and proceedings in the lower court; that he will, within ten days after the same is filed in the superior court, note the case for trial; that he will cause the case to be set at the time the same is noted for trial; that he will appear at the court appealed to and comply with any sentence of the superior court and will, if the appeal is dismissed for any reason, comply with the sentence of the lower court.

Whenever the transcript is filed in the superior court and any cash bail or bail bond has been filed with the lower court, the judge thereof shall transfer the same to the superior court in which the appeal is pending, there to be held pending disposition of the appeal; and shall also deliver to the court any exhibits introduced into evidence in the trial before the lower court, which exhibits, subject to the proper rulings of the appellate court, may be offered in evidence if the trial is had in the superior court; otherwise, to be returned to the custody of the lower court judge.

**NEW SECTION.** Sec. 92. In the superior court the trial shall be de novo, subject to the right of the respondent to file an amended complaint therein. The defendant in the superior court may have a trial by jury. If the defendant be convicted in the superior court, he shall be sentenced anew by the superior court judge with a fine of not to exceed five hundred dollars or imprisonment in the city jail not to exceed six months, or by both such fine and imprisonment. Appeals shall lie to the supreme court of the state of Washington as in other criminal cases in the superior court.

**NEW SECTION.** Sec. 93. Upon conclusion of the case in the superior court, the clerk thereof shall forthwith mail a true and correct copy of the judgment to the municipal court appealed from.

**NEW SECTION. Sec. 94.** All prosecutions for the violation of any city ordinance shall be conducted in the name of the city and may be upon the complaint of any person.

**NEW SECTION. Sec. 95.** Every person convicted by the municipal court of a violation of the criminal provisions of an ordinance for which no punishment is specifically prescribed in the ordinance shall be punished by a fine of not more than five hundred dollars or imprisonment in the city jail for a period not to exceed six months, or both such fine and imprisonment.

**NEW SECTION. Sec. 96.** Pleadings, practice and procedure in cases not governed by statutes or rules specifically applicable to municipal courts shall, insofar as applicable, be governed by the statutes and rules now existing or hereafter adopted governing pleadings, practice and procedure applicable to justice courts.

**NEW SECTION. Sec. 97.** All cases, proceedings and matters pending before justices of the peace who immediately before January 15, 1962, were acting as municipal or police judges, shall on January 15, 1962, be transferred to the municipal courts established by this act, together with all files, records and proceedings relating to such cases, and shall be disposed of therein in due course of law.

This act shall not affect any appeal from any police justice or municipal judge, commenced and pending prior to January 15, 1962, but such appeal shall be conducted and concluded as if this act had not been enacted, except that if remanded from the superior court, the municipal court shall have authority and power to enforce the judgment of the lower court.

All furniture and equipment belonging to the city or town in which the court is located, now under the care and custody of the justice of the peace and/or municipal judge, shall be transferred to the municipal court established by this act on or before January 15, 1962, for use in the operation and maintenance of the municipal court.

**NEW SECTION. Sec. 98.** Although self-executing, the provisions of this act shall be cumulative and, notwithstanding any provision hereof, any city or town may elect to continue under any existing statutes relating to police courts, municipal courts, or laws relating to justices of the peace.

Renumber following chapters and sections consecutively.

#### POINT OF ORDER

Senator Dore:

"I think the amendment is beyond the scope of the bill and in violation of Rule 22.

"Now, we are talking about the reorganization of the Superior Courts and in this amendment we have not one, but two. I submit that under this amendment that if it passes, some cities could, under this amendment, still have a fourth class of court."

Senator Greive:

"Would it be the desire of the Presiding Officer to have time to consider a ruling on this motion?"

The President:

"The President believes that your remark is appropriate and it would take the President a few moments to decide."

#### MOTION

Senator Greive moved that the Senate do now dispense with the Call of the Senate.

The President stated the question to be, it has been moved that the Senate do now dispense with the Call of the Senate.

The motion carried, and the Senate dispensed with the Call of the Senate.

#### MOTION

At 5:00 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

### EVENING SESSION

At 8:00 o'clock p. m., the Senate was called to order by the President.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bailey, Bargreen, Connor, DeGarmo, Donohue, Elway, Jr., Foley, Greive, Hallauer, Hanna, Henry, Hess, Keefe, McCormack, Martin, Papajani, Riley, Sandison, Shannon and Talley.

On motion of Senator Herrmann, Senators Sandison, Keefe, DeGarmo and Gissberg were excused.

Senators McCutcheon, Woodall and Chytil demanded a Call of the Senate. A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber, escorted all unauthorized personnel from the lobby, and locked the elevators.

The Secretary called the roll on the Call of the Senate, all members being present except Senators DeGarmo, Henry, Keefe, Sandison and Talley.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

The Secretary read:

#### MESSAGE FROM THE HOUSE

##### HOUSE AMENDMENT TO SENATE RESOLUTION

House of Representatives,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has passed: Senate Joint Resolution No. 28 with the following amendments:

On page 1, line 19, after "support from" and before "and groups" strike ": dignitaries" and insert "dignitaries"

On page 1, lines 26 and 27, after "event, indorse" strike "without qualification", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Riley, the Senate concurred in the House amendments to Senate Joint Resolution No. 28.

#### MOTION

Senator Woodall moved that the rules be suspended and Senator Elway be excused from under the Call of the Senate for this particular roll call.

The motion carried.

Senator Woodall moved that the rules be suspended and Senator Foley be excused from under the Call of the Senate for this particular roll call.

The motion carried.

On motion of Senator Hanna, the rules were suspended, and Senators Henry and Talley were excused from this particular roll call.

#### RULING OF THE PRESIDENT

The President:

"With your permission, the President will accept your motion, but in the future, the President will be reluctant to accept motions of this nature."

The Secretary called the roll on the final passage of Senate Joint Resolution

No. 28, as amended by the House, and the resolution passed the Senate by the following vote: Yeas, 41; nays, 0; excused, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Washington, Woodall—41.

Those excused were: Senators DeGarmo, Elway, Jr., Foley, Gissberg, Henry, Keefe, Sandison, Talley—8.

Senate Joint Resolution No. 28, as amended by the House, having received the constitutional majority, was declared passed.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is with a warm feeling that the President notes the presence of two esteemed visitors in the Senate gallery. It is with a great deal of pride and a great appreciation for having the opportunity that the President wishes to present to the members of the Senate the mother of our esteemed Senator Rasmussen, Mrs. John Rasmussen, the matriarch of the Rasmussen family, with another distinguished son, George Rasmussen. The President is very happy and honored to be able to present to the members of the Senate, Mrs. John Rasmussen and her son, George.

"The President and members of the Senate and ladies and gentlemen wish to extend you a warm welcome and fervently hope that you are enjoying the proceedings and it is a grand thing that you are here to see your son in the State Senate."

(Applause.)

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 329:

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred Senate Bill No. 329, creating county parks service areas, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., William D. Shannon, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 386:

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Senate Bill No. 386, subjecting tow-truckers to jurisdiction of public service commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, John L.

Cooney, Martin J. Durkan, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, James E. Keefe, George W. Kupka, Mike McCormack, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 195:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Engrossed House Bill No. 195, regulating the manufacture, sale and use of fireworks, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, David C. Cowen, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

On motion of Senator Riley, the report of the committee was adopted and the bill was referred to the Committee on Ways and Means.

**House Bill No. 388:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Financial Institutions, to whom was referred House Bill No. 388, adopting uniform act for simplification of fiduciary security transfers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

KARL V. HERRMANN, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, Herbert H. Freise, George W. Kupka, Marshall A. Neill, John N. Ryder, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 114; also  
Senate Bill No. 206; also  
Senate Bill No. 315; also  
Senate Bill No. 465, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 114; also  
Senate Bill No. 206, have compared same with the original bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 17; also  
Senate Bill No. 58; also  
Senate Bill No. 85; also  
Senate Bill No. 229; also

Substitute Senate Bill No. 247; also  
 Substitute Senate Bill No. 325; also  
 Senate Bill No. 336; also  
 Senate Bill No. 345; also  
 Senate Bill No. 419; also  
 Senate Bill No. 436; also  
 Senate Bill No. 479; also  
 Senate Concurrent Resolution No. 9, have compared same with the original bills  
 and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
 Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate  
 Concurrent Resolution No. 9, have compared same with the original bill and find it  
 correctly enrolled.

MARTIN J. DURKAN, *Chairman*

I concur in this report: Joe Chytil.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
 Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has adopted: Engrossed Senate Concurrent Resolution No. 9, and the  
 same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
 Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 24, and the same is  
 herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
 Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 72, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
 Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 8; also  
 Senate Bill No. 18; also  
 Senate Bill No. 37; also  
 Senate Bill No. 51; also  
 Senate Bill No. 52; also  
 Senate Bill No. 67; also  
 Senate Bill No. 117; also  
 Senate Bill No. 127; also  
 Senate Bill No. 132; also  
 Senate Bill No. 134; also  
 Senate Bill No. 166; also  
 Senate Bill No. 194; also  
 Senate Bill No. 230, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
 Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed Substitute House  
 Bill No. 16, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 17 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 56 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 216 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

#### SIGNED BY THE PRESIDENT

**The President signed: Senate Concurrent Resolution No. 9; also  
Senate Bill No. 114; also  
Senate Bill No. 206; also  
House Bill No. 72.**

#### SECOND READING OF BILLS

**Substitute Senate Bill No. 111**, by Judiciary Committee:  
Reorganizing the justice court system.

The bill was read the second time by sections.

#### MOTION

On motion of Senator Dore, his previous point of order was withdrawn.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator McCutcheon be adopted.

#### MOTION

Senator Dore moved that the rules be suspended and Senator Woodall be permitted to attach two amendments to Senator McCutcheon's amendment.

The motion carried.

Senator Woodall moved that the following amendments be adopted:

Amend Senator McCutcheon's amendment as follows:

After "date of" in line 19, strike "this act," and insert "the ordinance."

Also, on line 24 of the amendment after "term." strike the remainder of the section and insert the following:

"The person appointed as municipal judge shall be a citizen of the United States of America and of the state of Washington; and an attorney duly admitted to practice law before the courts of record of the state of Washington and practicing law in the municipality or residing in the municipality where the department is located: *Provided*, That in a municipality having a population less than five thousand persons, a person other than a practicing attorney may be the judge. Any city or town shall have authority to appoint a duly elected justice of the peace as its municipal judge when the municipal judge is not required to serve full time. In the event of the appointment of a justice of the peace, the city or town shall pay a pro rata share of his salary."

#### POINT OF INQUIRY

Senator Moriarty:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"Yes, I will."

Senator Moriarty:

"If I followed this correctly, we have now adopted Senate Bill No. 298 as Chapter Six of Substitute Senate Bill No. 111."

Senator Woodall:

"I think this particular section would probably be the proper place to insert that amendment."

Senator Moriarty:

"I think we could work it in at this particular point. In fact, if the body would agree to continue this measure for about twenty minutes or so, we could work it out."

Senator Hess:

"We followed the line of Senator McCutcheon's amendment, now we find there is an omission. We would feel better if you could make it a time some time tomorrow morning so all of these amendments could be reviewed quite thoroughly."

Senator McCutcheon:

"I have no objection. I didn't want to be unduly accused of delaying this bill."

#### MOTION

Senator Hess moved that Substitute Senate Bill No. 111 be made a special order of business for 11:00 o'clock a. m. tomorrow.

Extensive debate ensued.

The President stated the question before the Senate to be, it has been moved that Substitute Senate Bill No. 111 be made a special order of business for tomorrow.

A division was requested.

Senator Greive demanded a roll call, which was sustained by Senators Freise, Herrmann, Nunamaker, Cooney, Hanna, Foley, Durkan and Kupka.

The Secretary called the roll and the motion to make Substitute Senate Bill No. 111 a special order of business tomorrow lost by the following vote: Yeas, 16; nays, 29; excused, 4.

Those voting yea were: Senators Angevine, Bargreen, Donohue, Gallagher, Hess, Hofmeister, Knoblauch, Kupka, McMillan, Martin, Nunamaker, Rasmussen, Raugust, Riley, Shannon, Woodall—16.

Those voting nay were: Senators Bailey, Chytil, Connor, Cooney, Cowen, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Ryder, Talley, Thompson, Jr., Washington—29.

Those excused were: Senators DeGarmo, Gissberg, Keefe, Sandison—4.

#### MOTION

Senator Dore moved that the rules be suspended and the amendments as proposed by Senator Woodall be considered after the other amendments have been acted upon.

#### POINT OF INQUIRY

Senator Hess:

"Will Senator Dore yield to a question?"

Senator Dore:

"Yes, I will."

Senator Hess:

"If we go along with this would you be willing that we finish with this on second reading this evening in final amended form and to let it stay in that position to be analyzed as a whole?"

Senator Dore:

"No."

Senator Greive:

"There is nothing that says that if you make a motion to suspend the rules . . ."

Senator Dore:

"A rule was adopted that stated that these amendments be considered."

#### RULING OF THE PRESIDENT

The President:

"Technically, you would be correct, but the President does believe that when the body elects to adopt a rule, even of a temporary nature, that it should suspend the rules."

Senator Dore:

"I will merely move that . . ." (interruption)

#### PARLIAMENTARY INQUIRY

Senator Riley:

"Under the Call of the Senate, would the Secretary let us have the names of those Senators who have been permanently excused under the Call of the Senate?"

The President:

"Senators DeGarmo, Gissberg, Keefe and Sandison have been excused."

#### PARLIAMENTARY INQUIRY

Senator Rasmussen:

"Are we going to the tail-end of these amendments and then going to drop the last of them, or is this just a courtesy of Mr. Woodall?"

The Secretary read the next amendment by Senator Woodall:

In section 41, page 14, line 10, after "judges" and before "be" strike "shall" and insert "may"

Senator Woodall:

"I believe that in view of the other amendments that will be coming up, this will not be necessary, and I will withdraw the amendment."

The amendment was withdrawn with the permission of the Senate.

The following amendment by Senator McCutcheon was read:

In section 30, page 11, line 16, after "district" strike the period and insert a comma and the following: "Except those cities and towns with a population of 10,000, or less, that have elected to set up their own municipal departments."

On motion of Senator McCutcheon, the amendment was withdrawn.

On motion of Senator Moriarty, the following amendment was adopted:

In section 30, renumbered section 29, page 11, line 27, after "natural" and before "barriers" strike "or political"

On motion of Senator Rasmussen, the following amendments were adopted:

In section 51, renumbered section 99, page 15, lines 29 and 30, strike "Every justice court" and insert "The county commissioners"

In section 54, renumbered section 102, page 16, line 12, after "shall be" and before "thousand" strike "ten" and insert "eight"

On motion of Senator Dore, the following amendment was adopted:

In section 55, renumbered section 103, page 16, line 20, after "persons," and before "hundred" strike "one thousand eight" and insert "four"

On motion of Senator Donohue, the following amendments were adopted:

In section 55, renumbered section 103, page 16, line 23, before "two thousand four hundred dollars;" insert "a minimum of four hundred dollars and a maximum of"; also on line 26, before "three thousand dollars;" insert "a minimum of four hundred dollars and a maximum of"; also on line 29, before "four thousand two hundred dollars;" insert "a minimum of four hundred dollars and a maximum of"; and on line 31, after "thousand," and before "five" insert "a minimum of two thousand dollars and a maximum of"

In section 55, renumbered section 103, page 17, line 2, after "dollars;" strike "and"; also in line 5, after "dollars" strike the period and insert "; and" and add a new subsection reading as follows:

"(8) That all salaries of part time justices of the peace shall be set by the county commissioners in each county, in accordance with the minimum and maximum salaries as provided in this section."

On motion of Senator Rasmussen the following amendment was adopted:

In section 61, renumbered section 109, page 18, line 9, after "expense" and before "fund." strike "or salary"

On motion of Senator Gallagher, the following amendment was adopted:

In section 64, renumbered section 112, page 19, line 3, after "action" strike the comma and all of the material down to and including "process" on line 7 and insert ": Provided, That if process in replevin, attachment, or garnishment shall issue therein, the party procuring such process shall pay to such court an additional sum of one dollar for each such process as the fees and charges of the court incident to the proceedings"

On motion of Senator Greive, the following amendment was adopted:

In section 66, renumbered section 114, page 19, line 29, following the amendment by Senator Woodall, after "marriage." insert the following: "The justice court shall, upon the demand of either party, impanel a jury to try any civil or criminal case in accordance with the provisions of chapter 12.12 RCW."

#### MOTION

On motion of Senator Greive, Senator Durkan was excused for fifteen minutes for the purpose of giving testimony at a committee hearing.

On motion of Senator Freise, the following amendment was adopted:

In section 67, renumbered section 115, page 20, line 33, after "involved." add a new paragraph reading as follows:

"The amounts of money referred to in subparagraphs (1) through (9) shall be exclusive of interest, costs and attorney's fees."

On motion of Senator Freise, the following amendment was adopted:

In section 69, renumbered section 117, page 21, line 15, after "filed." add the following: "or in which the defendant, or if there be more than one defendant, where some one of the defendants may be served with the notice and complaint in which latter case, however, the justice court district where the defendant or defendants is or are served must be within the county in which the said defendant or defendants reside."

Senator Greive moved that the following amendment be adopted:

In section 74, page 23, lines 7 and 8, strike the comma at the end of line 7 and all of the words on line 8 before "may be"

#### PERSONAL PRIVILEGE

Senator Neill:

"I don't understand this at all. I thought the theory was that the lawyers were

the only ones from whom you could get justice. Now, you say you can't get justice from them."

The President stated the question before the Senate to be the adoption of the amendment proposed by Senator Greive.

A division was requested.

The motion lost on a rising vote, and the amendment was not adopted.

#### PERSONAL PRIVILEGE

Senator Greive:

"I desire at this time to inform Senator Dore and the others that I intend to vote against the bill."

Senator Dore:

"Did you ever intend to vote for it?"

Senator Greive:

"I always intended to vote for it."

On motion of Senator Rasmussen, the following amendment was adopted:

In section 77, renumbered section 125, page 24, line 11, after "association" strike "shall meet regularly each year" and insert "may meet each year"; also after the period following "1962" on line 12, add "Meetings shall be held in the state of Washington."

On motion of Senator Gallagher, the following amendment was adopted:

In section 78, renumbered section 126, page 24, line 19, after "per mile" and before the period insert ": *Provided*, That the per diem and transportation or mileage allowance authorized by this section shall not be paid to any judge for more than two days in any one calendar year"

#### POINT OF INQUIRY

Senator Henry:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Henry:

"Did I understand you to say, Senator Gallagher, that you had information that the Magistrates' Association would favor this bill?"

Senator Gallagher:

"Yes, that is what the sponsors have told me, that the Magistrates' Association are in favor of the bill. I can readily see why. They have formed an organization out of this act, the Magistrates' Association."

Senator Henry:

"For what it's worth, Senator Gallagher, I was just called to the phone and they said it was their opinion that eighty-four percent of the Magistrates were opposed to it."

Senator Gallagher:

"I heard earlier today that the City Attorneys' Association were in favor of the bill."

Senator Henry:

"There is no such organization."

On motion of Senator Neill, the following amendment was adopted:

In section 90, renumbered section 138, page 30, line 3, strike "and of any chain gang which may be established by the city council" and insert "[and of any chain gang which may be established by the city council]"

On motion of Senator Freise, the following amendment was adopted:

In section 95, renumbered section 143, page 32, line 1, after "prison" strike the comma and insert "[,] and"; after "prisoners" strike "and any chain gang which may be established by the council" and insert "[and any chain gang which may be established by the council]"

On motion of Senator Gallagher, the following amendment was adopted:

In section 102, renumbered section 149, page 36, lines 16 and 17, after "exceed" strike all of the material down to and including "days" on line 17 and insert "[three] five hundred dollars or imprisonment for not [to exceed ninety days] more than six months"

On motion of Senator Rasmussen, the following amendment was adopted:

On page 37, after section 105, renumbered section 153, insert two new sections reading as follows:

**NEW SECTION.** Sec. 154. All justice court judges under this act shall remain members of the state retirement system.

**NEW SECTION.** Sec. 155. The full time judges of the justice court shall be ineligible to any other office, or public employment than a judicial office or employment during the term for which they shall have been elected.

Renumber remaining section to read "Sec. 156"

Senator Dore moved that the following amendment be adopted:

On page 40, section 106, line 2 after "sections 4," and before "8" strike "5,"

On page 40, section 106, line 3 after "RCW 35.22.490," and before "35.22.510" strike "35.22.500,"

On page 13, section 38, line 13 after "other matters" and before the period insert the following: ", and each judge thereof shall have full power to hear and determine such municipal ordinance cases, without a jury"

Debate ensued.

Senator Dore demanded a roll call, which was sustained by Senators Nunamaker, Martin, Morgan, Hofmeister, McMillan, Gallagher, Herrmann and Kupka.

The President stated the question before the Senate to be the adoption of the amendment by Senator Dore.

The Secretary started to call the roll.

#### POINT OF INQUIRY

Senator Kupka:

"Mr. President, would you explain to the body how a Senator under the Call of the Senate could be in the House?"

The President:

"The Senator was escorted to the House by the Sergeant-at-Arms to attend a meeting."

#### POINT OF ORDER

Senator Dore:

"We were instructed the other day that we could not interrupt a roll call."

#### RULING OF THE PRESIDENT

The President:

"The President doesn't believe that a roll call has been interrupted inasmuch as we have this delay."

The Secretary called the roll and the amendment by Senator Dore was not adopted by the following vote: Yeas, 22; nays, 26; excused, 1.

Those voting yea were: Senators Chytil, Connor, Dore, Durkan, Elway, Jr., Foley, Freise, Hanna, Happy, Keefe, Knoblauch, McCutcheon, Morgan, Mori-

arty, Jr., Neill, Petrich, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—22.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Cooney, Cowen, DeGarmo, Donohue, Foster, Gallagher, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Kupka, Lennart, McCormack, McMillan, Martin, Nunamaker, Papajani, Rasmussen, Raugust, Talley, Woodall—26.

Those excused were: Senator Gissberg—1.

#### MOTION

On motion of Senator Woodall, the Senate voted to now consider the following amendment by Senator Woodall:

Amend Senator McCutcheon's amendment as follows:

After "date of" in line 19, strike "this act," and insert "the ordinance,"

Also, on line 24 of the amendment after "term." strike the remainder of the section and insert the following:

"The person appointed as municipal judge shall be a citizen of the United States of America and of the state of Washington; and an attorney duly admitted to practice law before the courts of record of the state of Washington and practicing law in the municipality or residing in the municipality where the department is located: *Provided*, That in a municipality having a population less than five thousand persons, a person other than a practicing attorney may be the judge. Any city or town shall have authority to appoint a duly elected justice of the peace as its municipal judge when the municipal judge is not required to serve full time. In the event of the appointment of a justice of the peace, the city or town shall pay a pro rata share of his salary."

Senator Woodall moved that the amendment be adopted.

#### POINT OF ORDER

Senator Woodall:

"I don't think tonight we are going to settle the question of whether or not lawyers are going to be eligible to be legislators."

Senator Rasmussen:

"Mr. President, would you please advise Senator Woodall that when I left the House, I left my law business there behind me, and that besides I haven't been getting much business!"

Senator Woodall:

"If I answered his questions I would really impugn him."

Debate ensued.

On request of Senator Greive, the Secretary read the amendment.

The President stated the question before the Senate to be the adoption of the amendment by Senator Woodall.

The motion carried, and the amendment was adopted.

#### PRESIDENT'S PRIVILEGE

On request of Senator Don L. Talley, the President introduced a delegation of Longview businessmen, under the leadership of Mr. John Craig. The group was asked to stand and be recognized, along with Senator Talley.

(Applause.)

#### POINT OF ORDER

Senator Gallagher:

"While it is true, I think there was a motion made the other day to attempt to line up the amendments according to section in view of the fact that so many had been presented, as long as there are amendments pending now, I think we should finish them."

Senator Greive:

"I would contend that there is no way in which we could cut off amendments."

Debate ensued.

#### RULING OF THE PRESIDENT

The President:

"The President believes that every amendment on the desk is in order. The President simply asked the members of the body how they wanted to receive them.

"If there are no objections, perhaps it would be more orderly to consider them section by section and the President requests that the Secretary arrange them in that manner."

Senator Bargreen moved that the following amendment be adopted:

In new section 11, chapter 2, page 4, line 29, after "Island," and before " ; Jefferson" strike "three" and insert "two"

The motion carried, and the amendment was adopted.

On motion of Senator Gallagher, the following amendment was adopted:

In section 29, renumbered section 28, page 11, line 11, after "committee." insert "Any such amendment shall not be effective until the next regular general election for justice of the peace."

Senator Woodall moved that the following amendment be adopted:

In section 66, renumbered section 114, page 19, line 29, after "act" strike the period and insert the following: " : *Provided*, That a justice of the peace shall not perform the civil service of marriage."

Senator Dore moved that the amendment by Senator Woodall be laid on the table.

Senator Woodall demanded a roll call, which was sustained by Senators Hofmeister, Cowen, Hallauer, Greive, McMillan, Riley, Hess, DeGarmo and Rasmussen.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator Woodall be laid on the table.

The Secretary called the roll and the motion to lay on the table the amendment by Senator Woodall was lost by the following vote: Yeas, 19; nays, 29; excused, 1.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, Donohue, Dore, Durkan, Hanna, Henry, Herrmann, Knoblauch, McCormack, Morgan, Moriarty, Jr., Papajani, Petrich, Sandison, Thompson, Jr., Washington—19.

Those voting nay were: Senators Bargreen, Chytil, Cowen, DeGarmo, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Happy, Hess, Hofmeister, Keefe, Kupka, Lennart, McCutcheon, McMillan, Martin, Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Shannon, Talley, Woodall—29.

Those excused were: Senator Gissberg—1.

The President stated the question before the Senate to be the adoption of the amendment proposed by Senator Woodall. The motion carried, and the amendment was adopted.

Senator Herrmann moved that the following amendment be adopted:

In section 68, page 21, line 9, after the period, add the following sentence: "(5) actions involving members of the Yakima, Spokane or Colville Indian tribes."

Senator Woodall moved that the amendment proposed by Senator Herrmann be laid on the table.

Senator Herrmann:

"With the permission of Senator Woodall and the members of the Senate, I will withdraw the amendment."

The amendment was withdrawn.

#### MOTION

Senator Bargreen moved that the Senate do now reconsider the vote by which his amendment to new section 11, chapter 2, page 4, line 29, was adopted.

The motion carried.

Senator Bargreen moved that the amendment be laid on the table, and the motion carried.

Senator McMillan moved that the following amendment be adopted:

On page 40, line 17, add a new section to read:

*NEW SECTION.* Sec. .... Any county with a population of 20,000 or less may elect not to come under this act. Such election must be exercised by a resolution duly adopted by the Board of County Commissioners of such county.

Extensive debate ensued.

The President stated the question before the Senate to be, shall the main question be now put.

Senator McMillan demanded a roll call, which was sustained by Senators Dore, DeGarmo, McCormack, Petrich, Morgan, Rasmussen, Greive, Connor and Angevine.

The Secretary called the roll, and the amendment by Senator McMillan was not adopted by the following vote: Yeas, 20; nays, 28; excused, 1.

Those voting yea were: Senators Bailey, Bargreen, Chytil, DeGarmo, Donohue, Gallagher, Hallauer, Henry, Hofmeister, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Rasmussen, Raugust, Woodall—20.

Those voting nay were: Senators Angevine, Connor, Cooney, Cowen, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Greive, Hanna, Happy, Herrmann, Hess, Keefe, Kupka, Moriarty, Jr., Neill, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—28.

Those excused were: Senator Gissberg—1.

Senator Nunamaker moved that the following amendment be adopted:

Strike everything after the enacting clause on line 9, page 2.

Senator Hanna moved that the amendment proposed by Senator Nunamaker be laid on the table.

The motion carried.

On motion of Senator McCutcheon, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "reorganizing" and before "the" insert "the municipal and"

Senator Rasmussen moved that the rules be suspended, and Engrossed Substitute Senate Bill No. 111 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

#### MOTION

Senator Hess:

"I wish to move to amend the motion."

**POINT OF ORDER**

Senator Dore:

"Is it possible to amend the motion to suspend the rules?"

**RULING OF THE PRESIDENT**

The President:

"A motion to suspend the rules is not amendable, Senator Dore.

"The President respectfully directs the members of the Senate to the table to be found in Reed's Rules."

The President stated the question to be, it has been moved that the rules be suspended, Engrossed Substitute Senate Bill No. 111 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Senator Dore demanded a roll call, which was sustained by Senators McMillan, Knoblauch, Cooney, Durkan, Herrmann, Kupka, Washington, Greive, Connor, Dore and Petrich.

**PARLIAMENTARY INQUIRY**

Senator Rasmussen:

"The motion was for a suspension of the rules, is that correct? If this motion is voted down, the bill will go into Rules?"

The President:

"The bill will pass to third reading, Senator Rasmussen."

The Secretary called the roll and Engrossed Substitute Senate Bill No. 111 was advanced to third reading by the following vote: Yeas, 33; nays, 16; absent or not voting, 0.

Those voting yea were: Senators Angevine, Chytil, Connor, Cooney, Dore, Durkan, Elway, Jr., Foley, Freise, Gissberg, Greive, Hanna, Happy, Herrmann, Hess, Keefe, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—33.

Those voting nay were: Senators Bailey, Bargreen, Cowen, DeGarmo, Donohue, Foster, Gallagher, Hallauer, Henry, Hofmeister, Knoblauch, McMillan, Nunamaker, Rasmussen, Raugust, Woodall—16.

**MOTION**

Senator Hess moved that Engrossed Substitute Senate Bill No. 111 be made a special order of business for tomorrow at 9:00 o'clock p. m.

**PARLIAMENTARY INQUIRY**

Senator Dore:

"Nine o'clock a. m., or p. m.?"

Senator Hess:

"Nine o'clock p. m."

Debate ensued.

Senators Greive, Gallagher and Bargreen demanded the previous question.

The President stated the question before the Senate to be, it has been moved that Engrossed Substitute Senate Bill No. 111 be made a special order of business for 9:00 o'clock p. m. tomorrow.

A division was requested and the motion lost on a rising vote.

Senators Dore, Riley and Henry demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 111, and the bill passed the Senate by the following vote: Yeas, 37; nays, 12; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Herrmann, Keefe, Kupka, Lenhart, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—37.

Those voting nay were: Senators Bailey, Chytil, Hallauer, Henry, Hess, Hofmeister, Knoblauch, McCormack, McMillan, Nunamaker, Petrich, Woodall—12.

Engrossed Substitute Senate Bill No. 111, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Hess:

"I would like the record to show that I am in opposition to this measure being placed before the Senate with no member having read it in its final form. I would like to have voted for this measure. I believe it may be a good law. I also believe it may contain some serious errors which not one of us have had an opportunity to catch."

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

#### MOTION

Senator Dore:

"I move that the Senate adjourn until 10:00 o'clock a. m. tomorrow."

#### NOTICE OF RECONSIDERATION

Senator Raugust, having voted on the prevailing side, gave notice that on the next legislative day he would move for reconsideration of the vote by which Engrossed Substitute Senate Bill No. 111 passed the Senate.

#### POINT OF ORDER

Senator Greive:

"Senator Dore having made a motion to adjourn, if put and carried will not preclude a reconsideration since our rules provide that reconsideration can be held on the next day if a motion to adjourn cuts off the motion to reconsider."

Senator Gissberg:

"I disagree with Senator Greive's interpretation of the rule. Upon reading it, I think it becomes clear that it is not the rule, and that Senator Dore is perfectly in order, and that the President must now put the motion to adjourn. There has not been made a motion to reconsider the vote. Senator Raugust has said he wants to give notice to reconsider the vote by which Engrossed Substitute Senate Bill No. 111 passed the Senate. A motion to reconsider shall have precedence over every other motion except the motion to adjourn, and when the Senate adjourns while a motion to recon-

sider is pending, or before passing the order of motions, the right to move a reconsideration shall continue on the next day of sitting.

"I submit, Mr. President, that there has been no such motion made before Senator Dore made his motion. Had there been such a motion made, then I would say that you should have the right to have your motion under reconsideration until the next working day."

Senator Gallagher:

"While it is true that Senator Dore made a motion, the Chair did not repeat the motion; therefore, I don't think it is before the body. Therefore, the Chair did recognize Senator Raugust. Senator Raugust did rise to make a motion, it had the time element to it, but as I recall the President did not repeat the motion."

Senator Greive:

"Senator Gissberg did read the entire phrase on Rule 31, but he didn't lay the proper emphasis on the last part of the phrase, page 252, in Rule 31, . . . 'A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting.' In other words, we are under a 'or before passing the order of motions.' That means, if a person attempts to reconsider while we are on the seventh order of business, he has the right to reconsider the next day. That is what happened here. It is the second time this motion has come up, and if you will read Reed's rules and several of the others, you will find that this is consistent. We were still under the same order of business, the seventh order, and there was an attempt to get the floor at that time."

#### PERSONAL PRIVILEGE

Senator Raugust:

"I don't remember the exact time, but if my recollection is correct, a week or two ago someone got up and made the motion for reconsideration, as I did. I do think that I was on my feet, asking to be recognized, and asking for a reconsideration."

Senator Moriarty:

"(Reading from Senate Rule 31) 'On and after the fiftieth day of the session a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day.'"

Senator Ryder:

"Senator Gallagher's point that the motion to adjourn—had that been properly put by the President . . ." (interruption)

#### RULING BY THE PRESIDENT

The President:

"The motion has not been put, as yet."

Senator Ryder:

"Then Senator Raugust's motion to reconsider must be to immediately reconsider."

#### MOTIONS

Senator Herrmann:

"I move that the Senate do immediately reconsider the vote by which Engrossed Substitute Senate Bill No. 111 passed the Senate."

Senator Gallagher:

"I do now move that the Senate adjourn until 10:00 o'clock a. m. tomorrow."

#### POINT OF ORDER

Senator Gissberg:

"I suggest to you that it is very important to recognize one of the motions that has been made. Now, Senator Herrmann has just made a motion which we have entered upon the Journal which will stand and will allow a reconsideration to be made tomorrow, and I would suggest that also the motion made by Senator Herrmann

has not been recognized by the Chair. I would suggest further, that you recognize Senator Dore for the purpose of making a motion."

Senator Herrmann:

"I don't believe that Senator Raugust made a motion; he merely said what his intention was. He didn't place the motion, but I did place the motion."

Senator Hess:

"Speaking to the point of order, I merely wanted to associate myself with the remarks of Senator Greive, and I think this is a point that has caused confusion in the past, and that is an attempt to adjourn before there is an opportunity to give notice for reconsideration, and this is the bone of ruling in importance before us now, because if we would adjourn at this point without having had the order of motions before the body, this would be denying a very important right—granting to a minority on the parliamentary procedure of many years standing."

#### POINT OF ORDER

Senator Dore:

"I made a motion to adjourn and if that is put, we adjourn. Now, tomorrow if the Senator wishes to reconsider he may make his motion to do so. If the motion to adjourn is properly put, there is nothing to debate, then the reconsideration will come up tomorrow. I submit, Mr. President, there is nothing before you except the motion to adjourn."

At 11:30 o'clock p. m., the President declared the Senate to be at ease subject to the Call of the President.

At 12:00 o'clock p. m., the President called the Senate to order.

#### RULING OF THE PRESIDENT

The President:

"The President believes that the Senate should have ample opportunity to consider a measure before any final action is taken that precludes further consideration of the measure.

"The President believes that the Senate is entitled to reconsider its action. For this reason, the President is not going to put the motion to adjourn by Senator Dore, but rather will put the motion as presented by Senator Herrmann."

The President stated the question before the Senate to be, it has been moved that the Senate do now reconsider the vote by which Engrossed Substitute Senate Bill No. 111 passed the Senate.

Senators Greive, Herrmann and Gallagher demanded the previous question. Senators Gissberg, Hanna and Riley demanded a Call of the Senate.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

Senator Greive:

"I would like to ask Senator Gissberg, through you, if he wouldn't like to reconsider his motion."

The President stated the question before the Senate to be, shall a Call of the Senate be ordered.

A division was requested.

The motion for a Call of the Senate lost on a rising vote.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried.

#### MOTIONS

Senator Gissberg moved that the Senate do now immediately reconsider the vote by which Engrossed Substitute Senate Bill No. 111 passed the Senate.

Senator Gallagher moved that the Senate do now adjourn until 10:00 o'clock a. m. on March 2.

**RULING OF THE PRESIDENT**

The President:

"The President has already ruled on that particular motion, Senator Gallagher.

"The President believes that the Senate should have ample opportunity to reconsider."

**POINT OF ORDER**

Senator Gallagher:

"I think I agree with you that Senator Herrmann's motion was in order, but I think that my motion to adjourn while that motion was pending is also in order."

The President:

"The President should like to refer you to Rule 17 of the Senate Rules, Senator Gallagher."

**POINT OF ORDER**

Senator Dore:

"I demand a roll call on the main question."

The demand for a roll call was sustained by Senators Dore, Freise, Petrich, Moriarty, Rasmussen, Washington, Greive, Connor and Morgan.

The President stated the question before the Senate to be, it has been moved by the Senate that we do now reconsider the vote by which Engrossed Substitute Senate Bill No. 111 passed the Senate.

The Secretary called the roll and the motion to reconsider the vote by which Engrossed Substitute Senate Bill No. 111 passed the Senate failed by the following vote: Yeas, 10; nays, 37; absent or not voting, 2.

Those voting yea were: Senators Chytil, Cooney, Cowen, Gallagher, Hallauer, Henry, Hofmeister, McMillan, Rasmussen, Raugust—10.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hanna, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators Happy, Talley—2.

The Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, your Committee on Engrossed and Enrolled Bills to whom was referred Substitute Senate Bill No. 111, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**MOTIONS**

On motion of Senator Greive, the remainder of the bills were ordered held for the second reading calendar for tomorrow.

At 12:10 o'clock a. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m. on Thursday, March 2, 1961.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

## FIFTY-THIRD DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, March 2, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg. The President announced that the Senate would be at ease for fifteen minutes.

The Senate was called to order at 10:20 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Happy.

On motion of Senator Woodall, Senator Happy was excused.

The Color Guard, consisting of Pages Dain Nysoe, Color Bearer, and Janis Kupka, presented the Colors.

Reverend Arthur I. Anderson, Pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Our Father God, we thank Thee for the natural scenic beauty and for the natural material resources with this portion of Thy good earth which we are privileged to call our commonwealth.

"We thank Thee, too, for civic minded men and women with that divine discontent which ever looks upon the good as the enemy of the best and ever seeks, therefore, to increase and to improve.

"Yet Thy word declares unto us that except the Lord builds the house those who seek to build labor in vain, and so we invoke Thy blessing upon this legislative assembly.

"O Thou who hast endowed us with minds and hearts and wills, may we use our minds now to know that which is worth knowing, our hearts to love that which is worth loving, and may our wills be exercised to do that which is worth doing.

"Help us to redeem the time as we seek to serve—through Jesus Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESIDENT'S PRIVILEGE

At the request of Senator DeGarmo, the President introduced a group of students from Griffin Grade School in Thurston County, under the direction of Frank McDonald. This group of highly interesting and attractive youngsters was complimented on their excellent deportment. The group was asked to stand and be recognized, along with Senator DeGarmo.

At the request of Senator Rasmussen, the President presented a group of seventy-six fifth grade students of Fawcett School in Tacoma present in the south gallery. This group was asked to stand along with Senator Rasmussen. (Applause.)

The Secretary read:

#### SENATE RESOLUTION

By Senators McCormack, Washington, Foster and Woodall:

WHEREAS, A serious need exists for increasing water flows on the lower Yakima River; and

WHEREAS, Additional water storage for the Yakima River can be obtained by construction of a storage dam at the Bumping Lake Reservoir; and

WHEREAS, Such a project would provide great benefit to the Yakima River Valley, particularly in the areas of fisheries, flood control, reclamation and recreation; and

WHEREAS, The U. S. Department of the Interior has completed a study of this project; and

WHEREAS, Senators Warren G. Magnuson and Henry M. Jackson have introduced legislation authorizing this project,

Now, Therefore, Be It Resolved, That we, the Senate of the state of Washington respectfully petition that the President and the Congress of the United States enact legislation authorizing the Bumping Lake Reservoir Project; and

Be It Further Resolved, That copies of this resolution immediately be transmitted to the President of the United States, the President of the Senate of the United States and the Speaker of the United States House of Representatives, and to each member in the Congress of the United States from the state of Washington.

On motion of Senator McCormack, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Nunamaker, Bailey and Elway, Jr.:

WHEREAS, The Governors of Washington, Oregon and Idaho, in recognition of the serious depletion of the fishery resources of the Pacific Northwest, met jointly in Boise, Idaho, on February 6, 1961, and agreed to take steps to remedy this situation and to urge Congress to enact legislation to safeguard the fish runs on the Salmon River in Idaho, the most valuable fish producing stream in the entire Columbia River system, which can be accomplished by preventing any further obstacles to Salmon River fish in their migration to and from the Pacific Ocean, similar to the objectives of Senate Bill 323 and House Bill 3589 of the 87th Congress,

Now, Therefore, Be It Resolved, By the Senate, that we urge the Congress of the United States to enact legislation creating a fish sanctuary of the Salmon River by prohibiting the construction of dams thereon and restricting the height of dams below its mouth on the Snake River to a height no greater than the highest of those dams presently constructed or authorized in that stretch of river, that is, a dam having no more than one hundred feet of hydraulic head,

Be It Further Resolved, That the Secretary of the Senate immediately send copies of this resolution to the Honorable John F. Kennedy, President of the United States, the Chairman of the Federal Power Commission, the President of the Senate, the Speaker of the House of Representatives, each senator and representative in Congress from the states of Washington, Oregon, Idaho, California and Alaska, and to the governors of each of these states.

Senator Nunamaker moved that the resolution be adopted.

Senator Washington moved that the resolution be referred to the Committee on Public Utilities.

Senator Greive amended Senator Washington's motion to include that the Committee on Public Utilities be instructed to report to the Senate with a recommendation within three days.

Senators Greive, Riley and McCormack demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The President stated the question to be, it has been moved by Senator Greive that the motion by Senator Washington be amended to instruct the Committee on Public Utilities to report to the Senate on the resolution within three days.

The motion carried.

The President stated the question to be, it has been moved that the resolution be referred to the Committee on Public Utilities with instructions that it report to the Senate within three days.

Debate ensued.

Senators McCormack, Riley and Greive demanded the previous question.

**POINT OF ORDER**

Senator Elway:

"Three days. Would that be including this as a working day?"

Senator Greive:

"Normally when you figure days in a legal sense, you exclude the first day."

Senator Elway demanded a roll call, which was sustained by Senators DeGarmo, Woodall, Thompson, Jr., Foster, Nunamaker, Foley, Bargreen and Greive.

The Secretary called the roll on the motion that the resolution be referred to the Committee on Public Utilities with instructions that it report to the Senate within three days, and the motion carried by the following vote: Yeas, 26; nays, 19; absent or not voting, 4.

Those voting yea were: Senators Angevine, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Greive, Hallauer, Hanna, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Rasmussen, Riley, Ryder, Shannon, Washington—26.

Those voting nay were: Senators Bailey, Bargreen, DeGarmo, Elway, Jr., Foley, Foster, Freise, Gallagher, Henry, Hofmeister, Neill, Nunamaker, Papajani, Petrich, Raugust, Sandison, Talley, Thompson, Jr., Woodall—19.

Those absent or not voting were: Senators Durkan, Gissberg, Happy, Herrmann—4.

The Secretary read:

**SENATE RESOLUTION**

By Senators Riley and Ryder:

WHEREAS, The field of economic and financial regulation is one of the most completely diffused in state government; and

WHEREAS, The statutes of the state of Washington now require such regulatory activities of the state to be administered in some cases within departments, the basic purposes of which are unrelated to such regulation; and

WHEREAS, The 1960 report to the governor of the expenditures advisory council of the state of Washington recognizes the need for unifying such functions; and

WHEREAS, The current biennial report of the department of general administration recommends that consideration should be given by the legislature to the consolidation of such regulatory activities within a central state agency solely concerned with assuring the public of proper conduct of those citizens dealing in money, credits and securities,

*Now, Therefore, Be It Resolved*, By the Senate, that the legislative council is directed to study all aspects of the regulatory activities of the state relating to banks and banking, savings and loan, small loans, industrial loans, credit unions, pawn-brokers, escrow, securities, and other financial transactions, for the purpose of determining the feasibility of establishing a department of financial institutions to administer and regulate such financial activity,

*Be It Further Resolved*, That the legislative council shall report its findings, together with recommended legislation, to the thirty-eighth session of the legislature.

Senator Riley moved that the resolution be adopted.

Senator Gallagher moved that the resolution be referred to the Committee on Banks and Financial Institutions.

Debate ensued.

The President stated the question before the Senate to be, it has been moved that the resolution be referred to the Committee on Banks and Financial Institutions.

The motion carried and the resolution was referred to the Committee on Banks and Financial Institutions.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 14; also

Senate Bill No. 38; also  
Senate Bill No. 68; also  
Senate Bill No. 84; also  
Senate Bill No. 105; also  
Senate Bill No. 119; also  
Senate Bill No. 143; also  
Senate Bill No. 157; also  
Senate Bill No. 170; also  
Senate Bill No. 179; also  
Senate Bill No. 210; also  
Senate Bill No. 218; also  
Senate Bill No. 244; also  
Senate Bill No. 262; also  
Senate Bill No. 280; also  
Senate Bill No. 285; also  
Senate Bill No. 305; also  
Senate Bill No. 457, have compared same with the original and engrossed bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Substitute Senate Bill No. 147; also

Senate Bill No. 321; also  
Senate Joint Resolution No. 28, have compared same with the original bills and resolution and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 248:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 248, reestablishing Columbia River Boundary Commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Herbert H. Freise, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 326:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Senate Bill No. 326, allowing auto stages of forty-five feet in length, have had the same under

consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman*.

We concur in this report: Frank Connor, David C. Cowen, Martin J. Durkan, F. Stuart Foster, John H. Happy, James E. Keefe, George W. Kupka, Mike McCormack, Marshall A. Neill, Edward F. Riley, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 496:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Senate Bill No. 496, extending teachers' time for filing for retirement, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 133:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred House Bill No. 133, establishing a state law enforcement officer's training commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Herbert H. Freise, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill.

On motion of Senator Rasmussen, the report of the committee was adopted, and House Bill No. 133 was referred to the Committee on Ways and Means.

**Engrossed House Bill No. 165:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources, to whom was referred Engrossed House Bill No. 165, disposing of surplus property by diking and drainage districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE MCCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 258:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Medicine and Dentistry, to whom was referred House Bill No. 258, modifying law relating to vital statistics, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Wayne G. Angevine, John L. Cooney, David C. Cowen, Harry Elway, Jr., R. R. (Bob) Greive, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 309:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred House Bill No. 309, relating to old age assistance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Social Security, to whom was referred House Bill No. 309, relating to old age assistance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: W. C. Raugust, Edward F. Riley, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 365:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred House Bill No. 365, relating to firemen's pensions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Social Security, to whom was referred House Bill No. 365, relating to firemen's pensions, have had the same under consideration and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: W. C. Raugust, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 404:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred House Bill No. 404, relating to public assistance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 409:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred House Bill No. 409, dissolving commercial waterway districts, have had the same under

consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 458:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Engrossed House Bill No. 458, relating to state employees' retirement system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

Senator Hallauer moved that Engrossed House Bill No. 458 be referred to the Committee on Ways and Means.

**POINT OF INQUIRY**

Senator Greive:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Greive:

"Is the chairman of the appropriate committee agreeable to this arrangement?"

Senator Hallauer:

"Yes, he was agreeable when the preceding bill was sent in there. He apparently knew that I was going to make this motion and he is not here."

Senator Greive:

"What is this bill?"

Senator Hallauer:

"This is the State Employees' Retirement Benefit bill. It was in the Committee on Ways and Means for some time. It was discussed this morning and is the first one to be considered at the next committee meeting."

Senator Woodall:

"Does the measure carry any appropriation?"

Senator Hallauer:

"It does not, but it does have financial impact."

Senator Angevine:

"I have already received assurance from Ways and Means that they will give consideration to this bill next time the committee meets. While, personally, I would rather have both measures in Rules, as long as one is already in Ways and Means, I would rather have them both there."

The President stated the question before the Senate to be the referral of Engrossed House Bill No. 458 to the Committee on Ways and Means.

The motion carried, and Engrossed House Bill No. 458 was referred to the Committee on Ways and Means.

The Secretary read:

**House Joint Memorial No. 28:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources, to whom was referred House Joint Memorial No. 28, requesting relief on Green River Valley watershed applications, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.      *MIKE McCORMACK, Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 14; also  
Senate Bill No. 38; also  
Senate Bill No. 68; also  
Engrossed Senate Bill No. 84; also  
Engrossed Senate Bill No. 105; also  
Senate Bill No. 119; also  
Senate Bill No. 143; also  
Senate Bill No. 157; also  
Engrossed Senate Bill No. 170; also  
Senate Bill No. 179; also  
Senate Bill No. 210; also  
Senate Bill No. 218; also  
Senate Bill No. 244; also  
Senate Bill No. 262; also  
Engrossed Senate Bill No. 280; also  
Senate Bill No. 285; also  
Engrossed Senate Bill No. 305; also  
Engrossed Senate Bill No. 457, and the same are herewith transmitted.

*S. R. HOLCOMB, Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 169; also  
House Bill No. 364; also  
Engrossed House Bill No. 457; also  
Engrossed House Bill No. 491; also  
House Bill No. 566; also  
House Bill No. 687; also  
Engrossed House Joint Memorial No. 25, and the same are herewith transmitted.

*S. R. HOLCOMB, Chief Clerk.*

House of Representatives,  
Olympia, Wash., February 26, 1961.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Substitute House Bill No. 31 and asks the Senate to recede therefrom, and the same is herewith transmitted.

*S. R. HOLCOMB, Chief Clerk.*

**MOTION**

Senator Greive moved that the Senate adhere to its position on Substitute House Bill No. 31.

**POINT OF INQUIRY**

Senator Dore:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Dore:

"Is this the amendment which puts the osteopaths under the act?"

Senator Greive:

"Yes, it is."

Senator Dore:

"I would like to move a substitute motion that we do recede from our position on this bill."

**RULING OF THE PRESIDENT**

The President:

"The President advises that a substitute motion is not in order."

**POINT OF ORDER**

Senator Woodall:

"Mr. President, would you please rule as to whether or not the amendment is beyond the scope of the bill?"

The President:

"The question before the Senate is the Senate insists upon its position regarding the Senate amendments to Substitute House Bill No. 31."

A roll call was demanded, which was not sustained.

Senators Riley, Dore and Moriarty, Jr., demanded a Call of the Senate.

A division was requested.

The motion was lost on a rising vote and a Call of the Senate was not ordered.

The President stated the question to be, it has been moved that the Senate insist upon its position regarding the Senate amendments to Substitute House Bill No. 31.

The motion carried.

The Senate refused to recede from its position on Substitute House Bill No. 31.

The Secretary read:

House of Representatives,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 219 with the following amendment:

On page 1, section 1, line 12, after "shall be" strike "not less than" and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Hanna, the Senate concurred in the House amendment to Senate Bill No. 219.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 219, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Chytil, Connor, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani,

Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Bailey, Bargreen, Cooney, Cowen, DeGarmo, Donohue, Henry, McCormack, Martin, Talley—10.

Engrossed Senate Bill No. 219, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

On request of Senator Martin Durkan, the President announced the presence in the gallery of a group of boys from Griffin Home at Renton, visiting today to observe the action of the Senate. The boys were under the direction of Superintendent Owen Stanley. Mr. Stanley and the group of boys were asked to stand and be recognized, along with Senator Durkan.

(Applause.)

The Secretary read:

House of Representatives,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Concurrent Resolution No. 5 with the following amendment:

On page 3, line 5, after "chairman" and before "of the committee" insert "and secretary"

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### POINT OF INQUIRY

Senator Hanna:

"Is that the Interim Committee on Legislative Processes?"

The President:

"This will create a Joint Committee on Governmental Cooperation."

#### MOTION

Senator Hanna:

"I move that the Senate do concur in the House amendment to Engrossed Senate Concurrent Resolution No. 5."

The motion carried.

The Secretary called the roll on the final passage of Engrossed Senate Concurrent Resolution No. 5, as amended by the House, and the resolution passed the Senate by the following vote: Yeas, 33; nays, 1; absent or not voting, 15.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Dore, Durkan, Foley, Foster, Gallagher, Hallauer, Hanna, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McMillan, Moriarty, Jr., Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—33.

Those voting nay were: Senator Neill—1.

Those absent or not voting were: Senators Cowen, Donohue, Elway, Jr., Freise, Gissberg, Greive, Happy, Henry, Herrmann, Keefe, McCutcheon, Martin, Morgan, Papajani, Raugust—15.

Engrossed Senate Concurrent Resolution No. 5, as amended by the House, having received the constitutional majority, was declared passed.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Sandison, the President introduced twenty-five students from Kamilche School in Mason County, under the direction of Charles A. Springer, Principal. This group was asked to stand, along with Senator Sandison.

(Applause.)

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 14; also**

**Senate Bill No. 38; also**

**Senate Bill No. 68; also**

**Senate Bill No. 84; also**

**Senate Bill No. 105; also**

**Senate Bill No. 119; also**

**Senate Bill No. 143; also**

**Senate Bill No. 157; also**

**Senate Bill No. 170; also**

**Senate Bill No. 179; also**

**Senate Bill No. 210; also**

**Senate Bill No. 218; also**

**Senate Bill No. 244; also**

**Senate Bill No. 262; also**

**Senate Bill No. 280; also**

**Senate Bill No. 285; also**

**Senate Bill No. 305; also**

**Senate Bill No. 457; also**

**Senate Joint Resolution No. 28.**

**FIRST READING OF HOUSE BILLS**

The following bills were read first time by title and acted upon as indicated:

**House Bill No. 169**, by Representatives Schaefer, Wintler and Olsen:

An Act relating to the taxation of real property; and amending sections 84.64.060 and 84.64.070, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 84.64.060 and RCW 84.64.070.

Referred to Judiciary Committee.

**House Bill No. 364**, by Representatives Lewis, McCormick and Metcalf:

An Act relating to employment security; and amending section 128, chapter 35, Laws of 1945 and RCW 50.32.120.

Referred to Judiciary Committee.

**Engrossed House Bill No. 457**, by Representatives Epton, Day and Wang:

An Act relating to fire commissioners' per diem; and amending section 22, chapter 34, Laws of 1939 as last amended by section 4, chapter 237, Laws of 1959 and RCW 52.12.010.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 491**, by Representatives Shropshire, Beierlein and Wedekind:

An Act relating to motor vehicles and licensing thereof; and adding four new sections to chapter ....., Laws of 1961 (House Bill No. 2) and chapter 46.84 RCW.

Referred to Committee on Highways.

**House Bill No. 566**, by Representative Wedekind:

An Act relating to port districts; regulating the lease of property and providing for performance bonds or security; and amending section 9, chapter 65, Laws of 1955, as last amended by section 1, chapter 157, Laws of 1959, and RCW 53.08.080.

Referred to Committee on Natural Resources.

On motion of Senator Talley, House Bill No. 566 was referred to the Committee on Cities, Towns and Counties.

**House Bill No. 687**, by Representatives Olsen, Testu and Wedekind (by Executive request):

An Act relating to world fairs or expositions and the participation of the political subdivisions and municipal corporations of the state therein; authorizing the acquisition and disposal of real or personal property by purchase, lease, or otherwise; authorizing the construction, improvement, maintenance, equipping, and disposal of buildings or other structures; declaring a purpose; authorizing appropriations be made; providing financing procedures; repealing chapter 39, Laws of 1961; and declaring an emergency.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Engrossed House Joint Memorial No. 25**, by Representatives Cecil, Henry and Marsh:

Petitioning Congress to substitute "comprehensive use" for farmers "single-purpose" concept of resource development.

Referred to Committee on Natural Resources.

**House Concurrent Resolution No. 24**, by Representative Litchman, Jr.:

Relating to final date for consideration of bills by thirty-seventh legislature.

**POINT OF INQUIRY**

Senator Hallauer:

"Is this the House resolution concerning the date of termination for bills?"

The President:

"This is a resolution relating to final date for consideration of bills by the thirty-seventh legislature."

**MOTION**

On motion of Senator Hallauer, the rules were suspended, House Concurrent Resolution No. 24 was advanced to second reading and read the second time in full.

On motion of Senator Hallauer, the rules were suspended, House Concurrent Resolution No. 24 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

**SECOND READING OF BILLS**

**Senate Bill No. 72**, by Senators Dore, Petrich and Neill:

Enacting a uniform commercial code.

The bill was read the second time by sections.

**POINT OF INQUIRY**

Senator Herrmann:

"Is a motion in order to refer?"

The President:

"Yes, a motion is in order."

Senator Herrmann:

"I would suggest, Mr. President, that I would like to talk to Senator Dore, and if this bill could be ordered to take its place at the end of the second reading calendar for today, I will make that motion."

#### MOTION

On motion of Senator Herrmann, Senate Bill No. 72 was ordered to retain its place at the end of today's second reading calendar.

**Engrossed House Joint Resolution No. 16**, by Representatives Brouillet, Uhlman and Leland:

Authorizing school districts, port districts, cities and towns to exceed 40 mill limit.

On motion of Senator Hess, Engrossed House Joint Resolution No. 16 was referred to the Committee on Education.

**Engrossed House Bill No. 22**, by Representatives Smith, Witherbee and Wedekind:

Relating to age discrimination in employment.

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Bill No. 22, relating to age discrimination in employment, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 5, page 3, lines 15 and 16, after "approval of the" strike the remainder of the sentence and insert "director of labor and industries through the division of industrial relations."

In section 5, page 3, line 21, after "expresses" strike ", directly or indirectly,"

In section 5, page 3, lines 23 and 24, after "sixty-five" strike the remainder of the sentence and insert " : *Provided*, That nothing herein shall forbid a requirement of disclosure of birth date upon any form of application for employment or by the production of a birth certificate or other sufficient evidence of the applicant's true age."

In line 7 of the title, strike "49.60" and insert "49.44" AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister.

The bill was read the second time by sections.

On motion of Senator Henry, the committee amendments were adopted.

On motion of Senator Hess, the following amendment was adopted:

On page 4, add a new section reading as follows:

**NEW SECTION.** Sec. 6. The amendments made by this act shall not be construed as modifying chapter 231, Laws of 1941 as amended, or as applying to any standards established thereunder or employment pursuant to any bona fide agreement entered into thereunder.

On motion of Senator Henry, the following amendments were adopted:

In section 1, page 1, lines 23 and 24 of the engrossed and printed bill, after "expresses" strike ", directly or indirectly,"

In section 3, page 2, lines 21 and 22 of the engrossed and printed bill after "expresses" strike ", directly or indirectly,"

In section 5, page 3, line 3 of the engrossed and printed bill, after "chapter" strike "49.60" and insert "49.44"

On motion of Senator Henry, the committee amendment to the title was adopted.

On motion of Senator Henry, the rules were suspended, Engrossed House Bill No. 22, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 22, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Cowen, Dore, Hallauer, Raugust, Talley—5.

Engrossed House Bill No. 22, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"At the request of the eminent, respected and esteemed Senator from Skagit and San Juan counties, Senator Fred J. Martin, the President takes pleasure in introducing a very attractive group of young ladies from a Camp Fire group in Mount Vernon. These girls represent the Chesk-Cha-May Camp Fire girls and are under the direction of Mrs. H. J. Jensen and four other adults. Mount Vernon, in the heart of Skagit County, is noted for many things, not the least of which they are most proud are these young ladies. The President is very happy and proud to present this group today.

"Will this group please stand, along with Senator Martin, and be properly recognized. Although the President is aware that you conduct yourselves well every day, the President should like to comment on the manner in which you are conducting yourselves today."

(Applause.)

**Senate Bill No. 321**, by Senators Rasmussen, Riley, Shannon, DeGarmo and Cowen (by Departmental request):

Department of general administration to handle purchases, rental and leases of certain real property for state agencies.

Senate Chamber,  
Olympia, Wash., February 16, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 321, department of general administration to handle purchases, rental and leases of certain real property for state agencies, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 5, section 6, line 4, after the period following "this chapter" and before "In the" insert the following: "Moneys received into the general administration management fund shall be used to pay rent to the owner of the space for occupancy of which the charges have been made and to pay utility and operational costs of the space utilized by the occupying agency: *Provided*, That moneys received into the fund for occupancy of space owned by the state where utilities and other operational costs are covered by appropriation to the department of general administration shall be immediately transmitted to the general fund: *Provided further*, That the director may expend not to exceed fifty thousand dollars per biennium from the general administration management fund to cover unusual or unexpected expenses connected

with space occupancy or management that cannot be charged directly to any specific state agency."

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendment was adopted.

On motion of Senator Rasmussen, the rules were suspended, Engrossed Senate Bill No. 321 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 321, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Connor, Cowen, Dore, Durkan, Foster, Hallauer, Hess, McMillan, Papajani, Talley—10.

Engrossed Senate Bill No. 321, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 503**, by Senators Gallagher, Moriarty, Jr., and Riley:  
Relating to municipal courts.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 503 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 503, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Bailey, Connor, Dore, Durkan, Foster, Hanna, Hess, McMillan, Martin—9.

Senate Bill No. 503, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 217**, by Representatives Henry, Braun and Canfield:  
Relating to amendments to state teachers' retirement system.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, House Bill No. 217

was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator Hallauer:

"Will Senator Henry yield to a question?"

Senator Henry:

"Yes, I will."

Senator Hallauer:

"I would like to ask Senator Henry what the financial impact of this measure is. I would like him to give us some real assurance."

Senator Henry:

"I have looked around, expecting somebody to be here to defend this bill. I felt I must, in view of the fact that no one else seemed to be present. I would suggest that Senator Angevine or Gissberg answer that question."

Senator Angevine:

"I can assure the chairman of the Ways and Means Committee that this bill is an absolute necessity if the projections which have been made by the Retirement Board are to be kept at the level that we have requested this biennium. There was one other bill which they introduced, whereby bonds would draw a higher rate of interest. This bill limits the amount of prior service credit that you get for having served in the military service, which from our standpoint will work in our favor insofar as the level of appropriation is concerned. It is very important to pass this measure in view of these conditions."

Senator Henry:

"I now, with the aid of the Secretary, can answer specifically the question of impact."

"This would not require an additional appropriation for the 1961-63 bienniums."

**MOTION**

On motion of Senator Angevine, House Bill No. 217 was ordered to retain its place at the end of the third reading calendar for today, following consideration of Senate Bill No. 72.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Dore, the President introduced a group of the Thirty-seventh District Democratic Organization present in the gallery, under the direction of Mrs. Marjorie P. King, Chairman.

(Applause.)

**Senate Bill No. 459**, by Senators Washington and Shannon:

Modifying law relating to bonds of the state and political subdivisions thereof.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Senate Bill No. 459 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 459, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill,

Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Elway, Jr., Foster, Hallauer, Hanna, Henry, Kupka, Martin, Morgan, Papajani, Petrich—10.

Senate Bill No. 459, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 176**, by Representatives Ackley, Witherbee and Meyers, Jr.: Authorizing counties to lease or sell park property.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, House Bill No. 176 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Durkan:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Durkan:

"Will you please explain the provision of the emergency clause?"

Senator Gallagher:

"Yes, it so happens that King County has sold a piece of property out at Burien, which is park property, and the title is being held up, and we are trying to expedite it with this legislation."

#### POINT OF INQUIRY

Senator Moriarty:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Moriarty:

"Have counties ever before had the power to acquire park property?"

Senator Gallagher:

"No, they have not had that power."

#### POINT OF INQUIRY

Senator Durkan:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Durkan:

"As a matter of information, is this property being sold by bid?"

Senator Hess:

"Yes, this is the former playfield. The county, some months back, had it up for bid and the property was sold but the title was unable to be cleared by reason of the complication."

Senator Moriarty:

"Would one of the persons interested in this bill, Senators Gallagher or Hess, tell

me if this bill would mean that the county could condemn property and then turn around and sell it?"

Senator Hess:

"As you know, I am not an attorney, and I can't tell you all the implications of law, but I can't conceive of that happening.

"The only intent, as explained, is to permit a tract of ground that has changed in its primary use to be used for different purposes."

#### MOTIONS

On motion of Senator Moriarty, the rules were suspended, and House Bill No. 176 was returned to second reading for the purpose of an amendment.

On motion of Senator Gallagher, House Bill No. 176 was ordered to retain its place at the end of the second reading calendar for today.

On motion of Senator Riley, it was ordered that House Bill No. 176 would be considered immediately prior to Senate Bill No. 72.

#### POINT OF INQUIRY

Senator Gallagher:

"I would like to inquire regarding the position of House Bill No. 217."

The President:

"House Bill No. 217 has been placed at the end of the third reading calendar for today to be considered after Senate Bill No. 72."

#### MOTION

At 12:25 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:15 o'clock p. m.

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### AFTERNOON SESSION

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At 2:15 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary called the roll, and announced to the President that all Senators were present except Senators Hanna, Hofmeister and Gissberg.

#### SECOND READING OF BILLS

**Re-Engrossed House Bill No. 326**, by Representatives Epton, Johnston and Leibold:

Providing for support of mentally or physically deficient acceptable in state residential schools in day training centers.

The bill was read the second time by sections.

Senator Bargreen moved that Re-Engrossed House Bill No. 326 be referred to the Committee on Ways and Means.

Senator Greive moved that Re-Engrossed House Bill No. 326 be placed at the end of today's second reading calendar for the purpose of amendment.

#### POINT OF ORDER

Senator Woodall:

"Senator Greive's motion is out of order. Senator Bargreen's motion was to submit the bill to a specific committee."

#### RULING OF THE PRESIDENT

The President:

"Your point is well taken, Senator Woodall."

Debate ensued.

**POINT OF ORDER**

Senator Woodall:

"The question is whether or not this particular measure has financial impact which makes it necessary to go to Appropriations. I hope the members will take that into consideration."

Senator Kupka:

"I am considering the financial impact."

Senator Greive:

"I think it only fair to state that as the bill now stands it has no appropriation."

Senators Cowen, Hallauer and Riley demanded the previous question.

Senators Greive, Nunamaker and Martin demanded a Call of the Senate.

The President stated the question before the Senate to be, shall a Call of the Senate be ordered.

The motion carried, and a Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms cleared the lobby of all unauthorized personnel, locked the doors and elevators, and was ordered not to permit anyone to leave or enter the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is with great honor and extreme pleasure that the President presents a group of senior non-commissioned officers from Fort Lewis, attending the Non-Commissioned Officers Academy at Fort Lewis. Present with this group is Adjutant General George Haskett. Would this group please stand in order that the members of the Senate may recognize you in the fashion to which you are entitled. We are very happy to have you with us today. Thank you very much for coming."

(Applause.)

**MOTION**

On motion of Senator Ryder, the Senate proceeded with business under the Call of the Senate.

The President stated, the previous question having been ordered, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

Senator Greive demanded a roll call, which was sustained by Senators Bargreen, Martin, Nunamaker, Herrmann, Durkan, McMillan, Moriarty, Jr., Freise and Dore.

The Secretary called the roll and Re-Engrossed House Bill No. 326 was referred to the Committee on Ways and Means, by the following vote: Yeas, 32; nays, 17, absent or not voting, 0.

Those voting yea were: Senators Bailey, Bargreen, Chytil, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—32.

Those voting nay were: Senators Angevine, Connor, Cooney, Cowen, Dore,

Greive, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Morgan, Nunamaker, Papajani, Petrich, Sandison—17.

**Senate Joint Resolution No. 6**, by Senators Greive, Kupka and Keefe (by Legislative Council request):

Proposing constitutional amendment to permit lending of state credit to industry.

On motion of Senator Greive, Senate Joint Resolution No. 6 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 77**, by Senators Greive, Kupka, Keefe and Freise (by Legislative Council request):

Creating a Washington industrial finance authority.

On motion of Senator Greive, Senate Bill No. 77 was ordered to retain its place on the second reading calendar for tomorrow.

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**Senate Bill No. 486**, by Senators Washington, Petrich and Raugust:  
Enacting federal conspiracy law as to state governmental entities.

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 486, enacting federal conspiracy law as to state governmental entities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 1 beginning on line 20 strike all of sections 2 and 3.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill, Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendment was adopted.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 486 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Gissberg:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Gissberg:

"Did I understand you to say there would be some additional study needed on other proposals, on suggestions made by the Grant County grand jury?"

Senator Washington:

"Very definitely. Some of them were quite complicated and they, the grand jury, did not have time to think of all the areas involved. It would require some extensive study to perfect the recommendations of the grand jury."

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 486, and the bill passed the Senate by the following vote: Yeas, 36; nays, 6; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, DeGarmo, Donohue, Dore, Elway, Jr., Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—36.

Those voting nay were: Senators Cooney, Durkan, Foley, Lennart, McCutcheon, Woodall—6.

Those absent or not voting were: Senators Bargreen, Cowen, Foster, Freise, Hanna, Happy, Ryder—7.

Engrossed Senate Bill No. 486, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 201**, by Representatives Chatalas, Litchman, Jr. and England:

Defining failure to return rented property as larceny.

The bill was read the second time by sections.

Senator Woodall moved that Engrossed House Bill No. 201 be indefinitely postponed.

Extensive debate ensued.

The President stated the question to be, it has been moved that Engrossed House Bill No. 201 be indefinitely postponed.

A division was requested and Engrossed House Bill No. 201 was indefinitely postponed on a rising vote.

**Senate Bill No. 11**, by Senators Kupka, Freise and Keefe (by Legislative Council request):

Requiring court or jury to determine if accused in fact was armed with a deadly weapon.

The bill was read the second time by sections.

On motion of Senator Durkan, the following amendment was adopted:

In section 2, page 2, strike all of the material on lines 29 through 33, being the last paragraph of the section and insert the following:

*"[Any inmate of the reformatory or penitentiary who was under the age of twenty-one years at the time of the commission of the crime may be paroled by the board without regard to the limitations set forth in RCW 9.95.010 to 9.95.100, inclusive] Except when an inmate of the reformatory, penitentiary or such other penal institution as may hereafter be established, has been convicted of murder in the first or second degree, the board may parole an inmate prior to the expiration of a mandatory minimum term, provided such inmate has demonstrated a meritorious effort in rehabilitation and at least four board members concur in such action: PROVIDED, That any inmate who has a mandatory minimum term and is paroled prior to the expiration of such term according to the provisions of this chapter shall not receive a conditional release from supervision while on parole until after the mandatory minimum term has expired."*

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 11 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill

No. 11, and the bill passed the Senate by the following vote: Yeas, 35; nays, 0; absent or not voting, 14.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, DeGarmo, Durkan, Freise, Gallagher, Gissberg, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—35.

Those absent or not voting were: Senators Bargreen, Connor, Cowen, Donohue, Dore, Elway, Jr., Foley, Foster, Greive, Hallauer, Happy, Martin, Papajani, Raugust—14.

Engrossed Senate Bill No. 11, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 279**, by Representatives Garrett, Testu and Taylor:

Increasing city retirement benefits.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 279 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Riley:

"I thought this bill applied to all other employees of the city, other than uniformed employees, is that correct?"

Senator Durkan:

"No, that is not correct. It applies to the uniformed employees of the city."

#### POINT OF INQUIRY

Senator Ryder:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Ryder:

"I do believe this does apply to all the firemen of the city."

Senator Durkan:

"But it does include the uniformed personnel, of which the firemen are a part."

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Durkan yield to question?"

Senator Durkan:

"Yes, I will."

Senator Riley:

"On page 3, the underscored matter starting in line 24, reads, 'or an amount equal to such increased limitation established by such ordinance or resolution per month): *Provided however*, That the foregoing limitation shall not apply to uniformed personnel.' "Uniformed personnel means any employees who are policemen or firemen."

Senator Durkan:

"This particular limitation applies to just those we want it to apply to; namely other than uniformed personnel."

The Secretary called the roll on the final passage of Engrossed House Bill No. 279, and the bill passed the Senate by the following vote: Yeas, 36; nays, 0; absent or not voting, 13.

Those voting ye were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Foley, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—36.

Those absent or not voting were: Senators Bailey, Donohue, Elway, Jr., Foster, Gissberg, Hallauer, Happy, McCutcheon, Martin, Neill, Nunamaker, Papajani, Raugust—13.

Engrossed House Bill No. 279, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 548**, by Senator McCormack:

Provides for control of mosquitoes on state-wide basis.

Senate Chamber,  
Olympia, Wash., February 23, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources, to whom was referred Senate Bill No. 548, provides for control of mosquitoes on a state-wide basis, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 5, page 2, beginning on line 10, strike all of subsections (1) and (2)

Renumber the remaining subsections consecutively

On page 3 following section 6, strike all of section 7

Renumber section 8 to read section 7

In line 1 of the title, after "of mosquitoes" insert a period and strike the remainder of the title.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendments were adopted.

On motion of Senator Moriarty the following amendment was adopted:

In section 5, subsection (3), renumbered subsection (1), page 2, line 19, after "enter" and before "any" strike "upon without hindrance" and insert ", with the consent of the owner and occupant thereof, upon"

On motion of Senator Moriarty, the committee amendment to the title was adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed

Senate Bill No. 548 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator Riley:

"Will Senator McCormack yield to question?"

Senator McCormack:

"Yes, I will."

Senator Riley:

"In view of the fact that we have the U. S. Public Health Service which is presumably there for the benefit of all the people and their health, and we have already the Department of Health in our own state directed by a physician, do you not feel that there are ample provisions in the Department of Health to do this without a mandate from the legislature, because that is their responsibility?"

Senator McCormack:

"I don't know the legal technicalities involved. I do know that this action was taken as a local problem. I can't answer your question beyond that point."

**POINT OF INQUIRY**

Senator Rasmussen:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Rasmussen:

"Is that section stricken that says 'the Department of Health' in this bill?"

Senator McCormack:

"Yes, that is taken out of it."

Senator Rasmussen:

"What's left?"

Senator McCormack:

"Subsections 3, 4, 5, 6, 7, 8, 9 are still in section 5. We struck subsections 1 and 2 of section 5."

**POINT OF INQUIRY**

Senator Rasmussen:

"I still have a question on section 5, subsection 5. However, I don't know what the desire of the sponsor is. New section 5 says shall have the power to 'sell or lease any land, rights of way, easements, property or material acquired by the state pursuant to this act.' Acquire land by condemnation and sell it? I think that's a bad section to leave in the act. I have no feeling about killing mosquitoes over in that area. I do think he has a problem, but I think this particular section should come out."

**POINT OF INQUIRY**

Senator Kupka:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Kupka:

"You state that the federal government failed us with the state problem. My question is what happens to the mosquitoes who fly over the Indian reservation?"

Senator McCormack:

"I will yield to Senator Woodall."

Senator Woodall:

"As soon as the House passes the resolution; namely, to give us jurisdiction, we will also have jurisdiction over the mosquitoes and will probably take some of the kick out of the bite."

Debate ensued.

#### POINT OF INQUIRY

Senator Gissberg:

"Will Senator Raugust yield to a question?"

Senator Raugust:

"Yes, I will."

Senator Gissberg:

"Am I correct in my recollection. A couple of years ago we passed legislation which would authorize these mosquitoes to be controlled on a local basis?"

Senator Raugust:

"That is right. We have this legislation, but we are merely asking for additional tools in order to work out the problem. In talking with Dr. Bucove, regarding this legislation, they would have something they could do to control the mosquitoes."

Senator Gissberg:

"Has any attempt been made locally to set up local improvement clubs?"

Senator Raugust:

"Yes, the only way they could get this done was by local contribution, but they could not get enough to support it."

Senator Gissberg:

"Do you know whether or not there have been local efforts formed in the areas where the problem exists?"

Senator Raugust:

"What you say is partly true, but only in part. The local improvement clubs that have been set up have been in a large area. In some places these areas are only a mile wide. This is the fundamental problem. It is impractical to set up thousands of local improvement districts. The mosquitoes ignore the political lines. We would have to set up thousands of local improvement areas.

"One of the problems we have is that there are thousands of acres of unsettled areas in swamp lands where seepage is coming up. Where the country is settled it is pretty well controlled. It is in these areas where they can't raise any money for control. That is the problem that exists.

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Raugust yield to a question?"

Senator Raugust:

"Yes, I will."

Senator Rasmussen:

"To your knowledge, how much of an attempt has been made to form local improvement districts in these areas?"

Senator Raugust:

"Around Moses Lake is where the problem is the worst. The problem is where no one is living. What we are mostly concerned with is to pass a law whereby some of these people will have to clean these lakes out."

Senator Rasmussen:

"You don't know if any attempt has been made?"

Senator Raugust:

"In the areas where people live, we don't have the problem."

**POINT OF INQUIRY**

Senator Rasmussen:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Rasmussen:

"Would you presume that inasmuch as Senator Raugust has said that these large areas of land—thousands of acres—where we couldn't get the property owners to cooperate, that the Department of Health would go in and lease these lands?"

Senator McCormack:

"No, I certainly do not, but I do suggest that the land be put under drainage, or something like that."

**MOTION**

On motion of Senator Rasmussen, the rules were suspended and Engrossed Senate Bill No. 548 was returned to second reading for the purpose of an amendment.

**POINT OF INQUIRY**

Senator Rasmussen:

"Is it the intention of the Senate to hold a session tonight?"

Senator Greive:

"Senator Rasmussen must be psychic. Right now, this is exactly what we are discussing."

**MOTION**

On motion of Senator Rasmussen, Engrossed Senate Bill No. 548 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Joint Resolution No. 36**, by Senators Bargreen, Papajani, Riley, Shannon, Dore, Connor, Raugust, Martin, Freise, Talley, Donohue, Sandison, Knoblauch and Hofmeister:

Commending the promoters, producers and publishers of "Communism on the Map", and declaring it a proper subject to display in the public schools. The resolution was read the second time in full.

Debate ensued.

Senator Hess moved that the following amendment be adopted:

Beginning on line 10 of the resolution, strike all of the remainder of the resolution and substitute the following:

"WHEREAS, Communism must be combated by an American citizenry alert to the aims and methods of their evil society; and

WHEREAS, It is the duty of every patriotic American citizen to be fully informed and alert to the dangers and the challenge of this would-be world dictatorship;

Now, Therefore, Be It Resolved, By the Senate and House of Representatives of the state of Washington, in legislative session assembled, that we urge every citizen to fully inform himself upon the Communist menace by thoughtful review and discussion of the many excellent publications and films exposing the Communist conspiracy."

Extensive debate ensued.

Senators Greive, Martin and Washington demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried. The demand for the previous question was sustained.

## POINT OF INFORMATION

Senator Lennart:

"Mr. President, is a Senator who hasn't seen this film bound to vote on it?"

"I haven't seen this film. If I vote 'yes', I may vote wrong. If I vote 'no', I may vote wrong."

Senator Hallauer:

"I think it would be obvious if we vote to adopt Senator Hess' measure we won't be voting wrong on what we don't know about."

Senator Greive requested that the amendment be read again.

The President stated the question before the Senate to be the adoption of the amendment by Senator Hess.

A division was requested and the amendment was adopted on a rising vote.

On motion of Senator Greive, the rules were suspended, Engrossed Senate Joint Resolution No. 36 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 36, and the resolution passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Dore, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Keefe, Knoblauch, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Cowen, Donohue, Durkan, Foley, Foster, Herrmann, Hofmeister, Kupka, Lennart, McCutcheon, Nunamaker—11.

Engrossed Senate Joint Resolution No. 36, having received the constitutional majority, was declared passed.

## PERSONAL PRIVILEGE

Senator Riley:

"I feel, Mr. President, I should speak on a point of personal privilege on the basis that I have been aggrieved. I have been denied the opportunity to express myself on something very fundamental, not only to myself, but to America.

"I have no criticism of the amendment offered by Senator Hess. It is good to call attention to the subject at hand. It is good to be alert where we have enemies. It is good to suggest to Americans that we read books and see films. Mr. President and members of the Senate, that has been going on for months, years, but what has been happening notwithstanding to the good books and other films that have been suggested in the amendment? The facts are that we are losing ground to the enemy made reference to in the amendment.

"One of the finest men in public service in America is a man by the name of J. Edgar Hoover. He has called our attention to this matter many times. I will guarantee that when this man retires he will tell us more and he will shake you right out of your lethargy.

"The amendment wasn't definite enough. It has been said that there are several versions of the film and if there is more than one version, and one especially that should be seen, it doesn't say this; it says that you can view the film, 'Communism on the Map'. You can see any version that you want.

"Also, the amendment struck out the portion that says it is a proper subject for display in the public schools, and why, in the amendment are you saying that it is not a proper thing to see in the schools, and also, Mr. President, I felt that I was aggrieved because Senate Joint Resolution No. 36 directed the people to action, and that is what we need!"

**PERSONAL PRIVILEGE**

Senator Lennart:

"This is the first time in the Senate that I have ever seen where we have been asked to vote on a matter on which we had no knowledge. A matter that we have heard so much about and is so important to all of us.

"And yet I will say when you fix your eyes on the American flag that represents the greatest thing to every American."

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 25:**

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 25, relating to probation officers and services making an increasing emergency percentage payable by state, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the amendments adopted by Committee on Public Institutions.

WILBUR G. HALLAUER, *Chairman*,  
FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Mike McCormack, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 46** (reported by Committee on Ways and Means):

Do pass as amended.

WILBUR G. HALLAUER, *Chairman*,  
FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 439:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 439, permitting withdrawal from public hospital districts and providing procedure, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Andy Hess, George W. Kupka, Homer O. Nunamaker, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 490** (reported by Committee on Education):  
Do pass as amended.

ANDY HESS, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Frank W. Foley, F. Stuart Foster, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, Charles P. Moriarty, Jr., John A. Petrich, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 505** (reported by Committee on Highways):  
Do pass as amended.

NAT WASHINGTON, *Chairman,*  
....., *Vice-Chairman,*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., R. R. (Bob) Greive, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 506:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 506, modifying licensing fees, accounts, relating to motor vehicles, highway commission and toll bridge authority, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

NAT WASHINGTON, *Chairman,*  
....., *Vice-Chairman,*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Fred H. Dore, Herbert H. Freise, R. R. (Bob) Greive, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, William D. Shannon, Don L. Talley.

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Highways, to whom was referred Senate Bill No. 506, modifying licensing fees, accounts, relating to motor vehicles, highway commission and toll bridge authority, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill do not pass.

....., *Chairman,*  
AL HENRY, *Vice-Chairman,*  
....., *Vice-Chairman.*

We concur in this report: John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., William A. Gissberg.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 546:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 546, permitting cities and towns to issue motor vehicle licenses, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Andy Hess, George W. Kupka, Homer O. Nunamaker, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 29:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 29, providing for the consolidation of certain cities and fourth class towns, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, John H. Happy, George W. Kupka, Homer O. Nunamaker, W. C. Raugust, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 198:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Substitute House Bill No. 198, relating to outdoor advertising along highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,  
....., *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, John L. Cooney, Dewey C. Donohue, Frank W. Foley, Herbert H. Freise, Andy Hess, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, A. L. Rasmussen, Edward F. Riley, William D. Shannon.

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Highways, to whom was referred Substitute House Bill No. 198, relating to outdoor advertising along highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*,  
....., *Vice-Chairman*,  
....., *Vice-Chairman*.

We concur in this report: Harry Elway, Jr., W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 199:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Medicine and Dentistry, to whom was referred Substitute House Bill No. 199, authorizing licensed practical nurses to be certified to

administer medications under supervision, and raising licensed practical nurses' annual license fee, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANCES HADDON MORGAN, *Chairman.*

We concur in this report: John L. Cooney, Harry Elway, Jr., R. R. (Bob) Greive, Karl V. Herrmann, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 377:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 377, authorizing establishment of pedestrian malls, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Andy Hess, James E. Keefe, George W. Kupka, Homer O. Nunamaker, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 455** (reported by Committee on Cities, Towns and Counties):

Do pass as amended.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Al Henry, George W. Kupka, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 502** (reported by Committee on Education):

Do pass as amended.

ANDY HESS, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 515:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, your Committee on Medicine and Dentistry, to whom was referred Engrossed House Bill No. 515, relating to professional nurse licensing, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANCES HADDON MORGAN, *Chairman.*

We concur in this report: Wayne G. Angevine, John L. Cooney, David C. Cowen, Harry Elway, Jr., R. R. (Bob) Greive, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 516:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 516, relating to municipal officers' conflict of interest,

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Andy Hess, George W. Kupka, Homer O. Nunamaker, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 687:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

**MR. PRESIDENT:**

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred House Bill No. 687, relating to Century 21, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 2, 1961.

**MR. PRESIDENT:**

The House has concurred in the Senate amendments to Engrossed House Bill No. 241 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 2, 1961.

**MR. PRESIDENT:**

The Speaker has signed: Senate Bill No. 14; also

Senate Bill No. 38; also

Senate Bill No. 68; also

Senate Bill No. 84; also

Senate Bill No. 105; also

Senate Bill No. 114; also

Senate Bill No. 119; also

Senate Bill No. 143; also

Senate Bill No. 157; also

Senate Bill No. 170; also

Senate Bill No. 179; also

Senate Bill No. 206; also

Senate Bill No. 210; also

Senate Bill No. 218; also

Senate Bill No. 244; also

Senate Bill No. 262; also

Senate Bill No. 280; also

Senate Bill No. 285; also

Senate Bill No. 305; also

Senate Bill No. 457; also

Senate Joint Resolution No. 28; also

Senate Concurrent Resolution No. 9, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives  
Olympia, Wash., March 2, 1961.

**MR. PRESIDENT:**

The Speaker has signed: Substitute House Bill No. 16; also

House Bill No. 17; also

House Bill No. 56; also  
 House Bill No. 216; also  
 House Bill No. 244; also  
 House Bill No. 282; also  
 House Bill No. 320, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Substitute House Bill No. 16; also  
 House Bill No. 17; also  
 House Bill No. 56; also  
 House Bill No. 216; also  
 House Bill No. 244; also  
 House Bill No. 282; also  
 House Bill No. 320.**

**MOTION**

At 4:45 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

**EVENING SESSION**

At 8:00 o'clock p. m. the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

**SECOND READING OF BILLS**

**Substitute Senate Bill No. 147**, by Committee on State Government, Military Affairs and Civil Defense:

Creating resource management cost account in general fund.

The bill was read the second time by sections.

On motion of Senator Hess, the following amendment was adopted:

On page 2, after new section 7, insert a new section reading as follows:

**NEW SECTION.** Sec. 8. This act shall expire on June 30, 1967.

Renumber remaining section to read Sec. 9.

On motion of Senator Bailey, the rules were suspended, Engrossed Substitute Senate Bill No. 147 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator Donohue:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Donohue:

"You stated that this bill has to do with reforestation of grazing land. Just what do you mean by that?"

Senator Rasmussen:

"I am in trouble. I was again trying to shorten up my brief in expediency of time."

**MOTION**

Senator Woodall moved that Engrossed Substitute Senate Bill No. 147 be considered after House Bill No. 176.

Debate ensued.

**POINT OF INQUIRY**

Senator Rasmussen:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"Yes, I will."

Senator Rasmussen:

"If I agree not to speak any further on this, would you withdraw your motion?"

Senator Woodall:

"Gladly."

Senator Woodall withdrew his motion with the consent of the Senate.

Debate ensued.

Senators Greive, Nunamaker and Talley demanded the previous question.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 147, and the bill passed the Senate by the following vote: Yeas, 45; nays, 4; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those voting nay were: Senators Bailey, Hallauer, Lennart, McCutcheon—4.

Engrossed Substitute Senate Bill No. 147, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PARLIAMENTARY INQUIRY**

Senator Greive:

"Would you be good enough to tell me if there are any excused Senators?"

The President:

"The Senators are all present, Senator Greive."

**PRESIDENT'S PRIVILEGE**

The President:

"At the request of the highly capable and popular Senator Hallauer, the President should like to introduce a group of students distinguished in achievement. This honor group of students from Twisp and Winthrop are present in the south gallery with Mrs. Frances Trunkey. Would this group please stand in order that the Senators may properly recognize you and show you what they think of your achievement in scholastics.

"The President wishes to congratulate you on your scholastic achievement and wish you every success."

(Applause.)

**House Bill No. 176**, by Representatives Ackley, Witherbee and Meyers, Jr.:  
Authorizing counties to lease or sell park property.

The bill was read the second time by sections.

Senator Moriarty moved that the following amendment be adopted:

In section 1, page 1, line 15, after "RCW" and before the period, add the following:  
"Provided further, That nothing in this act shall be construed as authorizing any county to sell any property which such county acquired by condemnation for park or playground or other public recreational purposes on or after January 1, 1960."

**POINT OF INQUIRY**

Senator Talley:

"Will Senator Moriarty yield to a question?"

Senator Moriarty:

"Yes, I will."

Senator Talley:

"Do I understand, then, that from now on, a county cannot sell any property they might have acquired from condemnation?"

"Don't you think you went a little too far? I think it is a very fine amendment, but I think you went a little too far."

Senator Moriarty:

"At the present time with this amendment they can sell property that they have previously acquired by condemnation."

Senator Hess moved that the following amendment to the amendment by Senator Moriarty be adopted:

Strike the period after "1960" and add the following: ", until held for five years or more after such acquisition."

**POINT OF INQUIRY**

Senator Dore:

"Would I be in order to move to strike the 'five' and insert 'ten'?"

The President:

"That would be an amendment to the amendment to the amendment, and would not be in order."

**MOTION**

Senator Greive:

"I move that the rules be suspended for the purpose of permitting Senator Dore to make an amendment to the amendment to the amendment."

The motion was lost.

Extensive debate ensued.

The President stated the question before the Senate to be, it has been moved that the amendment of Senator Hess to the amendment be adopted.

A division was requested.

The motion carried on a rising vote, and the amendment to the amendment was adopted.

The President stated the question before the Senate to be, it has been moved that the amendment as amended be adopted.

The motion carried, and the amendment as amended was adopted.

On motion of Senator Thompson, Jr., the following amendment was adopted:

In section 1, page 1, line 15, following the Moriarty amendment, strike the period and add the following: "": *Provided further*, That funds acquired from the lease or

sale of any park property, buildings or facilities shall be placed in the park and recreation fund to be used for capital purposes."

On motion of Senator Gallagher, the rules were suspended, House Bill No. 176, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Rasmussen:

"In line 10 of the bill in the underlined new material, it says, 'and condemnation'. In my understanding, if they have a piece of land that they want to sell at the present time, this can be done?"

Senator Gallagher:

"That is true. It is also true that the land which they own and want to dispose of was acquired through condemnation. That is the reason for Senator Moriarty's amendment which will prohibit them from selling land acquired since 1960 from condemnation."

Senator Rasmussen:

"It isn't exactly clear in my mind. They must be also planning on condemning further land for this purpose."

Senator Gallagher:

"The county now has that power. This was some of the land acquired through that condemnation. Also, Senator Moriarty's amendment will prohibit them from doing this in the future."

Senator Rasmussen:

"It is my understanding that counties do not have that power at the present time."

Senator Gallagher:

"It is my understanding they do. I had a communication that they did have that power, and as a matter of fact, this land was acquired under that power."

The Secretary called the roll on the final passage of House Bill No. 176, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Woodall—45.

Those voting nay were: Senator Durkan—1.

Those absent or not voting were: Senators Hanna, Ryder, Washington—3.

House Bill No. 176, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 72**, by Senators Dore, Petrich and Neill:

Enacting a uniform commercial code.

Senate Chamber,

Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 72, enacting a uniform commercial code, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In article 10, sec. 10-101, page 226, line 20 after "on" and before "It" strike "December 31st following its enactment" and insert "June 30, 1963" JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, William A. Gissberg, Karl V. Herrmann, John T. McCutcheon, Marshall Neill.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendment was adopted. Senator Durkan moved that Senate Bill No. 72 be placed at the end of the second reading calendar for tomorrow.

Debate ensued.

Senators Greive, Moriarty and Foster demanded the previous question. The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The President stated the question before the Senate to be, it has been moved that Senate Bill No. 72 be placed at the end of the second reading calendar for tomorrow.

A division was requested and the motion carried on a rising vote.

### THIRD READING OF BILLS

**House Bill No. 217**, by Representatives Henry, Braun and Canfield:

Relating to amendments to state teachers' retirement system.

The bill was read the third time.

On motion of Senator Henry, the rules were suspended and House Bill No. 217 was returned to second reading for the purpose of an amendment.

Senator Hallauer moved that the following amendment be adopted:

On page 4, after new section 6, insert a new section reading as follows:

"Sec. 7. Section 30, chapter 80, Laws of 1947, as last amended by section 11, chapter 274, Laws of 1955 and RCW 41.32.300 are each amended to read as follows:

Henceforth a total of not more than [ten] *four* years of service outside of the state shall be credited to a member who [has entered] *establishes or reestablishes credit for out-of-state* public school employment in this state subsequent to [April 1, 1938,] *July 1, 1961*, [and not more than fifteen years of service to a member who entered public school employment in this state prior to that date]. Foreign school teaching service, if paid for by public funds of the United States of America, shall be creditable as out-of-state service. No member who establishes out-of-state service credit after July 1, 1947, shall at retirement for pension payment purposes be allowed credit for out-of-state service in excess of the number of years credit which he shall have earned in the public schools of the state of Washington."

Renumber section 7 to read section 8.

Senator Gissberg moved that House Bill No. 217 hold its place on the second reading calendar for tomorrow.

Extensive debate ensued.

The President stated the question to be, it has been moved that House Bill No. 217 retain its place on the second reading calendar for tomorrow.

The motion carried, and House Bill No. 217 was ordered to retain its place on the second reading calendar for tomorrow.

Senators Greive, Hofmeister and Connor demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms escorted all unauthorized personnel from the lobby, and locked the doors and elevators to the Senate Chamber.

**MOTION**

On motion of Senator Greive, the rules were suspended, the roll call under Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

**SECOND READING OF BILLS**

**Second Substitute Senate Bill No. 455**, by Committee on Liquor Control: Relating to liquor sales.

The bill was read the second time by sections.

Senator Rasmussen moved that the following amendment be adopted:

In section 3, page 1, line 18, strike Sec. 3.

**POINT OF INQUIRY**

Senator Woodall:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Woodall:

"Senator Rasmussen, would you vote for an appropriation to pay each of us \$25.00 a day while we were away from our usual places of abode. Would you vote for such a measure? And would not it carry an emergency clause? Would you think the state of Washington was going to fold up if you did not get your \$25.00 a day?"

Senator Rasmussen:

"No, and I don't."

**PERSONAL PRIVILEGE**

Senator Riley:

"I want to quote, almost verbatim, from a comment made by Senator Rasmussen: 'gone to their reward, or have taken their reward.' Now, Mr. President and members of the Senate, I am certain that Senator Rasmussen did not have reference to anybody who introduced a bill having to do with liquor, on taking any reward. I am going to, when I finish my remarks, give Senator Rasmussen an opportunity to comment on what was meant by, 'or have taken their reward.'"

"I just want the members of the Senate to know that as far as I am concerned, I do not have any financial interest in anything that has to do with the sale of or consumption of alcoholic beverages. I introduced measures having to do with one subject or another, and you likewise have done the same. I just want to have it on the record that the comment was made and I do not know what Senator Rasmussen had in mind when he made it. I am not casting any aspersions."

Senator Rasmussen:

"Senator Riley, I wish to apologize if the Senate thinks I cast any aspersions on any member of the Senate. What I have reference to, Senator, is that some past members of the Senate have received their rewards, and I am not objecting to that. I don't mean that any present members of the Senate are going to get any rewards. I can't say truthfully or honestly that I know of any such case about any present member."

"I wish to apologize if any one of you have taken any reference I have made, personally."

**MOTION**

Senator Gallagher moved that the amendment proposed by Senator Rasmussen be laid on the table.

Senators McCutcheon, Rasmussen and Shannon demanded a roll call. The demand was not sustained.

The President stated the question before the Senate to be, it has been moved that the amendment proposed by Senator Rasmussen be laid on the table.

The motion carried, and the amendment was tabled.

#### MOTION

Senator Lennart moved that the following amendment be adopted:

In section 2, page 1, line 14, strike all of section 2 and insert:

*NEW SECTION.* Sec. 2. Section 1 of this act shall be referred to the voters for approval or rejection at the State general election to be held on Tuesday following the first Monday in November, 1962. The official ballot title of the referendum shall be: "Shall liquor be sold on Sunday."

Extensive debate ensued.

Senator Gallagher moved that the amendment proposed by Senator Lennart be laid on the table.

The motion carried, and the amendment was tabled.

#### MOTIONS

On motion of Senator Greive, the rules were suspended and three amendments by Senator Raugust were read together for the Senate to consider at one time.

Senator Raugust moved that the following amendments be adopted:

In section 1, page 1, line 11, after "PROVIDED," and before "That" insert "an additional fee of \$5,000.00 is paid each year in addition to any other fee presently exacted for this privilege: PROVIDED FURTHER,"

In section 1, page 1, line 10, after "liquor" and before "between" insert "in any county"

In section 1, page 1, lines 11 and 12, strike "That any city, town, or county may," and insert "That it is first approved"

Senator Gallagher moved that all three amendments proposed by Senator Raugust be laid on the table.

The motion carried and the three amendments by Senator Raugust were laid on the table.

On motion of Senator Gallagher, the rules were suspended, Second Substitute Senate Bill No. 455, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Senator Raugust demanded a roll call, which was not sustained.

Debate ensued.

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 455, and the bill passed the Senate by the following vote: Yeas, 25; nays, 24; absent or not voting, 0.

Those voting yea were: Senators Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Foster, Gallagher, Greive, Hallauer, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Morgan, Nunamaker, Papajani, Riley, Thompson, Jr., Woodall—25.

Those voting nay were: Senators Angevine, Chytil, Cowen, Donohue, Foley, Freise, Gissberg, Hanna, Herrmann, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Washington—24.

Second Substitute Senate Bill No. 455, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, the bills presently on the second and third reading calendars were ordered to retain their places on the respective calendars for tomorrow.

At 11:05 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m. on Friday, March 3, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FIFTY-FOURTH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Friday, March 3, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Gallagher and Gissberg.

On motion of Senator Bargreen, Senators Gallagher and Gissberg were excused.

The Color Guard, consisting of Pages Gary Gilbert, Color Bearer, and Susan Harris, presented the Colors.

Reverend J. Edgar Pearson, Pastor of the United Churches—Federated of Olympia, offered prayer as follows:

"Almighty God, who blessed us with religious and civil liberties, we pause before entering into the deliberations of this day to invoke Thy wisdom and guidance upon what is said and decided here.

"We are grateful for the progress that has been made in this Senate but pray Thy guidance as we consider the needs of the state. Give these members good judgment to choose between the good and the best; between the trivial and the measures that now become increasingly important to the welfare of the people of the state.

"We pray, too, that Thou wilt make the people of the state as responsive to their responsibilities as are the members of this Senate.

"Sometimes we seek Thy guidance and find it not nor feel it. Teach us that the barriers may be within ourselves. Give us, then, wisdom beyond our limited knowledge, insight beyond our restricted vision, courage beyond all other considerations that the work we are given to do may be the true reflection of the fine ideals and motives that must be in the lives of all those who would adequately serve thee and Thy people.

"In the name of our God we pray. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PERSONAL PRIVILEGE**

Senator Durkan:

"Mr. President and Members of the Senate:

"Yesterday afternoon in a televised statement, a member of this Legislature, Representative Joel M. Pritchard, made a vicious, unwarranted, irresponsible and libelous statement concerning my stand on certain matters now pending before this body.

"The statement was vicious in that it attacks not only my specific character but also reflects upon the dignity of this body. It was unwarranted because it is not true. It was irresponsible because had the maker of the statement taken time to check his facts, he would have found that I am not even a member of the Committee which now controls this pending legislation. It was libelous because it impugns upon the motives of myself as a public official.

"In the entire time that I have served in the Legislature, both in the House and in the Senate, I have never deliberately attempted to assassinate the character of any legislator. I resent such an attack on myself as much as I would resent such a statement if made against another member of this body.

"In the future my voting shall be conducted by the same standards as it has been in the past. I shall vote for those matters which I feel deserve my support as a responsible public official representing the State, my District, and my Party. I shall vote against those which I feel do not merit my support."

(signed) MARTIN J. DURKAN.

**PERSONAL PRIVILEGE**

Senator Woodall:

"Mr. President and Members of the Senate:

"I did not hear the particular broadcast in which reference was made to Senator Durkan. I did hear of it later.

"I am speaking for the members of the Republican party here in the Senate and I wish to state: Not one member of the Republican group in the Senate had any prior knowledge that such statements were going to be made. I want you to know that we were not consulted in the matter and had no part in the matter. Indeed, had we been asked, I can assure you that we would have attempted to have restrained the remarks!

"I have discussed this matter with some of the members of the minority group and I believe I can speak for all of them when I say that to our knowledge, Senator Durkan's actions have never been motivated by anything other than his own conscience.

"I believe in the two party government!

"I believe in fighting people on issues!

"I do not believe in half truths or innuendo. I have never used that method to gain office, nor will I!

"I believe in a hard and vigorous fight, and I expect to fight hard and vigorously for the Republican party, but I expect to fight fair, clean and honestly.

"Again Senator Durkan, not one member of our group was advised that such a broadcast was going to be made. To the extent that this broadcast was wrong and libelous, we are sorry.

"Again I repeat, I have never known you, Senator Durkan, to be motivated by anything other than your own conscience."

The Secretary read:

**SENATE RESOLUTION**

By Senators Gissberg, McMillan, Herrmann, Cooney, Morgan, Papajani, Sandison and Hess:

WHEREAS, There appears to be a lack of uniformity in the civil and criminal laws of this state and those of the federal government relating to the conduct of Indian affairs; and

WHEREAS, The consequences of imposing like criminal and civil jurisdiction of the state to Indians as upon other citizens of the state (excluding aliens) seems never to have been thoroughly studied by any agency of this State; and

WHEREAS, There appears to be a definite lack of reliable information available to the members of this Legislature relative to the Indian tribal units within this state and their economical and sociological contributions as an ethnic unit of the state; and

WHEREAS, No agency of the state has made a concerted effort to consult with and obtain opinions of tribal chiefs or members of the various tribes as to the foreseeable consequences of exchanging federal jurisdiction for state jurisdiction, more particularly in the criminal field of law; and

WHEREAS, It should be determined whether a State Agency of Indian Affairs be established to deal with the particular problems of Washington Indians, and to act as an official liaison agency between the Indians and various state and local bodies;

Now, Therefore, Be It Resolved, By the Senate that the legislative council is requested to study the condition of Indian affairs in this state with respect to those fields as enumerated in this resolution, including in such study such personal exchanges with leaders of the larger tribal units as is possible, and report its findings with any corrective legislation necessary to the next regularly convening legislature, but not later than the third Monday in January, 1963;

And Be It Further Resolved, That the Secretary of the Senate shall transmit a copy of this resolution to the legislative council.

On motion of Senator McMillan, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Durkan, Gallagher, Herrmann and DeGarmo:

WHEREAS, Citizens of the Seattle area and King County as well as throughout the entire State were saddened yesterday upon receipt of news of the death of retired Superior Court Judge, Hugh C. Todd; and

WHEREAS, Judge Todd rendered meritorious service in the halls of the House Chamber representing the splendid people from Whitman county during the 1909 and 1911 sessions of the legislature, being everlastingly remembered as the "Boy Orator of the Palouse"; and

WHEREAS, Judge Todd, after admission to the bar, moved his residence to Seattle and became not only prominent in his professional field, but a colorful and beloved personality, akin to the young energetic, invigorating city that is Seattle; and

WHEREAS, Judge Todd who received his judgeship by appointment of Governor Clarence Martin in the early thirties, was the embodiment of integrity and justice as a Superior Court Judge, serving ably and with quiet distinction for twenty-five years and until his retirement in 1959; and

WHEREAS, Judge Todd gave freely of himself to the civil and cultural improvements of any community in which he found himself a part, and, as an avid sports fan enthusiastically backed University of Washington athletic contests, the Seattle Rainiers and the promotion of boxing events in Seattle;

Now, Therefore, Be It Resolved, That this Senate express its sincerest sympathy to members of the family of Judge Hugh C. Todd and set forth in this resolution its great admiration of, and its deepest appreciation for the many fine things Judge Todd did for his fellowmen, whether here in this Senate Chamber, in the courts of this state, or in his daily gratuitous services for those around him, be they stranger or friend;

And Be It Further Resolved, That copies of this Senate resolution be transmitted by the Secretary of the Senate to his wife, Dorothy and his two sons.

On motion of Senator Durkan, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Washington, McCormack, Gissberg, Hanna and Hallauer:

WHEREAS, A treaty providing for the upstream storage of water on the Columbia river and its tributaries in Canada and the United States has been signed by the heads of government of the Dominion of Canada and the United States and is presently pending before the Senate of the United States; and

WHEREAS, This treaty is an important step to assure that the great international Columbia river will be developed, controlled and shared as a joint resource by the United States and Canada and thereby furnish each nation with benefits materially greater than either could obtain independently; and

WHEREAS, The Pacific Northwest will secure a large block of low-cost power comparable to the combined output of Grand Coulee and Bonneville dams; and

WHEREAS, The availability of this low-cost power will result in accelerated economic growth to the region; and

WHEREAS, The flood control objectives of the United States for the lower Columbia

river in Washington and Oregon, which have been a pressing need for many years, will be brought to substantial realization within ten years; and

WHEREAS, Removal of the hazard of floods will pay incalculable dividends in the saving of human life and avoidance of suffering, as well as through economic improvement in areas heretofore subject to reoccurring flood damage; and

WHEREAS, The United States will receive additional incidental benefits for irrigation, navigation, pollution abatement, and other uses resulting from controlled storage; and

WHEREAS, The United States and Canada have traditionally resolved international problems by treaties mutually advantageous to both nations;

Now, Therefore, *Be It Resolved*, The Senate of the State of Washington does hereby respectfully urge the United States Senate to promptly ratify the treaty relating to the cooperative development of water resources of the Columbia river basin.

On motion of Senator McCormack, the resolution was adopted.

#### SENATE RESOLUTION

By Senators McCormack, Donohue, Freise, Henry, Foley, Bailey, Talley and Washington:

WHEREAS, Senate Joint Resolution 40 of the Senate of the United States sponsored by Senators Magnuson, Case, of South Dakota Church, Dworshak, Hruska, Jackson, Long of Missouri, Mansfield, Metcalf, Morse, Mundt, Neuberger and Symington is now being considered by the United States Senate Committee on Public Works; and

WHEREAS, Senate Joint Resolution 40 would develop a plan for a system of highways to be known as the Lewis and Clark National Tourway which shall extend from St. Louis, Missouri, along the general route of the Lewis and Clark expedition; and

WHEREAS, The proposed Lewis and Clark National Tourway would pass through the State of Washington entering at Clarkston and thence to the Tri-City area, and along the north bank of the Columbia River to the Pacific Ocean; and

WHEREAS, This Tourway would contribute to the recreational and historical resources of the State of Washington and to the potential development of such resources for use in esthetic and cultural enjoyment, and historical interpretation for the benefit of the touring public of all of the United States;

Now, Therefore, *Be It Resolved*, That the Senate of the State of Washington commend Senators Magnuson and Jackson and the other Senators for their sponsorship of Senate Joint Resolution 40, and petition the Congress and the President of the United States to speedily enact Senate Joint Resolution 40 into law; and

*Be It Further Resolved*, That copies of this resolution be immediately transmitted to the President of the United States, the President of the Senate of the United States the Speaker of the House of Representatives, to each member of the Congress of the United States from the State of Washington, and to the Secretaries of State of the States of Missouri, Iowa, Nebraska, South Dakota, North Dakota, Montana, Idaho and Oregon.

#### POINT OF INQUIRY

Senator Lennart:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Lennart:

"Senator McCormack, is it not correct that in the treaty there are also some problems to be ratified in Montreal?"

Senator McCormack:

"I did know we are having some problems in Canada. I think this is all the more reason why we should encourage them to go ahead with this resolution."

The motion carried and the resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"At the request of the Senator from Pierce County, Honorable A. L. Rasmussen,

I would like to introduce to you thirty-three students from the Concordia Lutheran School, with their teacher, E. H. Knittle, from the twenty-eighth District. Would Senator McCutcheon please stand to represent Senator Rasmussen and will the students from the Concordia Lutheran School please stand and be properly recognized by the Senate.

"Thank you. The President is sorry that he picked the inopportune time of introducing you when Senator Rasmussen was off the floor."

(Applause.)

#### PERSONAL PRIVILEGE

Senator Cowen:

"Members of the Senate:

"We have a famous guest sitting in the press box this lovely morning. A man that I have had the pleasure of serving with for more than 40 years who has the intestinal fortitude to report good, or bad, the way he feels on important issues, the famous news correspondent of the Spokesman Review, Mr. Ashley E. Holden."

(Applause.)

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Gubernatorial Appointment:

Senate Chamber,

Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred the Governor's appointment of Stephen L. Chase, Everett, to the Board of Trustees, Western Washington College of Education, appointed June 15, 1959, effective June 15, 1959, for the term ending June 12, 1965, succeeding Donald D. Eldridge, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Andy Hess, Mike McCormack, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Gubernatorial Appointment:

Senate Chamber,

Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred the Governor's appointment of Marjorie Tanke, Harrington, to the Board of Trustees, Eastern Washington College of Education, appointed August 17, 1960, effective August 17, 1960, for the term ending July 29, 1966, succeeding Hazel Laughon, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Andy Hess, Mike McCormack, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 228:

Senate Chamber,

Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 228, prohibiting discrimination by reason of age, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Harry Elway, Jr., F. Stuart Foster, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 255** (reported by Committee on Cities, Towns and Counties):

Do pass as amended.

DON L. TALLEY, *Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., John H. Happy, Andy Hess, James E. Keefe, George W. Kupka, John Papajani, A. L. Rasmussen, W. C. Raugust.

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

I, a minority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 255, authorizing the establishment of county service areas to provide governmental services, have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

I concur in this report: Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 301:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 301, relating to the establishment of appointive state officers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Herbert H. Freise, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder.

On motion of Senator Rasmussen, the committee report was adopted and Senate Bill No. 301 was referred to the Committee on Ways and Means.

**Senate Bill No. 425** (reported by Committee on Labor and Industrial Insurance):

Do pass as amended.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Harry Elway, Jr., Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 493** (reported by Committee on Cities, Towns and Counties):

Do pass as amended.

DON L. TALLEY, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Michael J. Gallagher, George W. Kupka, W. C. Raugust, Edward F. Riley, William D. Shannon.

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 493, relating to city excise tax on motor vehicles, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Wayne G. Angevine, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 499:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 28, 1961.

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred Senate Bill No. 499, raising per diem for member of state parks and recreation commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DeGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 111:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 2, 1961.

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Bill No. 111, increasing pensions of prior pensioners under industrial insurance to level of existing awards, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Harry Elway, Jr., F. Stuart Foster, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 446:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 2, 1961.

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Bill No. 446, relating to payroll accounting, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Harry Elway, Jr., F. Stuart Foster, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 453:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 2, 1961.

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred House Bill No. 453, requiring physician reports in workmen's compensation cases and providing penalties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Harry Elway, Jr., F. Stuart Foster, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 507:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 2, 1961.

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred House Bill No. 507, providing industrial insurance coverage for masters and crew members of state operated vessels, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Harry Elway, Jr., F. Stuart Foster, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 549:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Bill No. 549, relating to industrial insurance hearings and appeals, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 661:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred House Bill No. 661, requiring personal presence of applicant for commercial or personal fishing license if applicant's home state has such requirement, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, Harry Elway, Jr., Herbert H. Freise, David E. McMillan, Fred J. Martin, John Papajani, John A. Petrich, A. L. Rasmussen, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Resolution No. 39:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, Game and Game Fish, to whom was referred House Joint Resolution No. 39, naming fish hatchery for late Representative George N. Adams, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOMER O. NUNAMAKER, *Chairman*,

VICTOR F. DEGARMO, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Fred H. Dore, Harry Elway, Jr., Herbert H. Freise, David E. McMillan, Fred J. Martin, John Papajani, John A. Petrich, A. L. Rasmussen, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

On motion of Senator Nunamaker, the rules were suspended, House Joint Resolution No. 39 was advanced to second reading and read the second time in full.

On motion of Senator Nunamaker, the rules were suspended, House Joint Resolution No. 39 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of House Joint Resolution No. 39 and the resolution passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—37.

Those absent or not voting were: Senators DeGarmo, Dore, Freise, Gal-

lagher, Gissberg, Hanna, Hofmeister, McCutcheon, Martin, Raugust, Riley, Washington—12.

House Joint Resolution No. 39, having received the constitutional majority, was declared passed.

The Secretary read:

**MESSAGES FROM THE HOUSE**

**HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 185 with the following amendments:

In section 1, beginning on line 13 of the engrossed bill, being section 1, line 12 of the printed bill, after "That if" strike "any of the propositions submitted at such election" and insert "either the formations or the adjustments proposition"

In section 1, line 15, after "failed." insert a new sentence to read "The provisions of this section shall apply only to school districts situated in whole or in part in counties of the fourth class or lower classification and contiguous to the international boundary."

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Hallauer moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 185.

The motion carried and the Senate concurred in the House amendments to Engrossed Senate Bill No. 185, by the following vote: Yeas, 31; nays, 0; absent or not voting, 18.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, Foster, Freise, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—31.

Those absent or not voting were: Senators DeGarmo, Dore, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Hofmeister, McCutcheon, McMillan, Martin, Morgan, Riley, Sandison, Talley, Washington—18.

Engrossed Senate Bill No. 185, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House of Representatives,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 295; also Substitute House Bill No. 421; also Engrossed Substitute House Bill No. 426; also Engrossed House Bill No. 431; also Engrossed House Bill No. 435; also Engrossed House Bill No. 445; also House Bill No. 488; also House Bill No. 492; also Engrossed House Bill No. 493; also Engrossed House Bill No. 510; also Engrossed House Bill No. 530; also House Bill No. 544; also Engrossed House Bill No. 545; also House Bill No. 554; also Engrossed House Bill No. 591; also

Engrossed House Bill No. 592; also  
 House Bill No. 635; also  
 Engrossed House Bill No. 643; also  
 Engrossed House Bill No. 662; also  
 Engrossed House Joint Memorial No. 33; also  
 House Joint Resolution No. 23; also  
 House Joint Resolution No. 28, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash. March 3, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 241, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Bill No. 295**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to motor vehicles; amending section 46.24.200, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.24.200.

Referred to Judiciary Committee.

**Substitute House Bill No. 421**, by Committee on Education:

An Act relating to education; and amending section 3, chapter 68, Laws of 1955 and RCW 28.67.070; amending section 1, page 362, Laws of 1909 and RCW 28.88.010, and adding new sections to chapter 28.58 RCW.

Referred to Committee on Education.

**Engrossed Substitute House Bill No. 426**, by Committee on Aviation and Transportation:

An Act relating to aeronautics; and adding two new sections to chapter 165, Laws of 1947 and to chapter 14.04 RCW.

Referred to Committee on Public Utilities.

**Engrossed House Bill No. 431**, by Representatives Garrett, Gorton and McCormick:

An Act relating to collective bargaining with the state and all of its political subdivisions.

Referred to Committee on Labor and Industrial Insurance.

**Engrossed House Bill No. 435**, by Representatives Ackley, Brink and Smith:

An Act relating to criminal procedure; and providing an arrested person be informed of and receive certain privileges with respect to counsel and aid.

Referred to Judiciary Committee.

**Engrossed House Bill No. 445**, by Representatives Mardesich, Litchman, Jr. and England:

An Act relating to statutory liens.

Referred to Judiciary Committee.

**House Bill No. 488**, by Representatives Garrett and Poff:

An Act relating to school districts; and amending section 1, chapter 225, Laws of 1953 and RCW 28.58.045.

Referred to Committee on Education.

**House Bill No. 492**, by Representatives Beierlein, Evans and Huntley:

An Act relating to motor vehicles; providing for temporary permits for

inter-state operation in lieu of certificates of ownership and license registration; amending section 46.16.160, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.16.160.

Referred to Committee on Highways.

**Engrossed House Bill No. 493**, by Representatives Wedekind, Evans and Beierlein:

An Act relating to motor vehicles; amending section 46.84.020, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.84.020 and adding three new sections to chapter ....., Laws of 1961 (House Bill No. 2) and chapter 46.84 RCW.

Referred to Committee on Highways.

**Engrossed House Bill No. 510**, by Representatives Gleason, Testu and May:

An Act relating to unemployment compensation for public employees; amending section 21, chapter 35, Laws of 1945, as last amended by section 1, chapter 8, Laws of 1953 first extraordinary session and RCW 50.04.200; and adding two new sections to chapter 50.24 RCW.

Referred to Committee on Social Security.

**Engrossed House Bill No. 530**, by Representatives Kirk, Uhlman and Litchman, Jr.:

An Act relating to filing of plats and the payment, assessment and collection of taxes upon the property platted; and amending section 2, chapter 129, Laws of 1893 as last amended by section 1, chapter 200, Laws of 1909 and RCW 58.08.040.

Referred to Committee on Cities, Towns and Counties.

**House Bill No. 544**, by Representatives Marsh, Ahlquist and Gorton:

An Act relating to county printing; and amending section 2, chapter 312, Laws of 1955 and RCW 36.72.050.

Referred to Judiciary Committee.

**Engrossed House Bill No. 545**, by Representatives Marsh, Ahlquist and Gorton:

An Act relating to legal publication fees; and amending section 4, chapter 99, Laws of 1921 as amended by section 1, chapter 186, Laws of 1955 and RCW 65.16.090.

Referred to Judiciary Committee.

**House Bill No. 554**, by Representatives Backstrom and Taylor:

An Act relating to revenue and taxation; amending section 82.26.010, chapter ....., Laws of 1961 (House Bill No. 6) and RCW 82.26.010; and adding a new section to chapter 82.26, chapter ....., Laws of 1961 (House Bill No. 6) and to chapter 82.26 RCW.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 591**, by Representatives Bergh, Metcalf, Chatalas, Olsen, Mahaffey, Sawyer, Rickdall, Ahlquist, Braun and Harris:

An Act relating to state government; creating an American Heritage and Citizenship Council; defining certain powers and duties; and fixing an expiration date.

Referred to Committee on State Government, Military Affairs and Civil Defense.

## PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"If there are no objections, the Senate will revert to the first order of business for the purpose of reading a resolution.

## APPOINTMENT OF SPECIAL COMMITTEE

The President:

"The President has just learned that a party of royalty has arrived from the Apple Capital of the World. The President should like to request the three benedicts of the State Senate act as a committee of honor and that they escort these royal personages to the rostrum. Will Senators Knoblauch and Kupka of Pierce County, and Senator Moriarty of King County, please repair themselves to the north lobby and escort the royalty to the rostrum."

Queen Kathy and her royal court were escorted to the rostrum.

(Applause.)

The President:

"Members of the Senate; Ladies and Gentlemen:

"There are occasions that are sad, and there are occasions that are glad. There are occasions that are happy and beautiful. Seldom in the experience of the President has he been present at an occasion of such happiness and beauty. The President is sure that the members of the Senate join in that expression, and the President should like to thank the three dignitaries of the Senate for their cooperation of escorting these lovely young ladies to the rostrum.

"These young ladies are here today representing Wenatchee's Apple Blossom Festival, which will be held May 4, 5 and 6 in Wenatchee, the Apple Capital of the World.

"The President would like to introduce the royalty that are here today, and at a later time we may have a few words from them. The President should like to present Queen Kathy Whiteman, Princess Carmen Snitely and Princess Sharon Coon.

"The President should like to request of Senator Jerry Hanna that he come to the rostrum. The President, at this time, should like to ask the chaperones of the princesses and queen to please step forward in order that the members of the Senate may properly recognize you. Mrs. Lyle Nicholson, princess chaperone and Mrs. Ralph M. Pinkerton, queen chaperone.

"If there are no objections, the Senate will read a resolution."

The Secretary read:

## SENATE RESOLUTION

By Senators Hanna, Hallauer and Foster:

WHEREAS, Nature has been most generous with her bountiful gifts bestowed upon the Pacific Northwest; and

WHEREAS, World famous Washington State Apples, descended from the immortal fruit of the Garden of Eden, are recognized throughout the United States and the free world as unique and superlative creations of nature, brought to the peak of perfection through the tender care and cultivation of man; and

WHEREAS, Wenatchee—The Apple Capital of the World—is the scene of the Washington State Apple Blossom Festival every year during the first weekend of May; and

WHEREAS, The Queen of the Forty-second Annual Washington State Apple Blossom Festival, Queen Kathy Whiteman, and her two Royal Princesses, Princess Carmen Snitely and Princess Sharon Coon, will reign over the three-day Washington State Apple Blossom Festival in Wenatchee on the 4th, 5th and 6th of May, 1961; and

WHEREAS Queen Kathy and Princess Carmen and Princess Sharon are the honored guests of the Washington State Senate this 3rd day of March, 1961;

Now, Therefore, Be It Resolved, By the Washington State Senate, that we extend to Queen Kathy and Princess Carmen and Princess Sharon not only our most warm and cordial welcome, but our fond and ardent wishes for a successful celebration; and

Be It Further Resolved, That we extend to all of those dedicated pioneers, of the past and of the present, who brought and who maintain the apple industry of the State of Washington in its position of unquestioned supremacy, our deep and abiding

appreciation for a job well done that has not only contributed to the fame of the State of Washington but added handsomely to her economic prosperity.

On motion of Senator Hallauer, the resolution was adopted.

The President:

"At this time, members of the Senate; Ladies and Gentlemen, the President should like to ask Princess Sharon Coon to come to the microphone."

Princess Sharon Coon:

"Thank you, Mr. President and Senators for your invitation to be with you today. It is certainly quite an honor and a very nice one.

"A wonderful experience awaits you from the beginning of the coronation ceremony, which is May 4th, until the grand finale on Saturday Morning, May 6th, in Wenatchee in apple blossom time. I would like to invite you all."

Princess Carmen Snitely:

"Thank you, Mr. President and Senators, for letting us be here today.

"This year's festival will be the forty-second celebration honoring the 'Apple Capital of the World'. The trip to Wenatchee in apple blossom time is a thrill never-to-be-forgotten, and I join Princess Carmen and Queen Kathy in inviting you to be with us then."

Queen Kathy Whiteman:

"Thank you, Mr. President and Senators.

"We are very honored to be here today and are looking forward to seeing all of you at the Apple Blossom Festival in Wenatchee. I want to extend my personal invitation to each of you to attend May 4, 5 and 6. The Apple Blossom Festival is open to you all, and I hope to be with you at that wonderful time. This is the thought that Princesses Carmen and Sharon and I want to leave with you today. We hope to see you then. Thank you."

The President:

"The members of the Senate and the President are very happy that you have seen fit to visit with us in the Senate Chamber today. Your pleasantness and your capabilities are as great as your beauty. The President realizes the members of the Senate are confronted with a number of difficult decisions to make, but also is aware of the fact that the decisions the members have to make cannot come close to the decision the judges had to make in choosing from such beauty as is arrayed here today. The Senators are animated with your beauty and hope that you will come again."

Queen Kathy:

"Thank you. We would like to present you with this box of beautiful apples and also a box of aplets. We hope that you will enjoy them."

The President:

"With your permission, the President should like to share the contents with the President's colleagues, the distinguished members of the Washington State Senate. Thank you very much."

Senator Cowen:

"Mr. President, why did you appoint three bachelors to escort these three beautiful girls to the rostrum?"

The President:

"The President has long admired Senators Knoblauch, Kupka and Moriarty. The President believes that they are happy in their present state, but would be much happier should they no longer be in that state. The President merely wanted to present an opportunity to the three bachelors of the State Senate. The President would have included you, had you not already been married.

"The President should like to request of Senators Knoblauch, Kupka and Moriarty to please come to the rostrum and escort our lovely visitors to the State Reception Room."

The queen and her royal court were escorted from the rostrum.  
(Applause.)

The Secretary read:

**SENATE RESOLUTION**

By Senators Dore, McMillan and Morgan:

WHEREAS, The federal excise taxes on communications and transportation services were initially levied during World War II to provide needed funds to support the war effort and to discourage the use of such services; and

WHEREAS, More than fourteen years after cessation of hostilities, the excise tax on communications services and transportation of persons is still in effect and is continuing to discourage the public use of these services; and

WHEREAS, Telephone service and the transportation of persons is an essential part of our way of life and cannot under any circumstances be considered a luxury item to be taxed in the same manner as furs, jewelry, liquor and other luxury commodities; and

WHEREAS, Other household and business necessities are not taxed in such a manner; and

WHEREAS, The levying of excise taxes upon such necessities as telephone service and transportation imposes taxes on those citizens who can least afford to pay in the same manner as those of unlimited financial means;

Now, Therefore, *Be It Resolved*, That the Senate of the State of Washington respectfully petitions the Congress of the United States to remove the unfair and inequitable tax upon communications and transportation services during the current session of Congress; and

*Be It Further Resolved*, That copies of this resolution be sent by the Secretary of the Senate of the State of Washington to the President of the United States, John F. Kennedy, the Senators and Representatives from the state of Washington, to the Vice President, and all members of the Ways and Means Committee of the House of Representatives.

On motion of Senator Dore, the name of Senator Riley was added as sponsor to the resolution.

On motion of Senator Dore, the resolution was adopted.

**SIGNED BY THE PRESIDENT**

**The President signed: House Bill No. 241.**

**PRESIDENT'S PRIVILEGE**

At the request of Senator Joe Chytil, the President introduced a group of students from Adna High School Freshman Civics Class, especially interested in governmental affairs. Present in the south gallery with this group was their teacher, Mr. Gene Deshler. The group was asked to stand and be recognized along with Senator Chytil.

(Applause.)

**FIRST READING OF HOUSE BILLS**

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 592**, by Representative Wedekind:

An Act relating to transportation of persons and property on Puget Sound; and amending section 47.60.140, chapter 13, Laws of 1961 and RCW 47.60.140; and declaring an emergency.

Referred to Committee on Highways.

**House Bill No. 635**, by Representatives Brink, Beierlein and King (by Executive request):

An Act relating to public assistance and the improvement in grants to old age assistance recipients under certain circumstances.

Referred to Committee on Social Security.

**Engrossed House Bill No. 643**, by Representatives Witherbee, Leibold and May:

An Act relating to industrial insurance; amending section 51.32.050, chapter 23, Laws of 1961 and RCW 51.32.050; amending section 51.32.060, chapter 23, Laws of 1961 and RCW 51.32.060; amending section 51.32.080, chapter 23, Laws of 1961 and RCW 51.32.080; amending section 51.32.090, chapter 23, Laws of 1961 and RCW 51.32.090; amending section 51.44.070, chapter 23, Laws of 1961 and RCW 51.44.070; amending section 51.16.020, chapter 23, Laws of 1961 and RCW 51.16.020; amending section 51.24.010, chapter 23, Laws of 1961 and RCW 51.24.010; and amending section 51.52.060, chapter 23, Laws of 1961 and RCW 51.52.060.

Referred to Committee on Labor and Industrial Insurance.

**Engrossed House Bill No. 662**, by Representatives Garrett, Taylor and McCormick:

An Act relating to auditing of accounts, and providing for the auditing of accounts of municipal corporations; adding five new sections to chapter 43.09 RCW; and amending section 8, chapter 76, Laws of 1909 and RCW 43.09.260.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Engrossed House Joint Memorial No. 33**, by Representatives Olsen, Gleason and Juelling:

Requesting Congress to enact legislation for improvements and accommodations in Mount Rainier National Park.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**House Joint Resolution No. 23**, by Representatives McFadden, Epton and Swayze:

Recognizing week of April 16-22 as National Library Week.

Referred to Committee on Higher Education.

**House Joint Resolution No. 28**, by Representatives O'Donnell, Kink and Mardesich:

Joint resolution for a celebration to commemorate completion of International Boundary Survey.

On motion of Senator Nunamaker, the rules were suspended, House Joint Resolution No. 28 was advanced to second reading and read the second time in full.

On motion of Senator Lennart, the rules were suspended, House Joint Resolution No. 28 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of House Joint Resolution No. 28, and the resolution passed the Senate by the following vote: Yeas, 35; nays, 0; absent or not voting, 14.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Foley, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Neill, Nunamaker, Rasmussen, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—35.

Those absent or not voting were: Senators Dore, Elway, Jr., Foster, Gissberg, Hallauer, Happy, Hofmeister, McMillan, Moriarty, Jr., Papajani, Petrich, Raugust, Riley, Washington—14.

House Joint Resolution No. 28, having received the constitutional majority, was declared passed.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"The President had the opportunity this morning of introducing three lovely young ladies. It was such a delightful experience that the President can't resist the opportunity right now of introducing the beautiful, attractive and gracious wife of Senator Fred Martin, sitting in the first row of the south gallery. Seated with her is her guest, Mrs. William Shaw."

(Applause.)

**SECOND READING OF BILLS**

**Senate Bill No. 340**, by Senators Rasmussen and Morgan:  
Regulating animal slaughter.

Senate Chamber,  
Olympia, Wash., February 20, 1891.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Senate Bill No. 340, regulating animal slaughter, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 2 strike all of new section 3 and renumber the remaining sections consecutively.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, H. B. Hanna, Reuben A. Knoblauch, Ernest W. Lennart, Fred J. Martin, W. C. Raugust.

The bill was read the second time by sections.

On motion of Senator Donohue, the committee amendment was adopted.

On motion of Senator Rasmussen, the following amendments were adopted:

In section 2, subsection (4), page 2, line 3, after "livestock" and before the period insert "in a permanent establishment"

In section 2, subsection (5), page 2, line 5, after "mules" strike all of the material down to and including "products" on line 6 and insert "and goats"

In section 7, renumbered section 6, page 3, line 8, after "the violation" and before "of any" strike "or threatened violation"

On motion of Senator Rasmussen, the rules were suspended, Engrossed Senate Bill No. 340 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 340, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Bargreen, Connor, Foster, Gissberg, Hallauer, Herrmann, Lennart, Papajani, Shannon—9.

Engrossed Senate Bill No. 340, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 430**, by Senators Petrich and Moriarty, Jr.:

Providing for the filing of a restatement of articles of incorporation of business corporations.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Senate Bill No. 430 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 430, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Bargreen, Foster, Gissberg, Hallauer, Herrmann, Lennart, Martin, Papajani, Raugust—9.

Senate Bill No. 430, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 217**, by Representatives Henry, Braun and Canfield:

Relating to amendments to state teachers' retirement system.

The bill was read the second time by sections.

Senator Angevine moved that the following amendment by Senator Hallauer be adopted:

On page 4, after new section 6, insert a new section reading as follows:

Sec. 7. Section 30, chapter 80, Laws of 1947, as last amended by section 11, chapter 274, Laws of 1955 and RCW 41.32.300 are each amended to read as follows:

Henceforth a total of not more than [ten] four years of service outside of the state shall be credited to a member who [has entered] *establishes or reestablishes credit for out-of-state* public school employment in this state subsequent to [April 1, 1938,] July 1, 1961, [and not more than fifteen years of service to a member who entered public school employment in this state prior to that date]. Foreign school teaching service, if paid for by public funds of the United States of America, shall be creditable as out-of-state service. No member who establishes out-of-state service credit after July 1, 1947, shall at retirement for pension payment purposes be allowed credit for out-of-state service in excess of the number of years credit which he shall have earned in the public schools of the state of Washington.

Renumber section 7 to read section 8.

#### POINT OF INQUIRY

Senator Lennart:

"Will Senator Angevine yield to a question?"

Senator Angevine:

"Yes, I will."

Senator Lennart:

"Approximately what saving would that bring about?"

Senator Angevine:

"I have no idea. I heard one figure that amounted to several thousand dollars, but I have no idea."

The motion carried, and the amendment was adopted.

On motion of Senator Angevine, the following amendment by Senator Hallauer to the title was adopted:

In line 7 of the title, after "41.32.340;" insert "amending section 30, chapter 80, Laws of 1947, as last amended by section 11, chapter 274, Laws of 1955, and RCW 41-32.300;"

On motion of Senator Angevine, the rules were suspended, House Bill No. 217, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 217, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Foster, Gissberg, Hallauer, McMillan, Martin, Morgan—6.

House Bill No. 217, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Joint Resolution No. 9**, by Representatives Backstrom, Metcalf and Bergh:

Amending Constitution to ensure governmental continuity in war emergency.

On motion of Senator Woodall, it was ordered that Engrossed House Joint Resolution No. 9 be considered immediately following House Bill No. 12.

**Senate Bill No. 394**, by Senators Washington, Cooney and Lennart:

Modifying law relating to old age and survivors insurance for teachers at state colleges of education.

On motion of Senator Sandison, Senate Bill No. 394 was ordered to be considered immediately following Senate Bill No. 25.

**House Bill No. 12**, by Representatives Litchman, Jr., Bergh and Pritchard:

Placing limited civil liability on parents for destruction by minor.

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 23, 1961.

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 12, placing limited civil liability on parents for destruction by minor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In new section 1, line 4, after "child" remove the comma.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Freise, the committee amendment was adopted.

On motion of Senator Freise, the rules were suspended, House Bill No. 12, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 12, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those voting nay were: Senator Petrich—1.

Those absent or not voting were: Senators Donohue, Gissberg, Martin, Morgan—4.

House Bill No. 12, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Joint Resolution No. 9**, by Representatives Backstrom, Metcalf and Bergh:

Amending Constitution to ensure governmental continuity in war emergency.

On motion of Senator Woodall, Engrossed House Joint Resolution No. 9 was ordered to be considered immediately following Senate Bill No. 187.

**Engrossed House Bill No. 538**, by Representatives Adams and McFadden: Relating to medicine and surgery.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 538 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 538, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Durkan, Gissberg, Hallauer, Happy, Hofmeister, Martin, Papajani—7.

Engrossed House Bill No. 538, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 187**, by Senators Greive, Petrich and Dore (by Legislative Council request):

Requiring hearing when court dispenses with agency consent to adoption.

Senate Chamber,  
Olympia, Wash., February 13, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 187, requiring hearing when court dispenses with agency consent to adoption, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 26 after "agency" strike all of the material down to and including "consent" on line 27.

In section 2, page 2, line 9 after "agency" strike all of the material down to and including "consent" on line 10

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed Senate Bill No. 187 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 187, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foster, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—41.

Those absent or not voting were: Senators Durkan, Foley, Gissberg, Hallauer, Happy, Martin, Raugust, Washington—8.

Engrossed Senate Bill No. 187, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Joint Resolution No. 9**, by Representatives Backstrom, Metcalf and Bergh:

Amending Constitution to ensure governmental continuity in war emergency.

On motion of Senator Hanna, Engrossed House Joint Resolution No. 9 was ordered to take its place at the end of the second reading calendar for today.

**Engrossed House Bill No. 36**, by Representatives Wang, Beck and Nicholson: Relating to toll bridges and existing adjacent bridges and authorizing the retirement of bonds from any funds available.

The bill was read the second time by sections.

On motion of Senator Morgan, the following amendment by Senator Gissberg was adopted:

In section 1, page 1, line 14 of the engrossed bill, same being the last line of the House amendment on page 1 of the printed bill, after "highway commission," insert "and except revenue from the general fund,"

On motion of Senator Morgan, the rules were suspended, Engrossed House Bill No. 36, as amended by the Senate, was advanced to third reading, the

second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 36, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42, nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarity, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Foster, Gissberg, Happy, Hofmeister, McMillan, Petrich, Shannon—7.

Engrossed House Bill No. 36, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 25**, by Senators Talley, Donohue and Woodall:

Relating to state aid to county probation services, making an appropriation and increasing emergency percentage payable by state.

Senate Chamber,  
Olympia, Wash., January 30, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 25, relating to probation officers and services making an increasing emergency percentage payable by state, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, line 10, strike "[fifty]seventy-five" and insert "fifty"

In new section 3, line 24 strike "one hundred"

FRED J. MARTIN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, John A. Petrich, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Riley, the first committee amendment was adopted.

On motion of Senator Freise, the second committee amendment was adopted.

On motion of Senator Freise, the rules were suspended, Engrossed Senate Bill No. 25 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 25, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—37.

Those absent or not voting were: Senators Connor, Cowen, Dore, Foster, Gissberg, Hallauer, Keefe, McCormack, Morgan, Raugust, Ryder, Woodall—12.

Engrossed Senate Bill No. 25, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 394**, by Senators Washington, Cooney and Lennart:

Modifying law relating to old age and survivors insurance for teachers at state colleges of education.

On motion of Senator Lennart, Senate Bill No. 394 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 431**, by Senators Bailey, Talley and Elway, Jr.:

Providing for lower Columbia river toll bridge.

On motion of Senator Greive, Substitute Senate Bill No. 431 was substituted for Senate Bill No. 431, and Substitute Senate Bill No. 431 was placed on second reading.

The bill was read the second time by sections.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 431 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Kupka:

"Will Senator Bailey yield to a question?"

Senator Bailey:

"Yes, I will."

Senator Kupka:

"What type of bridge do you anticipate—a suspension, or a floating bridge?"

Senator Bailey:

"I might say, neither one, but I don't know what you would call it. I am no engineer."

Senators Greive, Talley and Herrmann demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 431, and the bill passed the Senate by the following vote: Yeas, 37; nays, 3; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Gallagher, Greive, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Numamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—37.

Those voting nay were: Senators Foley, Freise, Raugust—3.

Those absent or not voting were: Senators Connor, Foster, Gissberg, Hal-lauer, Hanna, Happy, Keefe, Ryder, Woodall—9.

Substitute Senate Bill No. 431, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**POINT OF INQUIRY**

Senator Lennart:

"Will Senator Bailey yield to a question?"

Senator Bailey:

"Yes, I will."

Senator Lennart:

"How did you do it? How in the Sam Hill did you do it?"

Senator Bailey:

"Well, I am very grateful, and I think I could say something else about some of the members of your side, and I appreciate your cooperation."

**PERSONAL PRIVILEGE**

Senator Freise:

"I think that when we have a bill that appropriates and makes the motor vehicle fund liable for millions of dollars, we are certainly entitled to an explanation of how this is going to be financed. Senator Washington said he was going to give us a factual explanation of the amount of money that this would cost us if something went wrong, and I think we are entitled to an explanation."

Debate ensued.

**PERSONAL PRIVILEGE**

Senator Bailey:

"It wasn't my intention to, and I think it is merely an intent to move the calendar along rather than to stop further discussion. I think we can explain this a little later."

**POINT OF INQUIRY**

Senator Moriarty:

"Will a motion to now reconsider Senate Bill No. 431 be in order?"

**RULING OF THE PRESIDENT**

The President:

"Such a motion is in order. You may give notice of reconsideration and move for reconsideration at any time during this particular day."

**MOTION FOR RECONSIDERATION**

Senator Moriarty:

"Having voted on the prevailing side, I move we immediately reconsider the vote by which Substitute Senate Bill No. 431 passed the Senate."

The motion carried.

Senator Moriarty:

"I would like to give Senator Freise the opportunity to hear Senator Bailey's explanation and I have some questions I would like to clear up also."

**POINT OF INQUIRY**

Senator Raugust:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Raugust:

"You mentioned it took no money out of the Motor Vehicle Fund, but it says here that it takes \$300,000 from the Motor Vehicle Fund."

Senator Washington:

"No, I didn't say that it wouldn't take any. That's the only place it can come from."

## RECONSIDERATION

The Secretary called the roll on the final passage of Substitute Senate Bill No. 431, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—39.

Those voting nay were: Senators Foley, Neill, Raugust—3.

Those absent or not voting were: Senators Foster, Gissberg, Happy, Lenart, McCormack, Ryder, Woodall—7.

Substitute Senate Bill No. 431, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 46**, by Senator Gissberg (by Legislative Council request): Establishing a state air pollution control board.

On motion of Senator Sandison, Senate Bill No. 46 was ordered to retain its place at the end of the second reading calendar for today.

**Senate Bill No. 331**, by Senators Thompson, Jr., Hallauer and Connor:

Providing for juvenile homes in King county to be established on publicly owned land.

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 331, providing for juvenile homes in King County to be established on publicly owned land, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 2 add a new section following section 4 to read as follows:

**NEW SECTION.** Sec. 5. There is hereby established a site advisory commission to be composed of six members, to aid and assist the director of institutions in the selection of a suitable site for the location of the juvenile correctional institution herein authorized, the members to serve until the site be acquired. The members of the site advisory commission shall be composed of three members of the state House of Representatives to be appointed by the Speaker, and three members of the state Senate to be appointed by the President of the Senate. The members of the commission, as soon as may be convenient after their appointment, shall elect one of their members to serve as chairman. Each member shall receive twenty dollars per diem for each day spent in the performance of the duties of the commission and mileage at the rate of ten cents per mile.

FRED J. MARTIN, *Chairman.*

We concur in this report: Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Charles P. Moriarty, Jr., Frances Haddon Mogran, John A. Petrich, Gordon Sandison, Don L. Talley.

The bill was read the second time by sections.

Senator Martin moved that the committee amendment be adopted.

## POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Martin yield to a question?"

Senator Martin:

"Yes, I will."

Senator Rasmussen:

"What is the matter with the present site?"

Senator Martin:

"The present site is not satisfactory. It is the commission's desire to return the site. To do so, it will have to be purchased. They have a purchase option."

Extensive debate ensued.

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Thompson yield to a question?"

Senator Thompson:

"Yes, I will."

Senator Rasmussen:

"It is my recollection, under the terms of that lease that if this property is not used for a school such as Luther Burbank, then the property reverts to the Seattle School District. Is that correct?"

Senator Thompson:

"That is correct, but the Seattle School District is not enforcing this. It is the intention of the Seattle School District to only use that provisional clause if there is danger that the title may fall into the wrong hands. If they are clearly assured that the property will be used for public purposes, they will not question it."

The President stated the question to be the adoption of the committee amendment.

The motion carried, and the committee amendment was adopted.

On motion of Senator Thompson, the following amendment was adopted:

In section 2, page 1, line 25, after "institution." insert the following:

"In the event that the director determines that any offers for the donation of real property are not desirable, as herein provided, as a site for the juvenile correctional institution, then the director may acquire real property for such site by purchase or condemnation proceedings."

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Thompson yield to a question?"

Senator Thompson:

"Yes, I will."

Senator Riley:

"Is there any objection on the part of the Seattle School Board District No. 1 to sell this property, in view of the fact that Seattle School District No. 1 is in need of funds?"

"Assuming after the passage of this measure that the director, together with the advisory council, decides that this property is not what they want for the institution, then what objection would the Seattle School District have to the problem of selling it, in view of the fact that the Seattle School District is in need of money?"

Senator Thompson:

"At the time the state took this property over, there was a contract entered into by the Seattle School District and the state and in that contract there is an option to buy. This is part of the consideration of entering into the contract and relieving the Seattle School District of this program. They have reaffirmed this."

Senator Greive demanded the previous question.  
Debate ensued.

#### RULING OF THE PRESIDENT

The President stated the discussion had ended.

On motion of Senator Thompson, the rules were suspended, Engrossed Senate Bill No. 331 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 331, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Papajani, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr.—39.

Those absent or not voting were: Senators Dore, Foster, Gissberg, Happy, Morgan, Nunamaker, Petrich, Ryder, Washington, Woodall—10.

Engrossed Senate Bill No. 331, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 1:05 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:15 o'clock p. m.

#### AFTERNOON SESSION

At 2:15 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Gissberg and Hanna.

#### PERSONAL PRIVILEGE

Senator Hess:

"Yesterday, a member of the House of Representatives, Representative Evans took occasion to issue a press release in which he made some very serious and completely unfounded charges concerning the Senate Committee on Education. I regret this very much. I regret it because I feel that it is beneath the dignity of the legislature that by innuendo or outright misstatement one member of a legislative body would stoop to impugn the motives of a legislative committee.

"Among other statements that Representative Evans made was the insinuation a pattern was emerging, clear and strong, that education matters were being held up as trading stock on other bills. He singled out the Education Committee and stated that bills important to education were held up during the first thirty-three days of the session by the failure to act on these bills. This purportedly indicated that they were purposely and deliberately withheld from action.

"Representative Evans knows better than this. I charge him with deliberate false representation.

"Now, I spent about three hours analyzing the work on the Committee on Education. We have received forty-three bills in the Senate Committee on Education. Twenty-eight have been passed out favorably recommended. Thirteen, the Committee decided after careful review, did not warrant passage. Many of these were opposed by the school

forces themselves. Only two bills have not received consideration at this time. These are House Bills and received within the last week. Twelve education bills have passed the Senate; sixteen are in the Senate Rules Committee.

"Let us now consider Representative Evans' charge of inaction for the first thirty-three legislative days. During this period, only fourteen bills were referred to the Education Committee. Only two of the fourteen were sponsored by any of the major organizations representing education.

"Where were the education forces the first thirty-three days? The facts, are these. Most of our work during this period involved the efforts of key legislators of both parties working with all of those interested in legislation affecting education to prepare the major legislation in this field and to resolve areas of disagreement prior to the introduction of these bills. Representative Evans was either ignorant or something that was public knowledge to all of those interested in such legislation or else he chose for personal political grandstanding to belie the facts.

"Further examination of Representative Evans' chosen thirty-three days reveal that of the fourteen bills supposedly bottled up as trading stock, eleven have long since been favorably recommended by the Committee. Seven of these bills had passed the Senate at the time of Mr. Evans' press statement. Two were defeated by Committee action and a third was not needed since the whole purpose of the bill, that of creating clearer lines of authority between the Superintendent of Public Instruction and the State Board of Education, had already been resolved by mutual agreement between legislative leaders on education, the State Superintendent and members of the State Board. This, of course, required a series of conferences, all of which took place early in the session. Frankly, I regard this early period as one of the most constructive and productive for education we have ever seen. Never once was Mr. Evans' interest manifested in any of these matters and only his gnawing ambition for publicity would seem to bring him to concern with educational legislation at this time.

"Further analysis shows that even under the circumstances described the average time for consideration of a bill in the Senate Education Committee was less than two weeks; to be precise, 13.6 days. I submit that this was a reasonable period of time for any Committee giving careful attention to legislation.

"If we are to ask the people of our state to respect the Legislature and its actions then we must be responsible in our criticism. Destructive criticism, whose sole objective is publicity for the politically ambitious, is good for no one and certainly harmful to the whole process of self-government.

"I am concerned that there have not been more education bills on our calendar, however, I realize that the Rules Committee has had many problems and will, in due time, get to these important measures. I must say in conclusion, most emphatically, that to charge the Senate Education Committee with a failure to fulfill its responsibilities and to imply that there had been a scheme to trade votes on measures under its direction for any other legislation is false on the face of it and beneath the dignity of the Legislature to have such charges made."

#### PERSONAL PRIVILEGE

Senator Neill:

"In the trying days of the rather hectic end of this session, many things have been said which we would like to take back, but I would say to you that this same matter was on this floor this morning. Senator Woodall and Senator Durkan answered charges this very morning. It is regretful that it happened through some breakdown in communications between the House and the Senate, or I dare say this would never have occurred.

"I have been here quite a while and I have known many people on both sides of the aisle, and there is none on the floor of this Senate for whom I have higher regard and whose integrity I have more respect for than yourself. It is very regretful that this has happened because even though we may have differences of opinion, it is just that. As far as the innuendo, we do not subscribe to such a statement and we do not believe it.

"As you well know, in these last weeks of the session, stories fly back and forth, and we do not have time to correspond. Rumors are flying about and these walls have ears, as the saying goes, and let me say, we regret it because we do not share any such innuendo."

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Senate Concurrent Resolution No. 5, have compared same with the engrossed resolution and find it correctly re-engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 219; also

Senate Bill No. 486; also

Senate Joint Resolution No. 36, have compared same with the original bills and resolution and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 219; also

Senate Concurrent Resolution No. 5, have compared same with the original bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 219; also  
Senate Concurrent Resolution No. 5.**

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

The House adheres to its position regarding the Senate amendments to Substitute House Bill No. 31 and asks the Senate for a conference thereon, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**MOTION**

On motion of Senator Greive, the Senate receded from its amendments to Substitute House Bill No. 31.

The Secretary called the roll on the final passage of Substitute House Bill No. 31, without the Senate amendments, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—39.

Those absent or not voting were: Senators Connor, Cooney, Dore, Foley, Gissberg, Hallauer, Happy, Papajani, Raugust, Washington—10.

Substitute House Bill No. 31, without the Senate amendments, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

The President announced, at the request of Senator Al Henry, a group of forty-five members of the Honor Society of White Salmon, Washington. This group of prominent students were asked to stand, along with Senator Henry, and be recognized.

(Applause.)

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

The House refuses to concur in the Senate amendment to House Joint Resolution No. 6 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**MOTION**

Senator Petrich moved that the Senate adhere to its position on House Joint Resolution No. 6.

**POINT OF INQUIRY**

Senator Neill:

"Might I inquire the effect of this motion? Does this cut off the right for a conference?"

**RULING OF THE PRESIDENT**

The President:

"The President believes that it does."

The President stated the question before the Senate to be, it has been moved that the Senate adhere to its position on House Joint Resolution No. 6.

The motion carried, and the Senate adhered to its position regarding House Joint Resolution No. 6.

House of Representatives,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 176 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

**SECOND READING OF BILLS**

**House Bill No. 107**, by Representatives Eldridge, Hurley and Ahlquist:

Establishing method of providing funds for drainage districts.

The bill was read the second time by sections.

On motion of Senator Martin, the rules were suspended, House Bill No. 107 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 107, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Dore, Foster, Gissberg, Hess, Neill—5.

House Bill No. 107, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 248**, by Representatives Johnston, Schaefer and Marsh:

Relating to judges' retirement system.

On motion of Senator Greive, Engrossed House Bill No. 248 was ordered to retain its place on the second reading calendar for tomorrow.

**Senate Bill No. 297**, by Senators Henry, Greive and Chytil:

Regulating optometrists' professional discipline.

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Medicine and Dentistry, to whom was referred Senate Bill No. 297, regulating optometrists' professional discipline, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In new section 3, page 2, line 18, delete all of subsection (4) and renumber the remaining subsections consecutively.

FRANCES HADDON MORGAN, *Chairman*.

We concur in this report: Wayne G. Angevine, John L. Cooney, David C. Cowen, R. R. (Bob) Greive, Karl V. Herrmann, John N. Ryder, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Greive, the committee amendment was adopted.

On motion of Senator Rasmussen, the following amendment was adopted:

In section 3, renumbered section 2, page 2, line 26, strike all of subsection 9 and renumber the remaining subsections consecutively.

On motion of Senator Moriarty, the following amendments were adopted:

On page 1, beginning on line 5, strike all of section 1 and renumber the remaining sections consecutively.

In section 3, renumbered section 2, page 2, line 10, after "turpitude" strike all of the material down to and including "evidence" on line 11.

#### MOTION

Senator Rasmussen moved that Senate Bill No. 297 be held for tomorrow's second reading calendar.

The motion was lost.

Senator Kupka moved that the following amendment be adopted:

On page 3, strike new section 4, and insert a new section 4 to read as follows:  
**NEW SECTION. Sec. 4.** There is created the Washington State Optometric Disciplinary Board, which must be composed of three practicing optometrists, to be appointed by the governor from among optometrists who are licensed to practice optometry within this state and have been licensed to practice and actively practicing optometry in this state for a period of at least seven years immediately prior to appointment, are citizens of the United States, residents of this state, engaged in active optometry practice in this state, and who have no connection with any school or college of optometry or with any optical supply business. Each member must be appointed for a term of three years, with the exception of the first appointees, of whom one is to be appointed for one year, one for a term of two years, and one a term of three years, all appointments to be effective as of June 15, 1961. All subsequent appointments are for three years, except appointments for unexpired terms which are for the duration of the unexpired term only, all appointments to be until a successor is appointed and qualified.

Senators Morgan, Dore, McCutcheon and Greive demanded a Call of the Senate.

A division was requested.

The demand for a Call of the Senate was not sustained on a rising vote.

The President stated the question before the Senate to be the adoption of the amendment presented by Senator Kupka.

#### POINT OF INQUIRY

Senator Freise:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"Yes, I will."

Senator Freise:

"Would you mind advising us how you voted on Initiative No. 202?"

Senator Kupka:

"Well, that was a secret ballot. I voted my conscience and it was my sacred right. I haven't revealed that to anyone and I don't intend to today."

The President stated the question before the Senate to be the adoption of the amendment proposed by Senator Kupka.

A division was requested and the motion carried on a rising vote. The amendment was adopted.

#### MOTION

Senator Woodall moved that Senate Bill No. 297 be placed at the beginning of the next second reading calendar this evening.

The motion was lost.

Senator Rasmussen moved that the following amendment be adopted:

In section 21, page 7, line 12, strike "judicial review of appeal to the court on"

On motion of Senator Riley, the amendment by Senator Rasmussen was laid on the table.

#### MOTION

On motion of Senator Woodall, Senate Bill No. 297 was ordered retained at the beginning of the next second reading calendar for this evening.

The Senate reverted to the second order of business for the purpose of receiving Standing Committee Reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 28:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 28, relating to the expenses of the legislature, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen,

Joe Chytil, Frank Connor, John L. Cooney, Victor F. DeGarmo, Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don. L. Talley.

On motion of Senator Hallauer, the committee report was adopted.

On motion of Senator Hallauer, the rules were suspended, Substitute Senate Bill No. 28 was substituted for Senate Bill No. 28, and Substitute Senate Bill No. 28 was placed on second reading.

The bill was read the second time by sections.

On motion of Senator Hallauer, the rules were suspended, Substitute Senate Bill No. 28 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

On motion of Senator Woodall, Substitute Senate Bill No. 28 was ordered retained at the beginning of the third reading calendar for this evening.

**Senate Bill No. 442:**

Senate Chamber

Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 442, providing for annexing territory into metro and for permitting withdrawal, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 450:**

Senate Chamber,

Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 450, permitting annexation of unincorporated areas by cities and towns not located in the same county, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.,

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 529** (reported by Committee on State Government, Military Affairs and Civil Defense):

Do pass as amended.

....., *Chairman.*

We concur in this report: Wayne G. Angevine, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 547:**

Senate Chamber,

Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 547, relating to vacation of streets in first class tidelands, have had the same under consideration, and we respectfully report the same back to the Sen-

ate with the recommendation that Substitute Senate Bill No. 547 be substituted for Senate Bill No. 547 and that the Substitute Bill No. 547 do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Victor F. DeGarmo, Fred H. Dore, Al Henry, Andy Hess, James E. Keefe, Mike McCormack, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 146:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Substitute House Bill No. 146, regulating the application of agricultural pesticides, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, Fred J. Martin, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

I, a minority of your Committee on Agriculture and Horticulture, to whom was referred Substitute House Bill No. 146, regulating the application of agricultural pesticides, have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

I concur in this report: W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 182:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 182, authorizing cities and towns to form a metro park district, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Dewey C. Donohue, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 361:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 361, allowing counties to issue revenue bonds for park purposes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Dewey C. Donohue, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, A. L. Rasmussen.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 363:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 363, authorizing the county treasurer to invest certain funds,

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 415:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 415, authorizing sewer districts and water districts to provide health care services and group insurance for their employees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Dewey C. Donohue, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, A. L. Rasmussen.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 513:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 513, permitting organization of sewer district commissioner associations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway Jr., Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 514:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 514, permitting organization of an association of water district commissioners, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway Jr., Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 606:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 606, authorizing park and recreation districts in fourth class counties, have had the same under consideration, and we respectfully report that same back to the Senate with the recommendation that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor;

Victor F. DeGarmo, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 636:**

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 636, modifying requirement for salary fund in certain counties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**SECOND READING OF BILLS**

**Senate Bill No. 548**, by Senator McCormack:

Provides for control of mosquitoes on state-wide basis.

The bill was read the second time by sections.

On motion of Senator McCormack, the following amendment was adopted:

In section 5, page 2, line 27, strike all of subsection (5), renumbered subsection (3) and renumber the remaining subsections consecutively.

On motion of Senator Sandison, the following amendment was adopted:

In section 5, page 3, line 4, after "act" strike the period and insert ": *Provided*, That no program shall be permitted nor any action taken in pursuance thereof which may be injurious to the life or health of game or fish."

**POINT OF INQUIRY**

Senator McCormack:

"Mr. President, did we not amend the bill to strike the word 'appropriation'?"

The President:

"Yes, that is correct."

On motion of Senator McCormack, the rules were suspended, Engrossed Senate Bill, No. 548 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 548, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Durkan, Foster, Gissberg, Happy, Hofmeister, Lennart, McMillan, Martin, Morgan, Raugust—10.

Engrossed Senate Bill No. 548, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Joint Resolution No. 6**, by Senators Greive, Kupka and Keefe (by Legislative Council request):

Proposing constitutional amendment to permit lending of state credit to industry.

On motion of Senator Greive, Senate Joint Resolution No. 6 was ordered placed on the second reading calendar for tomorrow.

**Senate Bill No. 77**, by Senators Greive, Kupka, Keefe and Freise:  
Creating a Washington industrial finance authority.

On motion of Senator Greive, Senate Bill No. 77 was ordered placed on the second reading calendar for tomorrow.

#### MOTION

Senator Greive moved that all remaining bills be ordered to retain their places on this evening's second reading calendar.

**Senate Bill No. 72**, by Senators Dore, Petrich and Neill:  
Enacting a uniform commercial code.

#### MOTION

Senator Gallagher moved to amend the motion by Senator Greive that Senate Bill No. 72 also retain its place at the end of the second reading calendar for tomorrow.

Debate ensued.

The President stated the question before the Senate to be, it has been moved that Senate Bill No. 72 be ordered to retain its place at the end of the second reading calendar for tomorrow.

Senator Gallagher demanded a roll call, which was sustained by Senators Petrich, Dore, Morgan, Chytil, Sandison, Freise, Neill, Shannon and Greive.

#### POINT OF INQUIRY

Senator Petrich:

"Wasn't it Senator Greive's motion that the two bills, Senate Joint Resolution No. 6 and Senate Bill No. 77, hold their places for the second reading calendar for tomorrow, and the remaining bills be held over for this evening's calendar?"

The President:

"The President believes that was Senator Greive's motion."

#### POINT OF ORDER

Senator Petrich:

"I question Senator Gallagher's motion."

#### RULING OF THE PRESIDENT

The President:

"The President believes that the motion as presented by Senator Gallagher is in order."

Senators Herrmann, Rasmussen, Greive and Hanna demanded a Call of the Senate.

The President stated the question before the Senate to be, a Call of the Senate has been requested.

A division was requested.

The motion was lost on a rising vote, and the demand for a Call of the Senate was not sustained.

The President stated the question to be, it has been moved that Senate Bill No. 72 be retained on the second reading calendar for tomorrow.

The Secretary called the roll, Senate Bill No. 72 was ordered placed on the second reading calendar for tomorrow by the following vote: Yeas, 22; nays, 21; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Cooney, DeGarmo, Donohue, Durkan, Foley, Gallagher, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Nunamaker, Rasmussen, Thompson, Jr.—22.

Those voting nay were: Senators Chytil, Connor, Cowen, Dore, Elway, Jr., Freise, Greive, Hallauer, Hess, Lennart, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—21.

Those absent or not voting were: Senators Foster, Gissberg, Happy, McMillan, Morgan, Papajani—6.

#### MOTION

At 4:15 o'clock p. m., on motion of Senator Greive, the Senate recessed until 7:30 o'clock p. m.

### EVENING SESSION

At 7:30 o'clock p. m. the Senate was called to order by President Cherberg. The President announced that the Senate would be at ease, subject to the call of the President.

At 7:45 o'clock p. m. the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Happy, Petrich and Lennart.

On motion of Senator Thompson, Senator Happy was excused.

#### MOTION

On motion of Senator Greive, the rules were suspended, and Substitute Senate Bill No. 28 was ordered to be considered on third reading immediately.

#### THIRD READING OF BILLS.

**Substitute Senate Bill No. 28**, by Committee on Ways and Means:

Relating to the expenses of the legislature.

The bill was read the third time.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 28, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators Connor, Cowen, DeGarmo, Dore, Durkan, Gissberg, Happy, Lennart, McMillan, Moriarty, Jr., Raugust, Riley—12.

Substitute Senate Bill No. 28, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the seventh order of business.

#### SECOND READING OF BILLS

**Engrossed House Joint Resolution No. 9**, by Representatives Backstrom, Metcalf and Bergh:

Amending Constitution to ensure governmental continuity in war emergency.

The resolution was read the second time in full.

#### MOTION

Senator McCutcheon moved that Engrossed House Resolution No. 9 be referred to the Committee on Constitution, Elections and Legislative Processes.

#### POINT OF INQUIRY

Senator Bargreen:

"Will Senator McCutcheon yield to a question?"

Senator McCutcheon:

"Yes, I will."

Senator Bargreen:

"Senator McCutcheon, when can we expect this resolution back before the Senate? It is very important for the preservation of this state and for that reason I would like to know when we can expect this resolution back."

Senator McCutcheon:

"We will attack the problem, Senator Bargreen, with real diligence. I don't think anyone should ever pressure anything of that nature."

#### POINT OF INQUIRY

Senator Woodall:

"When would be the last time, in the opinion of the President, that this measure could be considered by this body?"

The President:

"The last time this particular measure could be considered by this body would be midnight of the fifty-eighth day. There is a possibility that it might be considered up until adjournment on the sixtieth day."

Senator Woodall:

"That's fine. As long as we have a minimum of at least four days, that is satisfactory with us."

#### MOTION

Senator Bargreen moved that the motion by Senator McCutcheon be laid on the table.

The motion was lost.

The President stated the question before the Senate to be the motion by Senator McCutcheon that Engrossed House Joint Resolution No. 9 be referred to the Committee on Constitution, Elections and Legislative Processes.

The motion carried, and Engrossed House Joint Resolution No. 9 was referred to the Committee on Constitution, Elections and Legislative Processes.

#### MOTION

On motion of Senator Greive, Senator Gissberg was excused.

**Senate Bill No. 394**, by Senators Washington, Cooney and Lennart:

Modifying law relating to old age and survivors insurance for teachers at state colleges of education.

The bill was read the second time by sections.

Senator Lennart moved that the following amendment be adopted:

In section 3, page 2, line 16, after "less" and before the period insert " : PROVIDED, That the seven and one-half percent factor shall, among other things be based upon the old age and survivors insurance employer's contributions rates as they exist on January 1, 1961 and as such contribution rates are increased by the federal government, the seven and one-half percent factor shall be increased to such percentage as will permit a continuance of the payment of the old age and survivors contributions without derogating from other retirement contributions"

Senator Woodall moved that Senate Bill No. 394 be placed at the end of the second reading calendar.

#### POINT OF INQUIRY

Senator Washington:

"Could Senator Woodall explain why?"

Senator Woodall:

"Because the man who just proposed the amendment is not here to do anything about it."

The motion by Senator Woodall was withdrawn.

On motion of Senator Washington, the amendment was adopted.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 394 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 394, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Cowen, Foster, Gissberg, Happy, Lennart, Moriarty, Jr.—6.

Engrossed Senate Bill No. 394, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 46**, by Senator Gissberg (by Legislative Council request): Establishing a state air pollution control board.

On motion of Senator Keefe, Senate Bill No. 46 was ordered placed immediately following Senate Bill No. 557.

#### PERSONAL PRIVILEGE

Senator Henry announced that the cigars being distributed were with the compliments of George Clark of the Washington Restaurant Association.

**Senate Bill No. 297**, by Senator Henry, Greive and Chytil:

Regulating optometrists' professional discipline.

The bill was read the second time by sections.

Senator Rasmussen moved that the following amendment be adopted:

In section 3, page 2, line 21, after "immorality" strike the semicolon and insert a period, and strike the remainder of subsection (7).

On motion of Senator Henry, the amendment proposed by Senator Rasmussen was laid on the table.

On motion of Senator Rasmussen, the following amendment was adopted:

In section 6, renumbered section 5, page 3, line 24, after "receive" strike "fifty" and insert "twenty-five"

Senator Rasmussen moved that the following amendment be adopted:

In section 16, page 6, line 10 after "Within" strike "a reasonable time" and insert "thirty days"

The motion lost, and the amendment was not adopted.

Senator Rasmussen moved that the following amendment be adopted:

In section 7, page 3, line 33 strike section 7 and renumber.

On motion of Senator Henry, the amendment by Senator Rasmussen was laid on the table.

Senator Rasmussen moved that the following amendment be adopted:

In section 10, page 4, line 10, strike section 10 and renumber.

Senator Henry moved that the amendment by Senator Rasmussen be laid on the table.

The motion carried, and the amendment was tabled.

Senator Rasmussen moved that the following amendment be adopted:

In section 11, page 4, line 16, strike subsection (1) and renumber.

On motion of Senator Thompson, the amendment proposed by Senator Rasmussen was laid on the table.

On motion of Senator Rasmussen the following amendment was adopted:

In section 14, renumbered section 13, page 5, line 17, after "hearing" and before "and" insert the following: ", such hearing shall be held in the county where the accused maintains his place of business"

Senator Rasmussen moved that the following amendment be adopted:

In section 12, page 5, lines 2, 3 and 4, after "consideration," strike "or if the board shall have reason to believe without formal complaint"

Debate ensued.

On motion of Senator Thompson, the amendment proposed by Senator Rasmussen was laid on the table.

Senator Rasmussen moved that the following amendment be adopted:

In section 24, page 7, line 30, after "right to" strike "judicial review of" and insert "appeal to the court on"

Senator Thompson moved that the amendment proposed by Senator Rasmussen be laid on the table, and the motion carried.

On motion of Senator Foster, the following amendment was adopted:

In section 11, renumbered section 10, page 4, line 25, after "act" strike the semicolon and insert " : *Provided*, That the provisions of section 7, chapter 1, Laws of 1961 (uncodified) (Initiative Measure No. 207) do not apply to persons employed under this act:"

#### MOTION FOR RECONSIDERATION

Senator Moriarty:

"Having voted on the prevailing side, I move that the vote be reconsidered by which the amendment by Senator Kupka to Senate Bill No. 297 was adopted."

**POINT OF ORDER**

Senator Gallagher:

"Was there a roll call on the amendment proposed by Senator Kupka, which was adopted?"

"It would appear to me that we are going to get into difficulties if we are going to permit people to move for reconsideration when the vote was not recorded."

**POINT OF ORDER**

Senator Greive:

"I don't think that Senator Gallagher is right.

"In the sixteen years that I have been a member of this body, on a vote that was not recorded when a member stood up and said he voted on the prevailing side, we took his word for it. This particular motion is explained in the latter part of Rule 31 which speaks on amendments and says they may be made and reconsidered immediately."

Senator Gallagher:

"I think Senator Greive concurs. I think a motion to reconsider must be made immediately. This amendment was adopted early this afternoon, and if a motion for reconsideration had been made at that time it would have been in order."

Senator Greive:

"We are still at the same stage in the proceedings."

Senator Kupka:

"I can't see how you can consider this, not having a recording of who voted what and how. It was a standing vote and I don't recall seeing Senator Moriarty stand."

Senator Woodall:

"I rise to concur in the remarks of Senator Greive. The word of a particular member is accepted in these matters. If you have a roll call vote, of course you look to see, but in all other matters, you accept the word of the members.

"A written amendment could be set up now which could put back what was taken out. You would get the same thing in another way. You can always go back and change the amendment which was adopted, regardless of which way the matter is handled."

**RULING OF THE PRESIDENT**

The President:

"The President rules that the point of order by Senator Gallagher is not well taken, and that the motion as presented by Senator Moriarty is in order."

The President stated the question before the Senate to be, it has been moved that the Senate do now reconsider the vote by which the amendment by Senator Kupka was adopted.

Debate ensued.

**PARLIAMENTARY INQUIRY**

Senator Rasmussen:

"What is before the Senate?"

The President:

"The question before the Senate is, it has been moved that the Senate do now reconsider the vote by which the amendment by Senator Kupka to Senate Bill No. 297 was adopted."

Debate ensued.

Senator Kupka demanded a roll call, which was not sustained.

A division was requested.

The motion carried on a rising vote, and the Senate voted to reconsider the vote by which the amendment by Senator Kupka was adopted.

**RECONSIDERATION**

The President stated the question before the Senate to be the adoption of the amendment by Senator Kupka.

The amendment was not adopted.

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 297 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator Elway:

"Will Senator Riley yield to a question?"

Senator Riley:

"Yes, I will."

Senator Elway:

"Senator Riley, I want you to tell me whether or not this bill is 'crystal clear'."

Senator Riley:

"Senator Elway is an intelligent Senator and when he comes to me for advice he will be wearing diamond-studded glasses. It is not only crystal clear, but diamond clear!"

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 297, and the bill passed the Senate by the following vote: Yeas, 39; nays, 7; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Knoblauch, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senators Gallagher, Hallauer, Hofmeister, Keefe, Kupka, Nunamaker, Rasmussen—7.

Those absent or not voting were: Senators Connor, Happy, Lennart—3.

Engrossed Senate Bill No. 297, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

The President announced the presence in the south gallery of Mr. and Mrs. Pat Donohue, the son and daughter-in-law of Senator Donohue, with their two daughters, Katie and Jennie. The family, from eastern Washington, was asked to stand, along with Senator Donohue, and be properly recognized.

(Applause.)

**Senate Bill No. 174**, by Senators Rasmussen, Kupka and Moriarty, Jr.:

Requiring safety measures in excavations.

The bill was read the second time by sections.

On motion of Senator Freise, the following amendment was adopted:

In section 3, page 2, line 6, strike "gross"

Senator Riley moved that the following amendment be adopted:

In section 1, page 1, line 8, strike "four" and substitute "six"

Extensive debate ensued.

**POINT OF INQUIRY**

Senator Talley:

"Will Senator Riley yield to a question?"

Senator Riley:

"Yes, I will."

Senator Talley:

"You are in the plumbing-pipe business, I know that. You know the necessary depth needed in an excavation when pipe is laid. Don't you think six feet is a little too much depth without protection?"

Senator Riley:

"You ask me a question. I am aware of many, many different occasions. If you are talking about water mains, it is true that a main must be in the water lines to make connections. It is not so true if you are working in a steel weld water main where they weld on the surface of the ground. I cannot consider exactly the same dredge depth to which Senator Talley makes reference. In our country, and even in eastern Washington, I am certain they will not find any mains, water or gas, below six feet."

Senator Talley:

"I am sure, Senator Riley, we have gone down to a depth of eighteen feet."

Senator Freise moved that Senate Bill No. 174 be ordered retained at the head of the second reading calendar for tomorrow.

Debate ensued.

The motion carried, and Senate Bill No. 174 was ordered placed at the head of the second reading calendar for tomorrow.

**Senate Bill No. 72**, by Senators Dore, Petrich and Neill:

Enacting a uniform commercial code.

Senator Dore moved that Senate Bill No. 72 be placed directly after Senate Bill No. 174 on second reading calendar for tomorrow.

**POINT OF ORDER**

Senator Woodall:

"As I understand it, this bill at the moment is not before the body. It is on tomorrow's calendar, so at this moment it will be in the Rules Committee until they bring it out on tomorrow's calendar; or it would take two motions to get it before the body before you could act on it. I submit his motion is out of order."

Senator Dore:

"My understanding of the rules is that after the fiftieth day you can move a bill up and down on the calendar. If that is correct, I will amend my motion to suspend the rules but I don't think that is necessary after the fiftieth day."

Senator Woodall:

"Senator Dore misses the point. It is not before the body. It is on tomorrow's calendar. If he wants to move it up, I agree that it would take two motions."

**RULING OF THE PRESIDENT**

The President:

"Senate Bill No. 72 is on the second reading calendar for tomorrow. When the calendar is before the body, Senator Dore may, at that time, try to place Senate Bill No. 72 at any place he desires."

**MOTION**

Senator Dore:

"I now move to suspend the rules and consider Senate Bill No. 72 on tomorrow's calendar."

Senator Woodall moved that the motion by Senator Dore be laid on the table.

**POINT OF ORDER**

Senator Woodall:

"Your particular motion is out of order."

The President stated the question to be, it has been moved that the rules be suspended, and Senate Bill No. 72 be placed directly after Senate Bill No. 174 on second reading calendar for tomorrow.

A division was requested.

The motion lost on a rising vote.

**Senate Bill No. 352**, by Senators Thompson, Jr. and Hess:

Modifying attendance credit laws as to school districts.

The bill was read the second time by sections.

On motion of Senator Thompson, the rules were suspended, Senate Bill No. 352 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 352, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—41.

Those voting nay were: Senators Neill, Washington—2.

Those absent or not voting were: Senators Foley, Foster, Hanna, Happy, Lennart, Papajani—6.

Senate Bill No. 352, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

At the request of Senator McCormack, the President announced the presence in the south gallery of a group of ladies and gentlemen from the Tri-City Area. These prominent citizens included Mr. John Dam, Chairman of the Benton County Board of County Commissioners and Mrs. Pankanin, President of Kennewick Democratic Women's Club. The group was asked to stand and be recognized, along with Senator McCormack.

(Applause.)

**Senate Bill No. 329**, by Senators Cooney and Herrmann:

Relating to creation of county park service areas.

The bill was read the second time by sections.

On motion of Senator Cooney, the rules were suspended, Senate Bill No. 329 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator DeGarmo:

"Will Senator Cooney yield to a question?"

Senator Cooney:

"Yes, I will."

Senator DeGarmo:

"We happen to be in Thurston County and we do not have a large park here in Olympia like you have in Spokane. How can you help a salt water park in Thurston County?"

Senator Cooney:

"Senator DeGarmo, if you vote for that measure, I sure will."

The Secretary called the roll on the final passage of Senate Bill No. 329, and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington—41.

Those voting nay were: Senators Moriarty, Jr., Neill, Rasmussen, Woodall—4

Those absent or not voting were: Senators Foster, Hanna, Happy, Thompson, Jr.—4.

Senate Bill No. 329, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Cowen:

"I wish to direct a question to Senator Lennart.

"Senator Lennart, will you kindly tell the members of the Senate where you have been and why you are wearing a carnation in your lapel?"

Senator Lennart:

"My daughter was married this afternoon. She was once your page, Senator Cowen."

Senator Cowen:

"How many years ago?"

Senator Lennart:

"Six or eight years ago."

Senator Cowen:

"Don't you think, Senator, that you should pass out cigars this evening?"

Senator Lennart:

"I will be glad to, Senator."

Senator DeGarmo:

"I would like to inform Senator Cowen that his page here today isn't very far off, and I have been taking good care of her, and when that days comes, I hope you pass out cigars, Senator Cowen."

Senator Lennart:

"No, Senator, she was your page, and you loved that girl very much. I just gave her a one thousand dollar bill and you want me to set up the cigars!"

Senator Cowen:

"I will be very glad to buy the cigars, and I hope she will be very happy as she goes through life."

The President:

"Thank you very much, Senator Cowen, for extending your usual kindness and generosity in your warm feeling for others."

**Senate Bill No. 557**, by Senators McCormack, Gissberg and Hanna (by Executive request):

Establishing a youth conservation corps.

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 557, establishing a youth conservation corps, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 3, page 2, lines 2 and 3, after "of conservation" and before "to be" strike "and development, and two members" and insert ", and one member"

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendment was adopted.

Senator Freise moved that the following amendment be adopted:

In section 1, page 1, line 8, strike new section 1, and renumber the following sections consecutively.

A division was requested.

The motion lost on a rising vote, and the amendment was not adopted.

On motion of Senator McCormack, the rules were suspended, Engrossed Senate Bill No. 557 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Chytill:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Chytill:

"On Senate Bill No. 557, would this create any cost to the state, and how much?"

Senator Hallauer:

"I will have to defer to Senator McCormack."

Senator McCormack:

"The departments of Natural Resources and Conservation have decided to try to put this program on without any additional funds at this time. The bill provides that they may accept gifts and they will try the program and see how it works, and at the end of two years, they will be in a much better position to tell."

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 557, and the bill passed the Senate by the following vote: Yeas, 39; nays, 2; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor,

Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Washington—39.

Those voting nay were: Senators Chytil, Moriarty, Jr.—2.

Those absent or not voting were: Senators Foster, Hallauer, Hanna, Happy, Neill, Shannon, Thompson, Jr., Woodall—8.

Engrossed Senate Bill No. 557, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 46**, by Senator Gissberg (by Legislative Council request): Establishing a state air pollution control board.

Senate Chamber,  
Olympia, Wash., February 2, 1961.

MR. PRESIDENT:

We, your Committee on Air and Water Pollution Control, to whom was referred Senate Bill No. 46, relating to air pollution control, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In new section 1, page 1, line 13, after "appointed" and before "from" insert "by the governor"

DAVID E. McMILLAN, *Chairman*.

We concur in this report: Victor F. DeGarmo, Harry Elway, Jr., Al Henry, Ernest W. Lennart, Frances Haddon Morgan, Edward F. Riley, William D. Shannon, Don L. Talley.

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 46, relating to air pollution control, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 4, strike all of new section 6 and renumber the remaining sections consecutively.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Conner, John L. Cooney, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator McMillan, the amendment by the Committee on Air and Water Pollution Control was adopted.

On motion of Senator Gissberg, the amendment by the Committee on Ways and Means was adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 46 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate

Bill No. 46, and the bill passed the Senate by the following vote: Yeas, 35; nays, 11; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Papajani, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—35.

Those voting nay were: Senators Cowen, Donohue, Lennart, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Ryder, Woodall—11.

Those absent or not voting were: Senators Foster, Hanna, Happy—3.

Engrossed Senate Bill No. 46, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 164**, by Senators Martin, Kupka, and Sandison (by Departmental request):

Authorizing transfer of equipment, livestock and supplies between institutions.

The bill was read the second time by sections.

On motion of Senator McCutcheon, the following amendment was adopted:

In section 1, page 1, line 21, after "any" strike the period and insert " : *Provided*, The livestock and dairy herd at the Western State Hospital shall be maintained at its approximate present capacity."

On motion of Senator Kupka, the following amendment was adopted:

In section 1, page 1, line 17, after "institution" and before the period insert "excepting, however, any such equipment donated by organizations for the sole use of such transferring institutions"

On motion of Senator Martin, the rules were suspended, Engrossed Senate Bill No. 164 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Ryder:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Ryder:

"I presume that Dr. Heyns has in his budget the quarter of a million dollars that is necessary to have this show in Tacoma?"

Senator Hallauer:

"I understand that the budget is in just the same condition as it was two years ago."

Senator Ryder:

"Two years ago it did include this appropriation."

Senator McCutcheon:

"That was entirely donated by such splendid gentlemen as yourself; by gentlemen who were well-heeled!"

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 164, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those absent or not voting were: Senators Donohue, Happy—2.

Engrossed Senate Bill No. 164, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 168**, by Senators Martin, Freise and Sandison (by Departmental request):

Modifying law relating to state hospitals for mentally ill, sexual psychopaths and psychopathic delinquents.

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Senate Bill No. 168, modifying law relating to state hospitals for mentally ill, sexual psychopaths and psychopathic delinquents, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In new section 22, page 8, line 2, after "regulations" strike "shall" and insert "may"; also on line 3 after "state," strike "shall" and insert "may" and on line 4, after "as" strike "shall" and insert "may"

FRED J. MARTIN, *Chairman*.

We concur in this report: Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, Gordon Sandison, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Martin, the committee amendment was adopted.

On motion of Senator Martin, the rules were suspended, Engrossed Senate Bill No. 168 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Martin yield to a question?"

Senator Martin:

"Yes, I will."

Senator Riley:

"I had a similar question, Senator Martin, which I am not sure that I could answer. I would like to know, first, why the reduction from two years to one year; and second, how many would be ready now to be admitted to these institutions, if this measure is enacted into law?"

Senator Martin:

"I don't believe I can answer that, Senator. This provision also provides for the deportation act."

Senator Riley:

"You mean you have to be crazy to be deported?"

Senator Sandison:

"At the present time these people are taken back to the state from which they

were residents. It is a good deal cheaper to treat them here and then send them home, than to release them into society."

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 168, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Washington, Woodall—46.

Those voting nay were: Senator Rasmussen—1.

Those absent or not voting were: Senators Hanna, Happy—2.

Engrossed Senate Bill No. 168, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 301** (reported by Committee on Ways and Means):

Do pass as amended.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, Fred H. Dore, Michael J. Gallagher, Karl V. Herrmann, George W. Kupka, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, Homer O. Nunamaker, John N. Ryder, Gordon Sandison, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed Substitute House Bill No. 30:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, your Committee on Natural Resources, to whom was referred Engrossed Substitute House Bill No. 30, authorizing counties to create flood control zone districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 39:**

Senate Chamber,  
Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We a majority of your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred House Bill No. 39, restricting certain assignments subject to

state parks and recreation commission approval, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 44:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 28, 1961.

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred House Bill No. 44, requiring state parks and recreation commission to let concessions to "highest qualified bidder", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 109:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 3, 1961.

We, your Committee on Natural Resources, to whom was referred Substitute House Bill No. 109, requiring notices of sales of public lands to state commonly known address of property and posting notice on the property, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 138** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 378:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 3, 1961.

We, a majority of your Committee on Natural Resources, to whom was referred Engrossed House Bill No. 378, relating to the composition of the board of natural resources, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 421:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 3, 1961.

We, a majority of your Committee on Education, to whom was referred Substitute House Bill No. 421, relating to teacher contracts, have had the same under consideration,

and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Frank W. Foley, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 569:**

Senate Chamber,  
Olympia, Wash., March 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred House Bill No. 569, relating to parks and recreation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Nat Washington,

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Joint Resolution No. 16:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Engrossed House Joint Resolution No. 16, authorizing school districts, cities and towns to exceed 40 mill limit, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ANDY HESS, *Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, H. B. Hanna, Al Henry, Reuben A. Knoblauch, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Joint Memorial No. 25:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Engrossed House Joint Memorial No. 25, petitioning Congress to substitute "comprehensive use" for farmers "single-purpose" concept of resource development, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, Frances Haddon Morgan.

Passed to Committee on Rules and Joint Rules for second reading.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 185.**

**MOTION**

At 10:33 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Saturday, March 4, 1961.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

## FIFTY-FIFTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, March 4, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Gary Gilbert, Color Bearer, and Marianne Hull, presented the Colors.

Reverend Arthur I. Anderson, Pastor of Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"The earth is the Lord's and the fullness thereof, the world and those who dwell therein.

"Our Father God, make us increasingly aware of Thine absolute ownership and of our accountable stewardship.

"In the deliberations of this august body of stewards this day, grant insight to know the right and determination to do the right.

"As our beautiful capitol dome is floodlighted by night, do Thou now floodlight this chamber, O Father of lights, with Thy higher and holler than human wisdom.

"Through Jesus Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"It is with great pride and pleasure that the President takes the privilege of introducing a renowned and noted television personality, the foremost news broadcaster of the country, athlete, student and man-of-mark, Don Riley. Mr. Riley is present today with Sharon and Dennis in the gallery. Mr. Riley is associated with KIRO-TV, Channel 7. Would this lovely family please stand and be recognized by the members."

(Applause.)

The President introduced, at the request of Senator John Cooney, thirty women from Spokane viewing the legislative processes in Olympia, under the direction of Mrs. Wylie Brown. Senators Herrmann, Cowen and Cooney were asked to stand and be recognized along with the visiting women.

(Applause.)

The Secretary read:

### SENATE RESOLUTION

By Senators Washington and Freise:

WHEREAS, Agriculture is an important and vital sector of the economy of the states of Oregon and Washington, and the welfare and promotion of the agricultural sectors of our economies are of immediate and continuing concern to the legislators and the people of the states of Washington and Oregon; and

WHEREAS, Many farmers who reside in the state of Washington market the products of their farms in the state of Oregon and many farmers who reside in the state of Oregon market the products of their farms in the state of Washington; and

WHEREAS, This interstate activity of the farmers in both states results in economic progress and the financial strengthening of both states; and

WHEREAS, The permit and licensing laws of the states of Washington and Oregon are not uniform in their respective requirements and in some respects places undue burdens upon the farm populations of the two states in the marketing of the products of their farms; and

WHEREAS, Uniformity in such laws and requirements will be of benefit not only to the farmers directly affected by them but also the general economies of the states of Washington and Oregon;

Now, Therefore, *Be It Resolved, By The Senate*, That we urge the legislative assembly of the state of Oregon, acting through its highway committees or an interim committee, to work out a mutually satisfactory agreement, arrangement and reciprocity with respect to the requirements concerning farm vehicles transporting the products of farmers between the states of Washington and Oregon in order that the lack of uniformity, difficulties and mutual inequities may be eliminated;

*Be It Further Resolved*, That the secretary of the senate shall transmit copies of this resolution to the president of the senate and the speaker of the house of representatives of the legislative assembly of the state of Oregon.

On motion of Senator Freise, the resolution was adopted.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

#### Senate Bill No. 145:

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 145, relating to the insurance program in the state public school system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with amendments by the Committee on Higher Education and Libraries.

....., *Chairman*.  
FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.  
....., *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Fred H. Dore, Michael J. Gallagher, Andy Hess, George W. Kupka, Mike McCormack, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, John Papajani, John A. Petrich, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR

#### Gubernatorial Appointments:

The following appointments of the Governor were acted upon as indicated:

State of Washington, Executive Department,  
Olympia, Wash., March 4, 1961.

To the Honorable, the Senate of the State of Washington:

LADIES AND GENTLEMEN:

I have the honor to submit herewith the following appointments, subject to your confirmation.

Respectfully submitted,  
(signed) ALBERT D. ROSELLINI,  
*Governor*.

## STATE HIGHWAY COMMISSION

HARRY E. MORGAN, Ocean Park, appointed August 25, 1959, effective August 25, 1959, for the term ending July 1, 1965, succeeding himself, term expired.

GEORGE D. ZAHN, Methow, appointed February 17, 1961, effective February 17, 1961, for the term ending July 1, 1966, succeeding Oscar E. Stone, term expired.

Referred to Committee on Highways.

## STATE TAX COMMISSION

CLARK SQUIRE, Seattle, appointed February 1, 1961, effective February 1, 1961, for the term ending January 31, 1967, succeeding himself, term expired.

Referred to Committee on Ways and Means.

BOARD OF REGENTS  
THE UNIVERSITY OF WASHINGTON

HERBERT S. LITTLE, Seattle, appointed March 2, 1960, effective March 2, 1960, for the term ending the second Monday in March, 1965, succeeding Thomas Balmer, deceased.

Referred to Committee on Higher Education and Libraries.

The Secretary read:

## MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 28; also Substitute House Bill No. 245; also House Bill No. 281; also Engrossed House Bill No. 291; also House Bill No. 301; also House Bill No. 376; also House Bill No. 439; also House Bill No. 450; also House Bill No. 470; also Engrossed House Bill No. 472; also Substitute House Bill No. 559; also House Bill No. 621; also House Joint Memorial No. 36; also Engrossed House Concurrent Resolution No. 21, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 28**, by Representatives Bernethy, Ritner and Siler (by Legislative Council request):

An Act relating to state government; providing for the study of the water resources of the state; and making an appropriation.

Referred to Committee on Natural Resources.

**Substitute House Bill No. 245**, by Committee on State Resources, Forestry and Lands:

An Act relating to fire protection districts; and amending section 2, chapter 34, Laws of 1939 as amended by section 2, chapter 254, Laws of 1947 and RCW 52.04.030; amending section 7, chapter 24, Laws of 1951 second extraordinary session and RCW 52.16.120; and amending section 8, chapter 24, Laws of 1951, second extraordinary session and RCW 52.16.130.

Referred to Committee on Natural Resources.

**House Bill No. 281**, by Representatives Testu and Cecil:

An Act relating to prison terms; and amending section 2, chapter 133, Laws of 1955 and RCW 9.95.010.

Referred to Judiciary Committee.

**Engrossed House Bill No. 291**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to motor vehicles; amending section 46.20.390, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.20.390.

Referred to Committee on Highways.

**House Bill No. 301**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

An Act relating to motor vehicles; adding a new section to chapter ....., Laws of 1961 (House Bill No. 2), and chapter 46.20 RCW; adding three new sections to chapter ....., Laws of 1961 (House Bill No. 2), and chapter 46.64 RCW; repealing section 46.08.190, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.08.190; repealing section 46.20.280, chapter ....., Laws of 1961 (House Bill No. 2), and RCW 46.20.280 and repealing section 46.52.100, chapter ....., Laws of 1961 (House Bill No. 2) and RCW 46.52.100.

Referred to Judiciary Committee.

**House Bill No. 376**, by Representatives Witherbee, DeJarnatt and Day:

An Act relating to the department of labor and industries; and amending section 51.04.020, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.04.020.

Referred to Committee on Labor and Industrial Insurance.

**House Bill No. 439**, by Representatives Goldsworthy, Clark and Nicholson:

An Act relating to aeronautics and providing for state registration of pilots; and adding a new section to chapter 165, Laws of 1947, and chapter 14.04 RCW.

Referred to Judiciary Committee.

**House Bill No. 450**, by Representatives Pritchard, Williams and Marsh:

An Act relating to notice of the pendency of an action in a United States district court affecting the title to real property in the state of Washington; and adding a new section to chapter 4.28 RCW.

Referred to Judiciary Committee.

**House Bill No. 470**, by Representatives Schaefer, Flanagan and McElroy:

An Act relating to the powers and duties of the state game commission; amending section 77.12.040, chapter 36, Laws of 1955, and RCW 77.12.040.

Referred to Committee on Fisheries, Game and Game Fish.

**Engrossed House Bill No. 472**, by Representatives Litchman, Jr., Gorton and Schaefer:

An Act relating to aid to dependent children assistance; and amending section 74.12.010, chapter 26, Laws of 1959 and RCW 74.12.010; and declaring an emergency.

Referred to Committee on Social Security.

**Substitute House Bill No. 559**, by Committee on Judiciary-Civil:

An Act relating to the composition of the judicial council; and amending

section 1, chapter 45, Laws of 1925 extraordinary session as amended by section 1, chapter 40, Laws of 1955, and RCW 2.52.010.

Referred to Judiciary Committee.

**House Bill No. 621**, by Representatives Marsh and Ahlquist:

An Act relating to the recording of documents, plats and other papers by photographic or photomechanical process; and amending section 1, chapter 125, Laws of 1919 and RCW 65.04.040.

Referred to Committee on Cities, Towns and Counties.

**House Joint Memorial No. 36**, by Representatives Litchman, Jr., Olsen and Wang:

Requesting Congress to continue urban renewal program and to enact public works legislation.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Concurrent Resolution No. 21**, by Representatives Witherbee, Leibold and May:

Providing for an interim committee to study industrial insurance laws.

Referred to Committee on Labor and Industrial Insurance.

#### PRESIDENT'S PRIVILEGE

The President introduced, at the request of Senator McCormack, a group of ladies of the Democratic Party from Benton, Franklin and Walla Walla counties. This group was asked to stand, along with Senator McCormack, and be welcomed to Olympia.

(Applause.)

At the request of Senator Papajani, the President introduced a group of students from Marcus Whitman, under the direction of Mr. Musiner.

(Applause.)

At the request of Senator Greive, the President introduced fifteen boys from Boy Scout Troop 284 (Kiwanis) from West Seattle. Harry Hammond, civic leader from West Seattle, was with the boys, along with Lonnie Russell, Scoutmaster, and Jack Jones, Chairman. This group was asked to stand, along with Senator Greive.

(Applause.)

The President announced the presence in the gallery, at the request of Senator Al Henry, of a group of Girl Scouts from Camas, accompanied by Mrs. Batchelder and Mrs. Burns. Senator Henry was asked to stand along with this group.

(Applause.)

The President:

"Members of the Senate; Ladies and Gentlemen:

"The President has just learned of the visit of one of the most important men in the United States of America, Senator Warren G. Magnuson."

#### APPOINTMENT OF HONOR COMMITTEE

The President appointed an honor committee of the following Senators to escort the Honorable Senator Warren G. Magnuson to a seat of honor upon the rostrum: Senator Frank Connor, Chairman; Senators Kupka, Dore, Cowen, DeGarmo, Keefe, Woodall and Ryder.

The honor committee repaired to the Lieutenant Governor's office to escort Senator Magnuson to the rostrum.

The Honorable Senator Magnuson was escorted to the rostrum.

The President:

"Members of the Senate; Ladies and Gentlemen:

"It is not a usual thing for the Senate Chamber to be graced with the presence of such a grand person and personality as the Honorable Warren G. Magnuson of the United States Senate. The President and members of the Senate have known Senator Magnuson for many, many years. The President first made his acquaintance at the University of Washington as a student, and what may be more important, as a football player. After graduating from the University, the honored visitor entered the great game of politics. Later he elevated himself to the position of a state legislator and then into the United States Congress, and has held the position of United States Senator for many, many years.

"His story is one of a grand achievement and of success. The President and the members are thrilled today at your presence, and feel most fortunate, in the way you have served the people of this state, to have such a man as you represent us. We are very proud, Senator Magnuson, of your dedication to your responsibilities and duties, and we know you as a man of honor."

Senator Magnuson:

"Thank you, Governor, for those very kind words.

"Members of the Senate; Ladies and Gentlemen:

"I, of course, appreciate this opportunity and the invitation to come here with you today. I am glad to be back from whence I came!

"I was in the House of Representatives about an hour ago and looked over to the seat that I sat in twenty-seven years ago today. There are still some of you here in the Senate but only one is left in the House with whom I served in the Washington State Legislature, so it is a great thrill to be back. It is always a great thrill for me to come to this capitol. I didn't come here to give you people any advice. I know the hour is late but I understand that you are not going to do what we did in those days, stop the clock for about a week.

"Sometimes in this changing world of ours, new responsibilities come up and the legislative time is too short to meet all the responsibilities that have fallen upon you. Since I have been here this morning, I am convinced too, Mr. President, that the problems have not changed in twenty-seven years. They seem to be the same. I just left the United States Senate yesterday, and the business at hand there was the creation of seventy-six new federal judges. I presume that many of you lawyers in this group will be mightily interested to know that there will be one from the state of Washington. Inasmuch as I am sort of a refugee from the 'new frontier' today, I am sure, also, a refugee from the employment agency, that I am conducting. I won't presume to offer any legislative advice to the legislative bodies. You can get plenty—it is a question of what advice you take. But after all these years as a legislator, there was an old saying: 'Oh, God, allow me to change what can be changed; to let go what can't be changed, but more than that, Oh, God, give me the wit and the wisdom to discern between the two.'

"I think that is probably the job of all legislators, but is tempered, I am sure, with the fact that in doing this job, you become more and more a part of probably the most graced enterprise that the world has ever known by the free people of the world who make our legislative bodies work. And every legislative body, particularly in the United States, is a showcase for that enterprise and whether or not we win or fail, we affect the whole cause that we like to call the democracy and moral fibre of man. We are living in troubled times, and what you do affects the Congress.

"I have learned long ago, and I am sure you have too, that there are two parties in this country, blessed the safe essence of what we call Democracy. And I have learned time and time again that you have to respect the opinions of others, whether they be in your own party or belonging to another party.

"The people are concerned with what we do and what we grind out and I am always a little perturbed when I hear what people think about the legislature, because I know how hard you work and I think the problems of the times dictate that we do these things as you have been doing them, with respect for one another and one another's opinions.

"If we don't do that it might affect millions of people all over the world. The legislator's job doesn't quit when you adjourn 'sine die'. It goes on pretty much the year around for the problems are becoming so complex and so great and the solutions so hard to find that you have to have help from all the people in order to find the right solutions.

"I think the time is coming, in order to keep a sound state both fiscal and otherwise, that you will have to divide yourselves annually between legislative and fiscal sessions, which all other bodies in the free world do, so after you have legislated, you can take a good look at what you can do about it.

"You have to keep government functioning well.

"I am not going to take up any more of your time, because I know from the look of your desks that you have a great deal to do. I am not bringing you any bills. I bring you greetings from my colleague, Henry Jackson. Thank you again for the opportunity to greet you at this session of the legislature."

(Applause.)

The President:

"Thank you very much, Senator Magnuson. You have made many fine statements this morning. The one remarkable thing is the fact that you believe in the four greatest words in the English language, 'What is your opinion.' The President believes that is one of the reasons for your success, the fact that you can ask, 'What is your opinion.'

"Thank you, Senator Magnuson."

The Committee of Honor escorted Senator Magnuson from the Senate Chamber.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"The Senate will proceed in order. However, the President should like to invite the members of the Senate to please feel free to visit the office of the President in order that you may shake hands with Senator Magnuson and talk over any particular points he may wish to discuss."

#### PRESIDENT'S PRIVILEGE

At the request of Senator Morgan, the President introduced a group of twenty Boy Scouts from Kitsap County in the gallery. These boys from Troop 507 were accompanied by James Wold, their leader. This group was asked to stand and be recognized, along with Senator Morgan.

(Applause.)

#### SECOND READING OF BILLS

**Senate Bill No. 174**, by Senators Rasmussen, Kupka and Moriarty, Jr.:  
Requiring safety measures in excavations.

On motion of Senator Shannon, Senate Bill No. 174 was ordered placed at the end of the second reading calendar, following Senate Bill No. 72.

**Senate Joint Resolution No. 6**, by Senators Greive, Kupka and Keefe (by Legislative Council request):

Proposing constitutional amendment to permit lending of state credit to industry.

On motion of Senator Greive, Senate Joint Resolution No. 6 was ordered to retain its place following Senate Bill No. 296.

**Senate Bill No. 77**, by Senators Greive, Kupka, Keefe and Freise (by Legislative Council request):

Creating a Washington industrial finance authority.

On motion of Senator Greive, Senate Bill No. 77 was ordered to retain its place following Senate Joint Resolution No. 6, immediately following Senate Bill No. 296.

**Engrossed House Bill No. 248**, by Representatives Johnston, Schaefer and Marsh:

Relating to judges' retirement system.

On motion of Senator Woodall, Engrossed House Bill No. 248 was ordered placed immediately after Senate Bill No. 372.

**Senate Bill No. 494**, by Senators Kupka, Herrmann and Thompson, Jr.:  
Modifying law relating to investment of pension funds in certain securities by cities and towns.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 494 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

On motion of Senator Gissberg, the rules were suspended and Senate Bill No. 494 was returned to second reading for the purpose of an amendment.

On motion of Senator Ryder, the following amendments were adopted:

In section 1, page 1, line 25 and 26, after "[five]" strike "*twenty-five*" and insert "*ten*"

In section 1, page 2, line 1, strike "*five*" and insert "*two*"

In section 1, page 2, line 3, after "[one]" strike "*five*" and insert "*two*"

On motion of Senator Ryder, the rules were suspended, Engrossed Senate Bill No. 494 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 494, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—39.

Those absent or not voting were: Senators Bargreen, Connor, Cowen, Dore, Happy, Lennart, McMillan, Petrich, Talley, Woodall—10.

Engrossed Senate Bill No. 494, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 464**, by Senators Martin and Kupka:

Creating new division in department of institutions.

The bill was read the second time by sections.

On motion of Senator Martin, the rules were suspended, Senate Bill No. 464 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 464, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Thompson, Jr., Washington—38.

Those absent or not voting were: Senators Bargreen, Connor, Cowen, Dore, Durkan, Keefe, Kupka, Lennart, Ryder, Talley, Woodall—11.

Senate Bill No. 464, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 372**, by Senator Bargreen:

Modifying licensing requirements of wreckers or tow trucks.

Senate Chamber,

Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 372, modifying licensing requirements of wreckers or tow trucks, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, line 15, after "towing disabled" and before "vehicles from" insert "or illegally parked"

In section 1, line 16, after "of disablement" and before "to a" insert "or illegal parking"

NAT WASHINGTON, *Chairman.*

....., *Vice-Chairman.*

....., *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Wilbur G. Hallauer, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon.

The bill was read the second time by sections.

On motion of Senator Bargreen, the committee amendments were adopted.

On motion of Senator Bargreen, the rules were suspended, Engrossed Senate Bill No. 372 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 372, and the bill passed the Senate by the following vote: Yeas, 38; nays, 2; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Happy, Henry, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Thompson, Jr., Washington, Woodall—38.

Those voting nay were: Senators Hess, Neill—2.

Those absent or not voting were: Senators DeGarmo, Donohue, Durkan, Gissberg, Hanna, Herrmann, Keefe, Ryder, Talley—9.

Engrossed Senate Bill No. 372, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

At the request of Senator Morgan, the President introduced a group of students from Bremerton, under the direction of Mrs. Ross Owen. This group was asked to stand along with Senator Morgan.

(Applause.)

## MOTION

At 12:05 o'clock p. m., on motion of Senator Greive, the Senate recessed until 1:15 o'clock p. m.

## AFTERNOON SESSION

At 1:15 o'clock p. m. the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

## SECOND READING OF BILLS

**Engrossed House Bill No. 248**, by Representatives Johnston, Schaefer and Marsh:

Relating to judges' retirement system.

On motion of Senator Greive, Engrossed House Bill No. 248 was ordered to take its place immediately after Senate Bill No. 552.

**Senate Bill No. 547**, by Senator Dore:

Result upon vacation of streets in first class tidelands.

Senator Bailey moved that Senate Bill No. 547 be ordered to take its place after Senate Bill No. 425.

Senator Hess moved that the motion be amended, and that Senate Bill No. 547 be ordered to take its place immediately following Senate Bill No. 552.

The motion carried.

**Senate Bill No. 311**, by Senators Hallauer, Gissberg and Foster (by Departmental request):

Modifying law relating to commission merchants.

The bill was read the second time by sections.

On motion of Senator Hallauer, the rules were suspended, Senate Bill No. 311 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 311, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Gallagher, Greive, Hallauer, Hanna, Happy, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Connor, Dore, Freise, Gissberg, Henry, Herrmann, Lennart, Papajani, Petrich—9.

Senate Bill No. 311, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the eminent and respected Senators from Grays Harbor County,

Robert C. Bailey and Harry Elway, Jr., the President takes pleasure in presenting in the south gallery, a group of ladies from the Grays Harbor Democratic Women's Club. Would this group please stand in order that the members of the Senate may warmly welcome you to Olympia."

(Applause.)

**Senate Bill No. 296**, by Senators Hess, Thompson, Jr. and Sandison (by request of Interim Committee on Education):

Authorizing the establishment of community colleges.

Senate Chamber,  
Olympia, Wash., February 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Senate Bill No. 296, authorizing the establishment of community colleges, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 1, page 1, line 11, after "offering" strike "comprehensive"

In new section 1, page 1, line 16, after "preparatory" strike "to vocational pursuits," and insert "and/or as an extension to vocational-technical pursuits,"

In new section 2, page 2, lines 28 and 29, strike the period following "institutions" and insert "should be given to prevent overlapping or duplication of educational services;"

In new section 5, page 3, line 28, strike the semicolon following "facilities" and insert "but not to include dormitories;"

In new section 7, page 4, line 26, after "facilities" and before the comma insert "exclusive of dormitories"

On page 5 after section 10 insert a new section to read as follows:

**NEW SECTION.** Sec. 11. Nothing contained in this act shall authorize more than two additional new community colleges.

Renumber section 11 to read section 12.

GORDON SANDISON, *Chairman.*

We concur in this report: Wayne G. Angevine, Wilbur G. Hallauer, John H. Happy, Marshall A. Neill, John N. Ryder, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Sandison, the first five committee amendments were adopted.

Senator Sandison moved that the last committee amendment be not adopted.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Sandison yield to a question?"

Senator Sandison:

"Yes, I will."

Senator Riley:

"I want to be clear on this because all the information that was given to me in support of Senate Bill No. 296 was that it is only limited to two junior colleges. As I understand your amendment, it is going to strike 'two additional colleges.'"

Senator Sandison:

"No, the following amendment inserts the same language. We just thought for clarity it would be better to put together what was separated. In another amendment it is put back."

The President stated the question before the Senate to be, it has been moved that the last committee amendment be not adopted.

The motion carried, and the last committee amendment was not adopted.

On motion of Senator Sandison, the following amendment was adopted:

On page 5, after section 10, insert a new section reading as follows:

**NEW SECTION.** Sec. 11. Upon a written application signed by the board of directors of a school district now operating existing extended secondary schools under the provisions of RCW 28.84.120 through RCW 28.84.150 commonly referred to as: (1) Centralia Junior College, (2) Clark College, (3) Columbia Basin College, (4) Everett Junior College, (5) Grays Harbor College, (6) Lower Columbia Junior College, (7) Olympic College, (8) Skagit Valley College, (9) Wenatchee Valley College, (10) Yakima Valley Junior College, and (11) Peninsula College, the state board of education may authorize the district to discontinue said program and in lieu thereof establish a community college as provided in this act. Nothing in this act should, however, be construed as authorizing more than two additional new community colleges.

Renumber the remaining section 11 to read section 12.

On motion of Senators Hess and Sandison, the following amendment was adopted:

On page 5, after section 8, insert a new section 9, reading as follows:

**NEW SECTION.** Sec. 9. There is added to chapter 115, Laws of 1945 and to chapter 28.84 RCW a new section to read as follows:

Nothing in this act shall be construed as affecting the existence or operation of vocational technical institutes approved under rules and regulations of the state board for vocational education. Such approved schools shall be entitled to the apportionment which they now receive under RCW 28.41.070 (4) (5).

Renumber the remaining sections consecutively.

On motion of Senator Riley, the following amendment was adopted:

On page 5, beginning on line 6, strike all of new section 9 and renumber the remaining sections consecutively.

On motion of Senator Hess, the following amendment to the title was adopted.

In line 1 of the title after "adding" strike "nine" and insert "ten"

#### POINT OF INQUIRY

Senator Gallagher:

"It is my understanding that Senator Hess offered an amendment and asked that the section be removed making his amendment to section 9. Now did that take the old section, or did that take the new section 9?"

Senator Hess:

"It is our interpretation that Senator Riley's amendment deals specifically with certain lines of the bill; specifically, lines 6, 7, 8 and 9 of page 5. I think it would be clear that his amendment struck the original section 9, and not new section 9."

#### RULING OF THE PRESIDENT

The President:

"The President is of the opinion that the explanation by Senator Hess is proper."

On motion of Senator Hess, the rules were suspended, Engrossed Senate Bill No. 296 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 296, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich,

Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—45.

Those absent or not voting were: Senators Connor, Henry, Raugust, Woodall—4.

Engrossed Senate Bill No. 296, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Foster:

"It is not very often that we people who reside east of the Cascade Mountains have an opportunity to introduce any of our friends and associates, but it is my pleasure today to ask if the President would introduce two very good friends of mine, Mrs. Jessie Kelly and Freda Laughlin, who are here to watch the operation of state government. I would be happy, Mr. President if you could, in your gracious way, offer an introduction. The only other thing that detracts from my introduction is that I think they are over here to attend some Democratic function, but I would be pleased to have them introduced."

(Applause.)

#### PRESIDENT'S PRIVILEGE

At the request of Senator Greive, the President introduced Mr. and Mrs. Laurie Proctor and their very lovely daughter, Susan. Senator Greive was asked to stand and be recognized with this family.

(Applause.)

At the request of Senator Ryder, the President announced the presence in the north gallery of a group of students from Roosevelt High School, accompanied by Mrs. Robert Graham and two teachers. Senator Ryder was asked to stand with the group.

(Applause.)

The President:

"Members of the Senate; Ladies and Gentlemen:

"You have all read that classic by Robert Louis Stevenson. Today, we have with us a character from that particular novel, Dick Hawkins. Would Dick Hawkins and his lovely wife please stand and be recognized."

(Applause.)

**Senate Joint Resolution No. 6**, by Senators Greive, Kupka and Keefe (by Legislative Council request):

Proposing constitutional amendment to permit lending of state credit to industry.

On motion of Senator Greive, Senate Joint Resolution No. 6 was ordered placed immediately following Senate Bill No. 425.

**Senate Bill No. 77**, by Senators Greive, Kupka, Keefe and Freise (by Legislative Council request):

Creating a Washington industrial finance authority.

On motion of Senator Greive, Senate Bill No. 77 was ordered placed immediately following Senate Joint Resolution No. 6, following Senate Bill No. 425.

**Senate Bill No. 360**, by Senator Petrich:

Changing penalty provision of uniform narcotic drug act.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Senate Bill No. 360 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator Gissberg:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Gissberg:

"Are these narcotic offenses related to the sale of the narcotics, or is this directed to those who are using narcotics?"

Senator Petrich:

"For the point of my information, this is directed to the sale of and the use of narcotics."

Senator Gissberg:

"If I may say so, it is my opinion that this act does not go nearly far enough in providing a penalty for one who has been found guilty of the sale of narcotics, drugs and marijuana. In some states the penalty is a life sentence, and I certainly think a gross misdemeanor—that is certainly not sufficient penalty for this type of thing. It would be my hope to hold this bill for a greater penalty being provided for those found selling narcotics. The penalty for a gross misdemeanor is to be held in the county jail, and/or \$1,000 fine. I think somebody found doing this should be put in the penitentiary for a long period of time."

Debate ensued.

Senator Petrich:

"With reference to the question of the penalty under the narcotics law, I want to point out to you that under the law the court rules on the first offense for a sentence not to exceed one year in the county jail. I have no quarrel with the desire to increase the penalty. I want to point out that it wasn't my purpose to lower the penalty. My purpose was to be sure that there was a law with a penalty. I have no objection to providing a stiffer penalty. I do feel, however, that whatever the penalty proposed in this law, I want it in the proper form so that it will be passed. If we don't, we have no provision to punish these violators."

On motion of Senator Gissberg, Senate Bill No. 360 was ordered to retain its place on the third reading calendar immediately following Senate Joint Resolution No. 6.

**Senate Bill No. 552**, by Senators Foley, Petrich and Chytil:

Public assistance payments to county hospitals.

The bill was read the second time by sections.

On motion of Senator Foley, the following amendment was adopted:

In section 2, page 2, line 12, after "warrant" and before "to the" insert "or treasurer's check"

On motion of Senator Foley, the rules were suspended, Engrossed Senate Bill No. 552 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 552, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry,

Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—46.

Those absent or not voting were: Senators Dore, Papajani, Woodall—3.

Engrossed Senate Bill No. 552, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, Senate Joint Resolution No. 6 and Senate Bill No. 77 were ordered placed immediately preceding Senate Bill No. 425.

#### PRESIDENT'S PRIVILEGE

At the request of Senator Nunamaker, the President announced the presence in the gallery of a group of Democratic ladies in the company of Mrs. Nunamaker. The President asked this group to stand along with Senator Nunamaker.

(Applause.)

#### PERSONAL PRIVILEGE

Senator Nunamaker:

"I just want to say that it is nice to see you down here, and I hope that you have a good time in Olympia."

**Senate Bill No. 547**, by Senator Dore:

Relating to vacation of streets in first class tidelands.

Senator Hess moved that Senate Bill No. 547 be ordered to retain its place on the calendar following Senate Bill No. 427.

On motion of Senator Papajani the motion by Senator Hess was amended, and Senate Bill No. 547 was ordered made a special order of business at the head of the second reading calendar for this evening.

**Engrossed House Bill No. 248**, by Representatives Johnston, Schaefer and Marsh:

Relating to judges' retirement system.

Senate Chamber,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 248, relating to judges' retirement system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 11 after "for" strike "a minimum of four consecutive" and insert "an aggregate of twelve"

In section 1, page 1, line 12 after "eligible" strike "for a retirement pension based upon the fraction his years of service bears to eighteen, and shall receive the same at the time and in proportion to the pension provided for such judges under the provisions of chapter 2.12 RCW" and insert "to a partial retirement pension in a percentage of the pension provided in chapter 2.12 RCW as determined by the proportion his years of judicial service bears to eighteen and shall receive the same upon attainment of age seventy, or eighteen years after the commencement of such judicial service, whichever shall occur first"

In section 3, page 2, line 3 after "chapter" insert "other than as provided in section 1 hereof"

In section 3, page 2, line 8 after "term" strike ", or at the end of his last year if his pension rights are based upon the provisions of section 1 of this amendatory act"

In section 3, page 2, line 25 of the engrossed bill, same being line 26 of the printed

bill, after "served" strike "a minimum of four consecutive" and insert "an aggregate of twelve"

On page 2 following section 3 add a new section to read as follows:

**NEW SECTION.** Sec. 4. Payments to any retired judge as provided for in chapter 2.12 RCW shall be reduced by any amount received under social security.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Frank W. Foley, F. Stuart Foster, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

Senator Petrich moved that the committee amendments be adopted.

Senator Rasmussen moved that Engrossed House Bill No. 248 be referred to the Committee on Ways and Means.

Extensive debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Riley:

"Could you give us an idea of how much, in the way of state funds only is involved with the passage of House Bill No. 248 as is?"

Senator Petrich:

"Senator Riley, I don't think you can make any prediction with reference to this feature. What the bill does, as amended by the Committee, is that it proposes that the judges may retire after twelve years before the bench. And if they retire after twelve years, they retire at two-thirds of what the bill allows, but that wouldn't be paid until after eighteen years, or after he has reached the age of seventy."

Senator Riley:

"I don't think the amendment is substantial."

Extensive debate ensued.

Senator Gallagher moved that the motion by Senator Rasmussen be laid on the table.

The motion carried, and the motion by Senator Rasmussen was laid on the table.

Senator Woodall moved that the following amendment to the committee amendment be adopted:

In the third line of the first paragraph of the first committee amendment in section 1, page 1, line 11 strike "twelve" and insert "eight"

Debate ensued.

Senator McCutcheon moved that the amendment by Senator Woodall to the committee amendment be laid on the table.

The motion carried, and the amendment was laid on the table.

The President stated the question before the Senate to be, it has been moved that the committee amendment be adopted.

The motion carried, and the first committee amendment was adopted.

On motion of Senator Freise further consideration of Engrossed House Bill No. 248 was deferred until after consideration of Senate Bill No. 425.

Senators Gallagher, Greive and Washington demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms cleared the lobby of all unauthorized personnel; locked the doors and elevators to the Senate Chamber; and was instructed not to permit anyone to enter or leave.

The Secretary started to call the roll on the Call of the Senate.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

**Senate Bill No. 427**, by Senators McCormack, Rasmussen and Thompson, Jr. (by Executive request):

Providing for the development, regulation, and utilization of sources of ionizing radiation.

On motion of Senator McCormack, Substitute Senate Bill No. 427 was substituted for Senate Bill No. 427, and Substitute Senate Bill No. 427 was placed on second reading.

The substitute bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Substitute Senate Bill No. 427 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator McCormack:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator McCormack:

"What was the financial impact of this bill?"

Senator Hallauer:

"\$300,000 a biennium."

**POINT OF INQUIRY**

Senator Sandison:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Sandison:

"Do you have any people now employed by the State that are acquainted enough in this field to carry on in this type of work, or are we going to have to have people trained?"

Senator McCormack:

"The Department of Health has some of these people trained. There are several persons who are now qualified in this field in that department. The act does not provide for the modernization of activity in the Department of Health."

**POINT OF INQUIRY**

Senator Chytil:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Chytil:

"Is it not true that most of this work is done at the present time under the Atomic Energy Commission?"

Senator McCormack:

"The area with which we are concerned right now is under the A.E.C. and there are many peace-time areas such as the fluoroscope and radio isotopes which are not under the control of the A.E.C. It is necessary to have a license to operate, but they are not under the control of the A.E.C."

Senator Chytil:

"How soon do you feel that the A.E.C. will be out of this field and that the state should be into it?"

Senator McCormack:

"I hope in a period of four to six years that we will be able to set up the laboratory. We had a commission set up two years ago on this."

Senator Chytil:

"Did they make sufficient report to go ahead?"

Senator McCormack:

"The original bill we had set this up only on a research basis."

#### POINT OF INQUIRY

Senator Shannon:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Shannon:

"Does this bill leave you with the impression that eventually the state of Washington is going to be interested in processing the atomic materials on a regulatory basis?"

Senator McCormack:

"There aren't any materials to be processed in the state of Washington. The state of Washington will be involved only as a regulatory basis."

Senator Shannon:

"This is a very difficult bill to understand, but I will vote for the bill even though I don't understand too much about it."

The Secretary called the roll on the final passage of Substitute Senate Bill No. 427, and the bill passed the Senate by the following vote: Yeas, 44; nays, 5; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those voting nay were: Senators Bargreen, Chytil, Lennart, Moriarty, Jr., Sandison—5.

Substitute Senate Bill No. 427, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE**

The President announced the presence in the gallery of a group of Girl Scouts from Camas, Washington, accompanied by Mrs. Dedmore, Mrs. Scott, and Mrs. Buhman. Girl Scout Troop No. 96 was asked to stand, along with President Pro Tempore Al Henry and be recognized by the members.

(Applause.)

**Senate Bill No. 547**, by Senator Dore:

Relating to vacation of streets in first class tidelands.

**RULING OF THE PRESIDENT**

The President:

"The President must advise that Senate Bill No. 547 was placed immediately following Senate Joint Resolution No. 6."

On motion of Senator Greive, Senate Bill No. 547 was placed at the head of the second reading calendar for this evening.

**Senate Joint Resolution No. 6**, by Senators Greive, Kupka and Keefe (by Legislative Council request):

Proposing constitutional amendment to permit lending of state credit to industry.

The resolution was read the second time in full.

On motion of Senator Freise, the rules were suspended, Senate Joint Resolution No. 6 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

**POINT OF INQUIRY**

Senator Shannon:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Shannon:

"You mentioned \$2500 as coming for either a kilowatt or kilowatt hour of the various amounts of power that were used in the state. Now, what was that \$2500 for? For what period of time?"

Senator Freise:

"There have been substantial dams in the United States, and TVA dams in other areas in the United States. In a reasonable period of time, there are approximately ten to twenty years that the increase in economic wealth to the area is measured about one kilowatt to every \$2500, or the reverse to every kilowatt, so if a dam puts out a million kilowatts, there will be a million times \$2500 increase to the area. These figures came from the Army Engineers in Walla Walla. I wanted to know what was the potential for the Walla Walla area, and I gathered these figures from the Army Engineers and checked with the public power people and their figures show that for every one kilowatt of power in the area, the economic growth would increase to the extent of \$2500. These dams are to be built within 150 miles radius of Walla Walla, and will put out a total increase of 30 billion dollars to the area."

Senator Shannon:

"If your figures are right, I wasn't sure just how you arrive at that 30 billion dollars, I just can't figure out what your 30 billion dollars has to do with that bill. Wouldn't you have the same increase whether public or private power had built the same dams?"

Senator Freise:

"It doesn't matter who built it. They are all in agreement with this. It is not slanted toward any of these. It is just a figure accepted by them as being on an average;

that for every additional kilowatt furnished to the area means that figure in additional economic growth."

Senators Hofmeister, Nunamaker and Greive demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion was lost, and the demand for the previous question was not sustained.

Debate ensued.

#### RULING OF THE PRESIDENT

The President stated he felt that the discussion had ended.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 6, and the resolution passed the Senate by the following vote: Yeas, 34; nays, 15; absent or not voting, 0.

Those voting yea were: Senator Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Papajani, Petrich, Sandison, Talley, Thompson, Jr., Washington—34.

Those voting nay were: Senators Chytil, Cowen, Hallauer, Happy, Lenhart, McCutcheon, McMillan, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Shannon, Woodall—15.

Senate Joint Resolution No. 6, having received the constitutional two-thirds majority, was declared passed.

**Senate Bill No. 77**, by Senators Greive, Kupka, Keefe and Freise (by Legislative Council request):

Creating a Washington industrial finance authority.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 77 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will.."

Senator Woodall:

"As I understand it, the Senate Joint Resolution has to be passed by the people. If Senate Joint Resolution No. 6 does not pass, then Senate Bill No. 77 will be stuck on our books."

Senator Greive:

"It will just be stricken from the books."

Senator Woodall:

"Senate Bill No. 77, if it passes, will immediately go into our law. Now it would seem to me that would be a question for the Statute Law Committee to determine. It seems to me that they wouldn't send out any copies until we see if Senate Joint Resolution No. 6 passes. Why can't we wait and see if the people pass Senate Joint Resolution No. 6, and if they don't we would have no need for Senate Bill No. 77."

Senator Greive:

"If we had an extra general election it would be necessary that we take advantage of this. It is hoped by at least one person that the Chief Executive shall call for a

general election in which referendums and initiatives will be submitted this year. If it goes through, we want to have it submitted at that time."

Senators Herrmann, Gallagher and Greive demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The Secretary called the roll on the final passage of Senate Bill No. 77, and the bill passed the Senate by the following vote: Yeas, 27; nays, 22; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Freise, Gallagher, Greive, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Papajani, Petrich, Sandison, Talley, Thompson, Jr., Washington—27.

Those voting nay were: Senators Chytil, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Gissberg, Hallauer, Happy, Hess, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Shannon, Woodall—22.

Senate Bill No. 77, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 425**, by Senators Angevine, Dore, Durkan, Greive, Papajani, Kupka, Connor, Morgan, Nunamaker, Gallagher, McCutcheon, Bailey, Hofmeister, Cooney, Knoblauch, DeGarmo, Petrich and Martin (by Executive request):

Creating a minimum wage and hour act.

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 425, creating a minimum wage and hour act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 2, section 2, line 15, after "employee" and before the period insert "*Provided*, That the term employer shall not include the state, or any county, city or town, municipal corporation or quasi-municipal corporation, political subdivision, or any instrumentality thereof: *Provided further*, That the term employer shall not include those engaged in the automotive retail trade industry, and, within the meaning of this proviso, all sales of automobiles, trucks, automobile parts and accessories, servicing and repair work shall be considered retail except sales for resale, sales made pursuant to a formal invitation to bid, fleet sales, sales of specialized motor vehicles or bodies and sales of servicing and repair work performed under a fleet maintenance arrangement"

On page 2, section 2, line 30, after "operations" and before the semicolon insert "or (iii) in connection with the operation or maintenance of ditches, canals, reservoirs or waterways, not owned or operated for profit, or operated on a share crop basis, and which are used for supply and storing water for agricultural purposes"

On page 3, section 2, line 10, after "States" and before the semicolon insert "or by the state, or by any county, city or town, municipal corporation or quasi-municipal corporation, political subdivision, or any instrumentality thereof"

On page 3, section 2, line 22, strike the period and insert semicolon and add new subsections as follows:

(i) any individual employed by a street, suburban or interurban electric railway,

or local trolley or motorbus carrier or auto transportation company as defined by RCW 81.68.010;

(j) any carrier subject to regulation by part I of the Interstate Commerce Act;

(k) any individual employed in planting or tending trees, cruising, surveying, or felling timber, or in preparing or transporting logs or other forestry products to the mill, processing plant, railroad, or other transportation terminal, if the number of employees employed by his employer in such forestry or logging operations does not exceed twelve;

(l) any individual employed in the production, processing or distribution of fresh milk working under a bona fide labor contract between an employer, as first processor of an agricultural commodity and a labor union;

(m) any individual employed in connection with the planting, raising, or harvesting of oysters;

(n) any individual engaged in performing services in a hospital which is organized and bona fide operated for charitable purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(o) any individual engaged in performing services in a nursing home licensed pursuant to chapter 18.51 RCW;

(p) any individual employed in the automotive retail trade industry; within the meaning of this subdivision, all sales of automobiles, trucks, automobile parts and accessories, servicing and repair work shall be considered retail except sales for resales, sales made pursuant to a formal invitation to bid, fleet sales, sales of specialized motor vehicles or bodies, and sales of servicing and repair work performed under a fleet maintenance arrangement.

On page 4, strike all of new section 3 and substitute the following:

**NEW SECTION.** Sec. 3. Every employer shall pay to each of his employees wages at a rate of not less than one dollar and fifteen cents per hour for hours worked except as may be otherwise provided under this act: PROVIDED, That beginning the calendar year 1962, the applicable rate under this section shall be one dollar and twenty-five cents per hour.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, Harry Elway, Jr., Louis E. Hofmeister.

The bill was read the second time by sections.

Senator Henry moved that the committee amendments be adopted.

On motion of Senator Chytil, the following amendments to the first committee amendment were adopted:

In line 7 of the committee amendment to section 2, page 2, line 15, after "automotive" and before "retail" insert "and farm implement"

In line 9 of the committee amendment to section 2, page 2, line 15, after "trucks," and before "automobile" insert "tractors,"

In line 9 of the committee amendment to section 2, page 2, line 15, after "accessories," and before "servicing" insert "tractor parts and accessories,"

#### POINT OF INQUIRY

Senator Neill:

"Will Senator Chytil yield to a question?"

Senator Chytil:

"Yes, I will."

Senator Neill:

"I notice your amendments relate solely to tractors, what about other farm equipment?"

Senator Chytil:

"I think we took care of that in the first amendment."

The President stated the question to be the adoption of the first committee amendment as amended.

The motion carried, and the first committee amendment, as amended was adopted.

Senator Henry moved that the second and third committee amendments be adopted.

The motion carried, and the second and third committee amendments were adopted.

Senator Henry moved that the fourth committee amendment be adopted.

On motion of Senator Chytil, the following amendment to the fourth committee amendment was adopted:

On page 2 of the committee amendment to section 2, page 3, line 22, in subsection (p), line 6, after "accessories," and before "servicing" insert "tractor parts and accessories,"

#### POINT OF INQUIRY

Senator Talley:

"Will Senator Henry yield to a question?"

Senator Henry:

"Yes, I will."

Senator Talley:

"In subsection (n), 'any individual engaged in performing services . . . to the benefit of any private shareholder or individual', that just takes in any charitable hospital, not anything else, is that right?"

Senator Henry:

"That section will be slightly altered. When I get through all the amendments, then you can ask me the same question."

On motion of Senator Chytil, the following amendments to the fourth committee amendment were adopted:

On page 2 of the committee amendment to section 2, page 3, line 22, in subsection (p), line 3, after "automotive" and before "retail" insert "and farm implement"

On page 2 of the committee amendment to section 2, page 3, line 22, in subsection (p), line 5, after "trucks," and before "automobile" insert "tractors,"

Senator Moriarty moved that the following amendment to the fourth committee amendment be adopted:

On page 2 of the amendment to section 2, page 3, line 22, add a new subsection to read as follows:

(r) any individual employed by any person engaged in the practice of law in this state or licensed to practice law in this state;

#### POINT OF INQUIRY

Senator Angevine:

"Will Senator Moriarty yield to a question?"

Senator Moriarty:

"Yes, I will."

Senator Angevine:

"Would I be correct in interpreting this amendment to the amendment as to state that any secretary or any other employee in any office would be exempted by this amendment?"

Senator Moriarty:

"It says such person would be excluded from the definition of employee."

A division was requested and the motion carried. The amendment was adopted.

Senator Angevine demanded a roll call.

**RULING OF THE PRESIDENT**

The President:

"The President has announced that the amendment to the amendment has been adopted."

**MOTION FOR RECONSIDERATION**

Senator Durkan, having voted on the prevailing side, moved for immediate reconsideration of the vote by which the amendment to the committee amendment by Senator Moriarty was adopted.

Senator Angevine demanded a roll call, which was sustained by Senators Gallagher, Bailey, Kupka, Papajani, Bargreen, Hofmeister, Connor, Morgan and Nunamaker.

**POINT OF ORDER**

Senator Woodall:

"If we pass the motion to reconsider, this particular act is not a question of employees. It is not a question about a legal secretary getting a minimum wage. May I point out that under this deal you are supposed to have some kind of a running chart to keep in your office by law. Each morning, the hour the secretary arrives and the hour she leaves must be entered. When she comes and goes for lunch must be entered. In the present concept, there are other things entered in. This is not the type of thing that this act is trying to get at. This is trying to get at the type of people who are being cheated.

"It is a nuisance factor that everyone is opposed to — keeping a list of when people come to work and go home. Look at Dr. Cowen for instance, he pays so much over the minimum wage and I think that when you get into the professional type of workers that is not the type of people this is meant for. You have to pay a great deal more than the minimum for a good secretary. You have to pay the going rate to get a good semi-professional type of worker."

Senator Gallagher:

"I hate to differ with Senator Woodall. It is just that type of people that we are trying to protect. It is the people who work for attorneys and the people in the professions who think nothing of working from twelve to fourteen hours a day. It is this type of people that this act is trying to do something for. Organized people are taken care of. It is the people who are not organized that we trying to protect."

**POINT OF INQUIRY**

Senator Angevine:

"Would Senator Woodall yield to a question?"

Senator Woodall:

"Yes, I will."

Senator Angevine:

"If these people are all taken care of adequately now in relation to their salary, then why do you wish to exempt them from the protection that this act would give them?"

Senator Woodall:

"As I tried to point out a time ago, you can't begin to get anyone who can take shorthand for the minimum wage. You have a nuisance factor of keeping records of the hours. The hour she came and the hour she left would have to be recorded. In professional employees, they have irregular hours. Sometimes she works long hours; sometimes she works on lunch hours. Other times she might take off time to make up for it when not rushed. It is a nuisance factor. They need no protection so far as minimum wage is concerned because they are in a different bracket."

Senator Angevine:

"In other words, you wish to exempt the attorneys' secretaries because it would be too much trouble for the lawyers to figure up the hours, etc."

Senator Woodall:

"In answer to the first portion, I say 'yes.' In answer to the second portion, I say it doesn't require an answer."

The President stated the question to be the reconsideration of the vote by which the amendment by Senator Moriarty to the committee amendment was adopted.

The Secretary called the roll, and the Senate voted to reconsider the vote by which the amendment to the amendment was adopted, by the following vote: yeas, 27; nays 22; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Washington—27.

Those voting nay were: Senators Chytil, Cowen, Donohue, Dore, Elway, Jr., Foster, Freise, Hallauer, Happy, Herrmann, Lennart, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—22.

Senators Hofmeister, Angevine and Gallagher demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

#### RECONSIDERATION

The President stated the question to be the adoption of the amendment by Senator Moriarty to the committee amendment.

Senator Connor demanded a roll call, which was sustained by Senators Angevine, Papajani, Hofmeister, Nunamaker, Henry, Bailey, Gallagher, Foster and Chytil.

The Secretary called the roll on the adoption of the amendment by Senator Moriarty to the amendment, and amendment to the amendment was adopted by the following vote: Yeas, 26; nays, 23; absent or not voting, 0.

Those voting yea were: Senators Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Greive, Hallauer, Happy, Herrmann, Lennart, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—26.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, DeGarmo, Gallagher, Gissberg, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Talley—23.

On motion of Senator Henry, the following amendments to the fourth committee amendment were adopted:

On page 1 of the amendment to section 2, page 3, line 22, strike all of subsection (n) and insert the following:

(n) any individual engaged in performing services in a hospital licensed pursuant to chapter 70.41 RCW;

On page 2 of the amendment to section 2, page 3, line 22, add a new subsection to read as follows:

(q) any individual employed on or about the premises of a hotel, motel or apartment house whose duties may require him to be on call twenty-four hours a day at any time of the day or night or at varying times of the day or night;

## POINT OF INQUIRY

Senator Riley:

"Will Senator Henry yield to a question?"

Senator Henry:

"Yes, I will."

Senator Riley:

"You have indicated a certain RCW citation. Now, can you tell me if this citation includes employees of charitable hospitals and/or all hospitals?"

Senator Henry:

"And/or hospitals."

On motion of Senator Herrmann, the following amendment to the committee amendment was adopted:

In the committee amendment to section 2, page 3, line 22, insert a new subsection (j) reading as follows:

(j) any individual employed by any charitable institution charged with child care responsibilities;

On motion of Senator Henry, the following amendment to the committee amendment was adopted:

In line 2 of subsection (1) strike "fresh milk" and insert "dairy products"

On motion of Senator Durkan, the following amendment to the committee amendment was adopted:

On page 2 of the amendment to section 2, page 3, line 22 add a new subsection to read as follows:

(s) any individual employed by a theatre whose duties may require that he work irregular hours or on varying days during the week;

On motion of Senator Freise, the following amendment to the committee amendment was adopted:

On page 2 of the amendment to section 2, page 3, line 22, add a new subsection to read as follows:

(t) any individual whose duties require that he reside or sleep at the place of his employment or who otherwise spends a substantial portion of his work week subject to call, and not engaged in the performance of active duties, (as such employment may be defined and delineated by regulations of the director).

On motion of Senator Rasmussen, the following amendment to the committee amendment was adopted:

In the committee amendment to section 2, page 3, line 22, strike all of the subsection (j).

On motion of Senator Chytil, the following amendment was adopted:

In section 2, subsection (c), page 3 line 9, after "salesman," and before "as" insert "or as a radio or television announcer and part time outside salesmen,"

Senator Happy moved that the following amendment be adopted:

On page 3, in section 2, add a new subsection as follows:

(r) all professional employees;

Senator Angevine moved that the amendment proposed by Senator Happy be laid on the table.

Senator Happy demanded a roll call, which was sustained by Senators Chytil, Moriarty, Rasmussen, Woodall, Papajani, Herrmann, Neill, Thompson, Freise, and Kupka.

**POINT OF INQUIRY**

Senator Gallagher:

"Will Senator Happy yield to a question?"

Senator Happy:

"Yes, I will."

Senator Gallagher:

"I just want the word 'professional' employees clarified. Do you think that means any one who works for a professional man?"

**POINT OF ORDER**

Senator Greive:

"I think this is now amounting to a discussion."

Senator Dore:

"I think it extremely important so we will have the answers on the record."

The President stated the question before the Senate to be, it has been moved that the amendment proposed by Senator Happy be laid on the table.

The Secretary called the roll, and the amendment by Senator Happy was tabled by the following vote: Yeas, 32; nays, 17; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Papajani, Rasmussen, Riley, Sandison, Talley, Washington—32.

Those voting nay were: Senators Chytil, Cowen, Dore, Foster, Freise, Happy, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Petrich, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—17.

**MOTION FOR RECONSIDERATION**

Senator Woodall:

"Having voted on the prevailing side, I do now move that we reconsider the vote by which the amendment by Senator Rasmussen, striking subsection (j) was adopted."

**POINT OF ORDER**

Senator Rasmussen:

"How did Senator Woodall vote on that question?"

**RULING OF THE PRESIDENT**

The President:

"It was a voice vote and it is the ruling of the Senate that it is the integrity of the Senator which prevails."

Senator Woodall:

"Having been certified and verified, I shall now say I think the Senate acted rather hastily on this amendment by Senator Rasmussen, and if you notice what you have done by striking this section, I am sure you will reconsider."

Extensive debate ensued.

The President stated he felt that the discussion had ended.

Senator Angevine demanded a roll call, which was sustained by Senators Henry, Nunamaker, Greive, Connor, Freise, Dore, Kupka, Rasmussen, Happy and Woodall.

The President stated the question before the Senate to be, the motion by Senator Woodall that the Senate do reconsider the vote by which the amendment by Senator Rasmussen, striking subsection 'j', was adopted.

The Secretary called the roll and the motion for reconsideration was lost by the following vote: Yeas, 23; nays, 26; absent or not voting, 0.

Those voting yea were: Senators Chytil, Cowen, Dore, Elway, Jr., Foley, Foster, Freise, Hallauer, Hanna, Happy, Henry, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—23.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Durkan, Gallagher, Gissberg, Greive, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Papajani, Rasmussen, Sandison, Talley, Washington—26.

Senator Thompson moved that the following amendment be adopted:

In section 2, page 3, add new subsection reading as follows: "all people whose duties require them to be licensed under Basic Science Washington License Act,"

#### MOTION

At 5:45 o'clock p. m., on motion of Senator Greive, the Senate recessed until 6:10 o'clock p. m.

At 6:10 o'clock p. m., Temporary President David C. Cowen called the Senate to order.

On motion of Senator Greive, the Senate proceeded with the amendments to Senate Bill No. 425.

Senator Greive moved that the amendment by Senator Thompson be laid on the table.

The motion carried, and the amendment by Senator Thompson was tabled.

Senator Moriarty moved that the following amendment be adopted:

In section 2, page 3, after subsection (p) of the committee amendment, add a new subsection as follows:

(q) any individual employed by any person engaged in or licensed to practice medicine in the state.

On motion of Senator Greive, the amendment by Senator Moriarty was laid on the table.

Senator Shannon moved that the following amendment be adopted:

In section 2, page 3, add a new subsection as follows: "any individual employed by architects and engineers in technical laboratories and as field surveyors and inspectors on technical work."

Senator Greive moved that the amendment by Senator Shannon be laid on the table.

A division was requested and the motion carried on a rising vote.

#### POINT OF INQUIRY

Senator Papajani:

"I wonder if the Chair would inform me if overtime begins after the first forty hours?"

Senator Henry:

"This is not like the bill we had a couple of years ago. The overtime begins after forty hours, not after eight hours a day."

Senators Greive, Hofmeister and Connor demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

On motion of Senator Henry, the fourth committee amendment, as amended, was adopted.

Senator Henry moved that the last committee amendment be adopted.

#### PERSONAL PRIVILEGE

Senator Kupka announced that the candy and cigars being distributed were contributed through the courtesy of the Musicians' Association of Tacoma, in appreciation of the support given Senate Bill No. 455.

On motion of Senator Freise, the following amendment to the last committee amendment was adopted:

In line 2 of the committee amendment to new section 3, after "employees" and before "wages" insert "who have reached the age of eighteen years"

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

On motion of Senator Henry, the last committee amendment, as amended, was adopted.

Senator Riley moved that the following amendment be adopted:

On page 1, strike all of section 1 and renumber the remaining sections.

On motion of Senator Greive, the amendment by Senator Riley was laid on the table.

Senator Lennart moved that the following amendment be adopted:

In section 2, page 2, line 11, after "to" and before "or" strike "suffer" and insert "enjoy".

On motion of Senator Greive, the amendment by Senator Lennart was laid on the table.

On motion of Senator Herrmann, the following amendment was adopted:

In line 14 of the committee amendment to section 2, page 2, line 15, after "arrangement" insert ": *Provided Further*, That the term employer shall not include any charitable organization or institution charged with child care responsibilities"

On motion of Senator Foster, the following amendment was adopted:

In section 2, page 2, line 29, after "commodity;" strike all of the material down to and including "operations" on line 30.

On motion of Senator Durkan, the following amendment was adopted:

In section 2, page 2, line 30, after the semicolon and before "and" insert "or (IV) grooms or attendants of domestic livestock"

On motion of Senator Henry, the following amendment was adopted:

In section 2, subsection (f), page 3, line 15, after "vendor" strike "or" and insert a comma; after "carrier" strike the semicolon and insert ", or weekly newspaper employees,"

On motion of Senator Freise, the following amendment was adopted:

In section 4, subsection (2) (a) page 4, line 27, after "of" and before "hours" strike "fifty-six" and insert "seventy-two"

On motion of Senator Henry, the following amendment was adopted:

In section 5, subsection (3), page 8, line 19, after "thereunder" strike the period and insert the following: ": *Provided*, That the records maintained by the employer pursuant to the federal fair labor standards act, shall be deemed to be sufficient hereunder."

On motion of Senator Thompson, the following amendment was adopted:

In section 6, subsection (2) (c), page 9, line 32, insert a new subsection reading as follows:

"(d) All people whose duties require them to be licensed under the Washington Basic Science Act."

Re-number subsection (d) to read subsection (e).

On motion of Senator Chytil, the following amendment was adopted:

In section 6, subsection (2) (d), renumbered (e), page 10, line 4, after "when" and before "the" insert "part of"

On motion of Senator Hallauer, the following amendment was adopted:

In section 12, page 13, line 3, after "law" strike the period and insert the following: "; Provided, That interstate employment subject to the federal fair labor standards act shall be exempt hereunder."

Senator Elway moved that the following amendment be adopted:

In section 2, page 3, line 12, after "organization" insert a semicolon and strike the remainder of the subsection (e).

Senator Greive moved that the amendment proposed by Senator Elway be laid on the table.

The motion carried and the amendment was laid on the table.

On motion of Senator Angevine, the rules were suspended, Engrossed Senate Bill No. 425 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 425, and the bill passed the Senate by the following vote: Yeas, 43; nays, 6; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senators Chytil, Durkan, Freise, Lennart, Neill, Raugust—6.

Engrossed Senate Bill No. 425, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 6:50 o'clock p. m., on motion of Senator Grieve, the Senate recessed until 9:00 o'clock p. m.

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#### EVENING SESSION

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At 9:00 o'clock p. m., the Senate was called to order by President Cherberg. The President announced the Senate would be at ease for fifteen minutes.

At 9:15 o'clock p. m., the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators DeGarmo, Foley, Greive, McMillan, Martin and Woodall.

#### REPORTS OF STANDING COMMITTEES

The Secretary read:

**Senate Bill No. 65** (reported by Judiciary Committee):  
Do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Michael J. Gallagher, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 260:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 260, relating to public accounting, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Martin J. Durkan, Michael J. Gallagher, James E. Keefe, Reuben A. Knoblauch, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 456:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 456, relating to Century 21, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, John H. Happy, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, Homer O. Nunamaker, John Papajani, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 475** (reported by Committee on State Government, Military Affairs and Civil Defense):

Do pass as amended.

A. L. RASSMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading

**Engrossed House Bill No. 25:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., March 2, 1961.

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 25, authorizing magistrate to order that support payments be made to the registry of the court, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 26** (report by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 33:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., March 2, 1961.

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 33, allowing committing magistrates to release defendants in support cases on condition, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 58** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 122:**

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., March 3, 1961.

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 122, authorizing business corporations to vote without a meeting, have had the same under consideration, and we respectfully report that same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 141** (reported by Committee on Commerce, Manufacturing and Licenses):

Do pass as amended.

....., *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher.

R. R. (Bob) Greive, James E. Keefe, Reuben A. Knoblauch, John Papajani, Albert C. Thompson Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 163:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 163, relating to recording of deeds given by the state or a municipal corporation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 171** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice-Chairman.*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 184:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 184, authorizing cities and towns to enter into agreements with counties for construction and maintenance of streets, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman.*  
AL HENRY, *Vice-Chairman.*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 195** (reported by Committee on Ways and Means):

Do pass as amended.

WILBUR G. HALLAUER, *Chairman.*  
FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John Papajani, John A. Petrich, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 253:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 253, relieving obligee from paying costs under uniform reciprocal enforcement of support act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 272** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman.*

AL HENRY, *Vice-Chairman.*

FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, Gordon Sandison.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 277:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 277, modifying law relating to highways contracts for day labor to include rental of equipment with operators, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman.*

AL HENRY, *Vice-Chairman.*

FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 283:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Engrossed House Bill No. 283, specifying fine for offense of throwing certain matter on public highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman.*

AL HENRY, *Vice-Chairman.*

FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 326** (reported by Committee on Ways and Means):  
Do pass as amended.

WILBUR G. HALLAUER, *Chairman.*  
FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Mike McCormack, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 394** (reported by Committee on Highways):  
Do pass as amended.

NAT WASHINGTON, *Chairman.*  
....., *Vice-Chairman.*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, John A. Petrich, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 395:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 395, authorizing issuance of permits for passage of vehicles on toll facilities on a credit basis, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman.*  
AL HENRY, *Vice-Chairman.*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 396:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 396, providing certain offenses and penalties therefor relating to operation of motor vehicles upon toll facilities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman.*  
AL HENRY, *Vice-Chairman.*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, Edward F. Riley, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 425:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred House Bill No. 425, requiring city councilman positions to be numbered and treated as separate offices for election purposes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Martin J. Durkan, Michael J. Gallagher, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 25; also

Senate Bill No. 46; also

Senate Bill No. 164; also

Senate Bill No. 168; also

Senate Bill No. 187; also

Senate Bill No. 297; also

Senate Bill No. 331; also

Senate Bill No. 340; also

Senate Bill No. 394; also

Senate Bill No. 548; also

Senate Bill No. 557 have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

The President announced the Senate to be at ease for approximately fifteen minutes.

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## SECOND EVENING SESSION

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At 10:10 o'clock p. m., the Senate was called to order by President Cherbeg.

The Secretary called the roll and announced to the President that all Senators were present except Senators DeGarmo and Nunamaker.

### SPECIAL ORDER OF BUSINESS

The time having arrived, the President declared the special order of business to be consideration of Senate Bill No. 547.

### MOTION

On motion of Senator Papajani, Senate Bill No. 547 was ordered retained at the end of the second reading calendar for tonight.

### SECOND READING OF BILLS

**Engrossed House Bill No. 248**, by Representatives Johnston, Schaefer and Marsh:

Relating to judges' retirement system.

The bill was read the second time by sections.

Senator Rasmussen moved that Engrossed House Bill No. 248 be referred to the Committee on Ways and Means.

**POINT OF ORDER**

Senator Greive:

"Under Rule 21, this is the same proceedings that has been voted down and therefore, Senator Rasmussen's motion is out of order."

Senator Rasmussen:

"It is my feeling that this bill is not in the same state of proceedings."

**RULING OF THE PRESIDENT**

The President:

"The President feels that Senator Greive's point is well taken, and that his explanation is correct."

Senator Rasmussen moved that Engrossed House Bill No. 248 be referred to the Committee on State Government, Military Affairs and Civil Defense.

**QUESTION OF CONSIDERATION**

Senator Greive raised a question of consideration on the motion by Senator Rasmussen.

The Senate voted not to consider the motion by Senator Rasmussen that Engrossed House Bill No. 248 be referred to the Committee on State Government, Military Affairs and Civil Defense.

The President stated that the first committee amendment had previously been adopted.

On motion of Senator Petrich, the remaining four committee amendments were adopted.

**POINT OF INQUIRY**

Senator Hess:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Hess:

"It seems to me that an earlier act provided for another state pension, don't you believe that should be included here too? In another bill we said 'social security or other state pension'."

Senator Petrich:

"I have no particular objection. I don't know of any other pension."

**MOTION**

On motion of Senator Greive, Engrossed House Bill No. 248 was ordered to take its place at the top of the second reading calendar for tomorrow.

**THIRD READING OF BILLS**

**Senate Bill No. 360**, by Senator Petrich:

Changing penalty provision of uniform narcotic drug act.

The bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 360, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen,

Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators DeGarmo, Foster, Nunamaker—3.

Senate Bill No. 360, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the seventh order of business for the purpose of considering bills on second reading.

#### SECOND READING OF BILLS

**Senate Bill No. 320**, by Senators Hallauer, Cooney, Hanna, Gissberg, Woodall, Freise and Foley:

Placing a portion of liquor revolving fund moneys in state treasury for administrative expenses of board.

The bill was read the second time by sections.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Isn't there an appropriation involved in this bill?"

The President:

"The President believes there is no appropriation provided."

On motion of Senator Durkan, Substitute Senate Bill No. 320 was substituted for Senate Bill No. 320, and Substitute Senate Bill No. 320 was placed on second reading.

The substitute bill was read the second time by sections.

Senator Bargreen moved that the following amendment be adopted:

On pages 3 and 4, strike all of sections 6 and 7 and renumber the remaining sections consecutively.

Senator Greive moved that the amendment proposed by Senator Bargreen be laid on the table.

A division was requested.

The motion was lost on a rising vote.

The President stated the question to be, the adoption of the amendment proposed by Senator Bargreen.

Senator Bargreen demanded a roll call, which was sustained by Senators Hofmeister, Connor, McMillan, Gallagher, Washington, Herrmann, Papajani and Rasmussen.

The Secretary called the roll, and the amendment by Senator Bargreen was adopted by the following vote: Yeas, 28; nays, 19; absent or not voting, 2.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cowen, Donohue, Elway, Jr., Foster, Gallagher, Happy, Herrmann, Hofmeister, Knoblauch, Lennart, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—28.

The voting nay were: Senators Cooney, Dore, Durkan, Foley, Freise, Gissberg, Greive, Hallauer, Hanna, Henry, Hess, Keefe, Kupka, McCormack, McCutcheon, Martin, Petrich, Ryder, Woodall—19.

Those absent or not voting were: Senators Angevine, DeGarmo—2.

On motion of Senator Neill, the following amendment was adopted:

In section 1, page 2, line 1, after "authorization of" strike "the chairman of"

Senator Woodall moved that the following amendment be adopted:

On page 4, after section 8, renumbered section 6, insert a new section reading as follows:

**NEW SECTION.** Sec. 7. The total number of class H licenses issued in the state of Washington by the board shall not in the aggregate at any time exceed one license for each three thousand of population in the state, determined according to the last available federal census.

Renumber section 9 to read section 8.

Senator Papajani moved that the amendment be laid on the table.

Senator Woodall demanded a roll call, which was sustained by Senators Freise, Elway, Thompson, Chytil, Moriarty, Ryder, Lennart, Happy and Gissberg.

The President stated the question before the Senate to be, the tabling of the amendment proposed by Senator Woodall.

The Secretary called the roll, and the motion to table lost by the following vote: Yeas, 10; nays, 34; absent or not voting, 5.

Those voting yea were: Senators Bailey, Bargreen, Donohue, Dore, Gallagher, Hofmeister, Papajani, Petrich, Rasmussen, Sandison—10.

Those voting nay were: Senators Chytil, Connor, Cooney, Cowen, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—34.

Those absent or not voting were: Senators Angevine, DeGarmo, McCutcheon, Morgan, Nunamaker—5.

The President stated the question to be, the adoption of the amendment by Senator Woodall.

The motion carried, and the amendment was adopted.

On motion of Senator Bargreen, the following amendment was adopted:

In line 2 of the title after "thereof;" strike all of the material down to and including "the" on line 3 and insert "providing for the regulation, administration, and"

In line 9 of the title after "43.66.150;" strike all of the material down to and including "three" on line 10 and insert "adding two"

On motion of Senator Woodall, the following amendment to the title was adopted:

In line 13 of the title, after "43.66.160" strike the period and insert "; amending section 3, chapter 5, Laws of 1949 and RCW 66.24.420."

On motion of Senator Bargreen, the rules were suspended, Engrossed Substitute Senate Bill No. 320 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 320, and the bill passed the Senate by the following vote: Yeas, 44; nays, 3; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Hallauer, Hanna, Happy, Hanry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those voting nay were: Senators Dore, Greive, Petrich—3.

Those absent or not voting were: Senators DeGarmo, Morgan—2.

Engrossed Substitute Senate Bill No. 320, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Senator Durkan moved that Senate Bill No. 456 be considered immediately.

#### PERSONAL PRIVILEGE

Senator Hallauer:

"For seven sessions now I have endured the jumping of bills, one after the other, like a bunch of cowboys."

Senator Hess moved that the motion by Senator Durkan be laid on the table.

The motion carried, and the motion by Senator Durkan, that Senate Bill No. 456 be considered immediately, was tabled.

On motion of Senator Greive Senate Bill No. 456 was ordered held in second place on the second reading calendar for tomorrow.

**Senate Bill No. 475**, by Senators Bargreen and Hofmeister:

Relating to the militia.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

#### MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 475, relating to the militia, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 2, page 1, line 17, strike the comma after "Guard" and insert a period; immediately following the period, strike "each" and insert "Each" and after "division" strike "to" and insert "may"

In section 3, page 2, line 10, after "governor" strike "shall" and insert "may"

In section 3, page 2, lines 11 and 12, after "Air National Guard," and before "who" on line 12, strike "not below the rank of field officer"

In section 3, page 2, line 14, after "detailed," strike "shall" and insert "may"

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendments were adopted.

On motion of Senator Rasmussen, the rules were suspended, Engrossed Senate Bill No. 475 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 475, and the bill passed the Senate by the following vote: Yeas, 36; nays, 3; absent or not voting, 10.

Those voting yea were: Senators, Angevine, Bargreen, Connor, Cooney, Cowen, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Neill, Nunamaker, Papajani,

Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—36.

Those voting nay were: Senators Donohue, Moriarty, Jr., Petrich—3.

Those absent or not voting were: Senators Bailey, Chytil, DeGarmo, Foley, Hanna, Keefe, Martin, Morgan, Talley, Woodall—10.

Engrossed Senate Bill No. 475, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 190**, by Senators Thompson, Jr. and Hess:

Relating to the licensing of certain schools and their representatives.

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 190, relating to the licensing of certain schools and their representatives, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 2, subsection 7, page 1, line 21, after "education," strike "and"

In new section 2, line 22, page 1, strike the period following "employees" and insert ", (9) schools recommended by the State Division of Vocational Rehabilitation and approved by the State Board for Vocational Education, (10) schools operated under a Federal Aviation Agency Air Agency Certificate and approved by the State Board of Education, (11) private kindergartens, nursery schools, and day care schools, and (12) schools offering cultural subjects to students regularly enrolled in schools exempted in this section of the act."

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, F. Stuart Foster, William A. Gissberg, Al Henry, Reuben A. Knoblauch, David E. McMillan, Don L. Talley, Albert C. Thompson, Jr., Nat Washington.

The bill was read the second time by sections.

On motion of Senator Hess, the committee amendments were adopted.

On motion of Senator Thompson, the following amendment was adopted:

In section 2, subsection (6), line 20, page 1, after "societies," insert "non-profit corporations or non-profit associations,"

On motion of Senator Hess, the rules were suspended, Engrossed Senate Bill No. 190 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 190, and the bill passed the Senate by the following vote: Yeas, 42; nays, 2; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senators Moriarty, Jr., Petrich—2.

Those absent or not voting were: Senators Connor, DeGarmo, Hanna, Martin, Morgan—5.

Engrossed Senate Bill No. 190, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 175**, by Senators Petrich and Neill:  
Relating to service of justice court garnishments.  
The bill was read the second time by sections.

**POINT OF INQUIRY**

Senator Woodall:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Woodall:

"This particular bill, as I understand it, is to make it so persons other than officers can serve these writs of garnishment and with certain legal processes, which in effect they then make suitable affidavit that they have done a proper job of service. Now, this would enable some of these bad process servers who are a little unethical, to make affidavits of service to tie up accounts, etc. What protection does an ordinary person have against this type of action?"

Senator Petrich:

"In answer, this simply brings the present assessment of costs in the justice courts action identical with the superior court for writs, etc."

On motion of Senator Petrich, the rules were suspended, Senate Bill No. 175 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 175, and the bill passed the Senate by the following vote: Yeas, 40; nays, 2; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—40.

Those voting nay were: Senators Cowen, Happy—2.

Those absent or not voting were: Senators Connor, DeGarmo, Foster, McMillan, Martin, Morgan, Talley—7.

Senate Bill No. 175, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 530**, by Senator Bargreen:

Relating to leasing county property for agricultural fairs.

The bill was read the second time by sections.

On motion of Senator Bargreen, the rules were suspended, Senate Bill No. 520 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator Bargreen yield to a question?"

Senator Bargreen:

"Yes, I will."

Senator McCutcheon:

"What class county is Snohomish County?"

Senator Bargreen:

"Snohomish County is a first class county. This covers any county."

Senator McCutcheon:

"Are these fairs annual or biennial?"

Senator Bargreen:

"These are annual fairs."

Senator McCutcheon:

"And rental, how do they charge that?"

Senator Bargreen:

"It is charged by the county commissioners and the fair board."

Senator McCutcheon:

"Do they have horse racing?"

Senator Bargreen:

"They have a round-up."

Senator McCutcheon:

"Bulldoggin'?"

Senator Bargreen:

"Yes."

Senator McCutcheon:

"Thank you. This is a pretty good build-up!"

#### POINT OF INQUIRY

Senator Hallauer:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"Yes, I will."

Senator Hallauer:

"I wonder if this bill is related at all to the situation over in Yakima county where there is a whole county fair ground and I understand there is a plan to hold horse races there. Is it possible that this relates to that particular plan?"

Senator Woodall:

"I don't know about that, but the plan in Yakima has received some setback and the people claim that when you get it straight from the horse's mouth, it is not gambling!"

The Secretary called the roll on the final passage of Senate Bill No. 530, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those voting nay were: Senator Rasmussen—1.

Those absent or not voting were: Senators Connor, Cowen, DeGarmo, Foster, Hanna, McMillan, Martin—7.

Senate Bill No. 530, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 467**, by Senators Herrmann, Ryder and Riley:

Permitting mutual savings banks to transfer assets and liabilities to other than another mutual savings bank.

The bill was read second time by sections.

On motion of Senator Ryder, the rules were suspended, Senate Bill No. 467 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 467, and the bill passed the Senate by the following vote: Yeas, 35; nays, 5; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, Donohue, Durkan, Foley, Foster, Freise, Gallagher, Greive, Hallauer, Happy, Henry, Keefe, Knoblauch, Kupka, Lennart, McCormack, Morgan, Moriarty, Jr., Neill, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—35.

Those voting nay were: Senators Gissberg, Hess, Hofmeister, McCutcheon, Petrich—5.

Those absent or not voting were: Senators Connor, DeGarmo, Dore, Elway, Jr., Hanna, Herrmann, McMillan, Martin, Nunamaker—9.

Senate Bill No. 467, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 274**, by Senators Durkan, Greive and Herrmann:

Relating to subsistence allowance for state officials and employees.

The bill was read the second time by sections.

#### POINT OF INQUIRY

Senator Woodall:

"Has anyone any idea how much this will cost?"

Senator Durkan:

"This will be about \$50,000 for the biennium."

#### POINT OF INQUIRY

Senator Hallauer:

"As a matter of inquiry, Mr. President, there are two clocks with different times. Can you apprise me which one is correct?"

The President:

"The one at the rear of the chamber is correct, Senator."

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 274 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 274, and the bill passed the Senate by the following vote: Yeas, 32; nays, 11; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Cooney, Donohue, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hal-lauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Morgan, Nunamaker, Papajani, Rasmussen, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—32.

Those voting nay were: Senators Chytil, Cowen, Happy, Lennart, McCutcheon, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Woodall—11.

Those absent or not voting were: Senators Connor, DeGarmo, Dore, Foster, McMillan, Martin—6.

Senate Bill No. 274, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF INQUIRY

Senator Riley:

"Can you or the Secretary, Mr. President, tell me where Senate Bill 547 is, keeping in mind that it was on the afternoon calendar?"

Senator Hess:

"This bill was moved to the end of the second reading calendar for tonight."

#### RULING OF THE PRESIDENT

The President:

"It is true that Senate Bill No. 547 does not show on the end of the calendar for tonight, but that is where it is."

**Senate Bill No. 303**, by Senators Henry, Foley and Ryder (by Departmental request):

Authorizing the lease of certain property with proceeds thereof for benefit of medical aid fund.

The bill was read the second time by sections.

Senator Henry moved that the following amendment be adopted:

In section 1, page 2, line 15, after "of the" and before "real" insert "unimproved"; also, after "property" and before "is no" strike "described above" and insert "included in the above description"

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Henry yield to a question?"

Senator Henry:

"Yes, I will."

Senator Riley:

"I always thought that property was held by, and to be disposed of by the Department of General Administration."

Senator Henry:

"This is medical aid money that was appropriated two years ago. They have some unimproved property that they want to dispose of."

The motion carried, and the amendment was adopted.

On motion of Senator Henry, the rules were suspended, Engrossed Senate Bill No. 303 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill

No. 303, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Connor, DeGarmo, McMillan, Martin—4.

Engrossed Senate Bill No. 303, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the second order of business to receive a report of a standing committee.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 190; also

Senate Bill No. 296; also

Senate Bill No. 303; also

Substitute Senate Bill No. 320; also

Senate Bill No. 372; also

Senate Bill No. 475; also

Senate Bill No. 552, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### MOTION

On motion of Senator Greive, it was ordered that the record show that the time is now 12:05 o'clock midnight and the Senate adjourned until 2:00 o'clock p. m. Sunday, March 5, 1961.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

## FIFTY-SIXTH DAY

### AFTERNOON SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Sunday, March 5, 1961.

The Senate was called to order at 2:00 o'clock p. m., by President Cherberg. The President declared the Senate to be at ease.

The Senate was called to order at 3:30 o'clock p. m., by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Tom Knoblauch, Color Bearer, and Susan Harris, presented the Colors.

Reverend Arthur I. Anderson, Pastor of the Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"O Lord, my God, when I in awesome wonder consider all the worlds Thy hands have made, I see the stars, I hear the rolling thunder, Thy power throughout the universe displayed. Then sings my soul, my Savior God to Thee; how great Thou art, how good Thou art!

"In the sacred stillness of these prayer moments may Thy greatness and Thy goodness mold us to the prompting of thy spirit. Make us yielded to Thee, that we might be the more effectively wielded by Thee.

"Grant us grace this Lord's day: To think without confusion clearly; to act from honest motives purely; to love our fellowmen sincerely; and to trust in Thee and heaven securely.

"On this Lord's Day, through Jesus Christ, our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is apparent to the President to the point of being crystal clear, that today, this beautiful and glorious Sunday, is family day.

"The President noted with keen interest, the presence of two handsome young men in the south gallery. The members of the Senate and ladies and gentlemen may have noted Senator Riley's visit to the rostrum. The President was already aware of these fine young people. The President should like to have Mr. and Mrs. Edward Riley, Jr., the bride and groom of one month, please stand, along with Mr. John Riley, another handsome son of our distinguished Senator, in order that we may properly recognize you.

"It is indeed a pleasure to have you here today, and will Senator Riley please stand also with his handsome family. Thank you very much for coming."

(Applause.)

The President:

"At the request of that grand and popular Senator Reuben A. Knoblauch, the President should like to announce that for the first time in the history of the Washington State Senate, all six Knoblauch brothers and sisters are present at a legislative session. The President is driven to remark that if all the Knoblauchs were here, the galleries would be filled and it would be necessary to furnish additional bleachers.

"The senior Knoblauch first arrived in Puyallup Valley in 1888. Heaven knows what would have happened, had he arrived ten years sooner!

"The President should like to ask of the Knoblauch family that each stand in turn as his name is called, and remain standing: Mr. and Mrs. Vincent Fameli and sons, Albert and Louis of Portland; Mrs. Fameli is Reuben's sister, Marion. Mr. and Mrs. R. O. Hirst, Bremerton; Mrs. Hirst is Reuben's sister, Viola. Mr. and Mrs. Melvin Knoblauch, Sumner; Melvin is a member of the Sumner school board. Mr. and Mrs. Leo Knoblauch and daughter, Sherry; Leo is one of oldest fire commissioners in line of service in the state of Washington. Mr. and Mrs. Allan Knoblauch, Sumner, and daughter Judy, and son Tom. Tom, incidentally, is a Senate Page.

"Other guests are Dominic Totino of Pittsburgh, Pennsylvania, a nephew of Mr. Fameli, who is stationed at McChord; and Mr. and Mrs. Leo Caillier of Tacoma and their nephew, Lee Thorsen, relatives of Mr. Hirst.

"This has been a grand pleasure for the members of the Senate and the President to greet you and express appreciation for your visit here, and hope that you enjoy your time in Olympia."

Senator Knoblauch:

"On an occasion like this, I think it is most proper that today we should present the Presiding Officer with a nice bunch of Sumner hot-house rhubarb. My family are perhaps the greatest rhubarb growers in the country. From all the Knoblauchs I would like to present to the President a batch of this famous rhubarb. It is a real spring tonic."

(Applause.)

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Knoblauch yield to a question?"

Senator Knoblauch:

"Yes, I will.

Senator Woodall:

"From all this, we must arrive at the stage of conclusion that the Knoblauchs are a very prolific family. What plans have you made to perpetuate this family?"

Senator Knoblauch:

"If I had planned this far enough ahead, I would have shown you a curly headed boy about eighteen months old, Reuben Knoblauch—my nephew!"

Senator Riley:

"Senator Knoblauch, you have been the exponent of Senate Rule 40 on so many occasions. Don't you think you should suspend Rule 40 on this happy occasion?"

Senator Knoblauch:

"My prudent friend, Senator Riley, has asked me to suspend that portion of Rule 40 pertaining to smoking. I will be honored to do so."

The President:

"Thank you, Senator Knoblauch. The President is deeply touched by your gesture today!"

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 4, 1961.

#### Gubernatorial Appointment:

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred the Governor's appointment of H. J. Lawrence, Seattle, to the Board of Prison Terms and Paroles, appointed January 26, 1961, effective February 1, 1961, for the term ending April 15, 1965, succeeding John D. Lillywhite, term expired, have had the same under

consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed. FRED J. MARTIN, *Chairman*.

We concur in this report: Joe Chytil, Karl V. Herrmann, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Gordon Sandison, Don L. Talley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

### Gubernatorial Appointment:

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred the Governor's appointment of Helen C. Shank, Seattle, to the Board of Prison Terms and Paroles, appointed March 18, 1960, effective March 21, 1960, for the term ending April 15, 1964, succeeding James D. Skaggs, resigned, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed. FRED J. MARTIN, *Chairman*.

We concur in this report: Karl V. Herrmann, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, John A. Petrich, Gordon Sandison, Don L. Talley.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Public Institutions, to whom was referred the Governor's appointment of Helen C. Shank, Seattle, to the Board of Prison Terms and Paroles, appointed March 18, 1960, effective March 21, 1960, for the term ending April 15, 1964, succeeding James D. Skaggs, resigned, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment not be confirmed.

....., *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, Charles P. Moriarty, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

### House Bill No. 65:

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 65, eliminating residence requirement for directors of agriculture cooperatives, have had the same under consideration, and we respectfully report the same back to Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, H. B. Hanna, Reuben A. Knoblauch, Mike McCormack, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

### Engrossed House Bill No. 91:

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Bill No. 91, establishing construction standards for storage of explosives and rules for transportation thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 140:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Substitute House Bill No. 140, regulating the application of agricultural pesticides, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: William A. Gissberg, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, Fred J. Martin, W. C. Raugust, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Agriculture and Horticulture, to whom was referred Substitute House Bill No. 140, regulating the application of agricultural pesticides, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: F. Stuart Foster, H. B. Hanna, David E. McMillan.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 237:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 237, modifying state food, drug, cosmetics and poisons act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin, W. C. Raugust

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 242:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 242, authorizing control over birds injurious to agriculture, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, F. Stuart Foster, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 314:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 314, revising weed district procedure, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: Joe Chytil, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 348:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred House Bill No. 348, relating to ski lifts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, David C. Cowen, Fred H. Dore, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Karl V. Herrmann, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 662:**

Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Engrossed House Bill No. 662, allowing auditing of municipal corporation accounts by independent accountants, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, Martin J. Durkan, F. Stuart Foster, Michael J. Gallagher, James E. Keefe, Reuben A. Knoblauch, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

**HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

The House has passed: Substitute Senate Bill No. 28 with the following amendment:

In section 1, subsection (2), line 15, after "interim committee" and before the period insert " : *And provided further*, That from the allocation to the House of Representatives, the House shall reimburse the Speaker for not more than seventy days, in lieu of per diem, at the rate of twenty-five dollars per day for each day or major portion thereof in which he is actually engaged in completing the work of the thirty-seventh legislature and is performing his duties as Speaker during the interim period until the convening of the next regular session of the legislature" and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Hallauer moved that the Senate do concur in the House amendment to Substitute Senate Bill No. 28.

**POINT OF INQUIRY**

Senator Woodall:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I yield."

Senator Woodall:

"Senator Hallauer, does this represent more days than has been previously allowed?"

Senator Hallauer:

"This is the same number of days as was previously allowed, I am informed."

Senator Rasmussen:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Rasmussen:

"Senator Hallauer, this amounts to about \$1,800. Is this correct?"

Senator Hallauer:

"This is seventy days at \$25.00 per day, which is \$1,750."

Senator Rasmussen:

"Did this include services on the Legislative Council at the per diem rate, or is this outside and in addition to the other?"

Senator Hallauer:

"The wording of the amendment is for days as Speaker of the House of Representatives. This would be in addition to his work on the Legislative Council."

The President stated the question before the Senate to be, it has been moved that the Senate do concur in the House amendment to Substitute Senate Bill No. 28.

The motion was carried.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 28, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Woodall—41.

Those absent or not voting were: Senators Foster, Gissberg, Happy, Herrmann, Morgan, Raugust, Shannon, Washington—8.

Substitute Senate Bill No. 28, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 63 with the following amendment:

On page 1, section 1, strike all of subsection (1) and substitute the following:

"(1) All causes of action by a person or persons against another person or persons shall survive to the personal representatives of the former and against the personal representatives of the latter, whether such actions arise on contract or otherwise, and whether or not such actions would have survived at the common law or prior to the date of enactment of this act: PROVIDED, HOWEVER, That no personal representative shall be entitled to recover damages for pain and suffering, anxiety, emotional distress, or humiliation personal to and suffered by a deceased. The liability of property of a husband and wife held by them as community property to execution in satisfaction of a claim enforceable against such property so held shall not be affected by the death of either or both spouses; and a cause of action shall remain an asset as though both claiming spouses continued to live despite the death of either or both claiming spouses." and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Petrich, the Senate concurred in the House amendment to Senate Bill No. 63.

The Secretary called the roll on the final passage of Senate Bill No. 63, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 1; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—39.

Those voting nay were: Senator Rasmussen—1.

Those absent or not voting were: Senators Cowen, Dore, Durkan, Happy, Herrmann, Keefe, Sandison, Talley, Washington—9.

Senate Bill No. 63, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 144 with the following amendment:

On page 2, line 12, after "appoint" and before "supervisor" strike "a [director]" and insert "[a] and deputeize an assistant director to be known as the" and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Gissberg, the Senate concurred with the House amendment to Senate Bill No. 144.

The Secretary called the roll on the final passage of Senate Bill No. 144, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—41.

Those absent or not voting were: Senators Connor, Cowen, Dore, Hallauer, Happy, Herrmann, McMillan, Washington—8.

Senate Bill No. 144, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

The House adheres to its position regarding the Senate amendment to House Joint Resolution No. 6 and asks the Senate for a conference thereon, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Petrich, the request of the House for a conference on House Joint Resolution No. 6 and the Senate amendments thereto, was granted.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on House Joint Resolution No. 6 and the Senate amendments thereto: Senators Petrich, Chytil and Gissberg.

**CONFIRMATION OF COMMITTEE APPOINTMENTS**

On motion of Senator Greive, the Conference Committee appointments on House Joint Resolution No. 6 and the Senate amendments thereto, were confirmed.

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:  
The House has passed: Engrossed House Bill No. 108; also  
Engrossed House Bill No. 143; also  
House Bill No. 374; also  
Engrossed House Bill No. 400; also  
Engrossed House Bill No. 407; also  
House Bill No. 454; also  
Engrossed Substitute House Bill No. 490; also  
Engrossed House Bill No. 528; also  
House Bill No. 533; also  
Substitute House Bill No. 553; also  
House Bill No. 556; also  
Engrossed Substitute House Bill No. 576; also  
Engrossed House Bill No. 603; also  
Engrossed House Bill No. 638; also  
Engrossed House Bill No. 645; also  
Engrossed House Bill No. 693; also  
Engrossed House Joint Resolution No. 31; also  
House Concurrent Resolution No. 13; also  
House Concurrent Resolution No. 14, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:  
The Speaker has signed: Senate Bill No. 185; also  
Senate Bill No. 219; also  
Senate Concurrent Resolution No. 5, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:  
The House has concurred in the Senate amendment to Engrossed House Bill No. 36 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:  
The House has concurred in the Senate amendments to House Bill No. 217 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:  
The House has concurred in the Senate amendment to House Bill No. 12 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:  
The House has concurred in the Senate amendments to Engrossed House Bill No. 22 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 176; also  
House Bill No. 279; also  
House Concurrent Resolution No. 24, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 12; also  
House Bill No. 22; also  
Substitute House Bill No. 31; also  
House Bill No. 36; also  
House Bill No. 107; also  
House Bill No. 217; also  
House Bill No. 538; also  
House Joint Resolution No. 28; also  
House Joint Resolution No. 39, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### SIGNED BY THE PRESIDENT

**The President signed: House Bill No. 12; also  
House Bill No. 22; also  
Substitute House Bill No. 31; also  
House Bill No. 36; also  
House Bill No. 107; also  
House Bill No. 176; also  
House Bill No. 217; also  
House Bill No. 279; also  
House Bill No. 538; also  
House Concurrent Resolution No. 24; also  
House Joint Resolution No. 28; also  
House Joint Resolution No. 39.**

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**Engrossed House Bill No. 108**, by Representatives Testu and Bergh:

An Act relating to crimes and punishments; and providing for the transfer of certain prisoners in a county jail to the state reformatory or state penitentiary.

Referred to Judiciary Committee.

**Engrossed House Bill No. 143**, by Representatives Klein, Schaefer and Holmes:

An Act relating to elections and the opening and closing of polls; and amending section 7, chapter 61, Laws of 1921, section 5, chapter 170, Laws of 1921, section 7, chapter 178, Laws of 1921, and RCW 29.13.080.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Bill No. 374**, by Representatives Marsh, Siler and Leibold:

An Act relating to public utility districts and providing for the manner in which contracts may be entered into with or without bids; amending section 2, chapter 124, Laws of 1955 and RCW 54.04.070, and section 3, chapter 124, Laws of 1955 and RCW 54.04.080.

Referred to Committee on Public Utilities.

**Engrossed House Bill No. 400**, by Representatives Clark, Canfield and Holmes:

An Act relating to horticulture; and providing penalties; and repealing sections 15.16.010 through 15.16.490, chapter ....., Laws of 1961 (House Bill No. 1) and RCW 15.16.010 through 15.16.490.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 407**, by Representatives Day and Campbell:

An Act relating to waters and watercraft and providing for the regulation thereof; and repealing sections 1 through 6, chapter 72, Laws of 1933 and RCW 88.12.010 through 88.12.060.

Referred to Committee on Natural Resources.

**House Bill No. 454**, by Representatives Canfield, Cecil and Leibold:

An Act establishing a Washington State Potato Commission; prescribing powers and duties thereof; providing for the levy of an assessment upon potatoes; providing for enforcement; prescribing penalties; specifying circumstances of taking effect; and declaring an emergency.

Referred to Committee on Agriculture and Horticulture.

**Engrossed Substitute House Bill No. 490**, by Committee on Agriculture and Livestock:

An Act relating to the marketing of agricultural commodities; and declaring an emergency.

Referred to Committee on Agriculture and Horticulture.

**Engrossed House Bill No. 528**, by Representatives Ahlquist, Mardesich and O'Donnell:

An Act relating to intoxicating liquors; prohibiting the sale thereof on or near the University of Washington; and amending section 1, chapter 75, Laws of 1895 as last amended by section 1, chapter 120, Laws of 1951 and RCW 66.44.190.

Referred to Committee on Liquor Control.

**House Bill No. 533**, by Representatives Schaefer, Wintler and Henry:

An Act relating to parks and recreation; and making an appropriation.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Substitute House Bill No. 553**, by Committee on Parks, Capitol Grounds and Public Buildings:

An Act relating to state parks; and authorizing the state parks and recreation commission to establish a salt water state park in Thurston county.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**House Bill No. 556**, by Representatives Backstrom, Taylor and Chatalas:  
Relating to inheritance tax.

Referred to Committee on Ways and Means.

**Engrossed Substitute House Bill No. 576**, by Committee on Ways and Means—Subcommittee on Revenue and Taxation:

Modifying and extending certain excise taxes.

Referred to Committee on Ways and Means.

**Engrossed House Bill No. 603**, by Representatives Litchman, Jr., Andersen (James A.), and Chatalas:

An Act relating to justices of the peace and police judges in certain cities;

amending section 4, chapter 156, Laws of 1951 and RCW 3.16.004; and adding a new section to chapter 156, Laws of 1951 and to chapter 3.16 RCW.

Referred to Judiciary Committee.

**Engrossed House Bill No. 638**, by Representatives Klein, Bigley and Smith:

An Act relating to state government; establishing a youth development and conservation corps to provide healthful outdoor training and employment for young men of Washington state; and to provide for the care and improvement of our public properties through conservation and development of our natural resources of timber, soil, wildlife and recreation areas.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Engrossed House Bill No. 645**, by Representatives Wedekind and Bernethy:

An Act relating to insurance; and amending section .24.06, chapter 79, Laws of 1947, as last amended by section 20, chapter 303, Laws of 1955, and RCW 48.24.060.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 693**, by Representatives Brink, Wedekind and King (by Executive request):

Creating a committee to study salaries and establishing salaries for appointive state officials.

Referred to Committee on Ways and Means.

**Engrossed House Joint Resolution No. 31**, by Representatives Williams and Brouillet:

Permitting legislative redistricting by commission action.

Referred to Committee on Constitution, Elections and Legislative Processes.

**House Concurrent Resolution No. 13**, by Representatives Marsh, Witherbee and Huntley:

Providing for special subcommittee on unemployment compensation within legislative council.

Referred to Committee on Social Security.

**House Concurrent Resolution No. 14**, by Representatives Backstrom, Bigley and Brink:

Requesting legislative council to study insurance field.

Referred to Committee on Insurance.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 248**, by Representatives Johnston, Schaefer and Marsh:

Relating to judges' retirement system.

Senate Chamber,  
Olympia, Wash., February 25, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 248, relating to judges' retirement system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 11 after "for" strike "a minimum of four consecutive" and insert "an aggregate of twelve"

In section 1, page 1, line 12, after "eligible" strike "for a retirement pension based upon the fraction his years of service bears to eighteen, and shall receive the same at

the time and in proportion to the pension provided for such judges under the provisions of chapter 2.12 RCW" and insert "to a partial retirement pension in a percentage of the pension provided in chapter 2.12 RCW as determined by the proportion his years of judicial service bears to eighteen and shall receive the same upon attainment of age seventy, or eighteen years after the commencement of such judicial service, whichever shall occur first"

In section 3, page 2, line 3, after "chapter" insert "other than as provided in section 1 hereof"

In section 3, page 2, line 8 after "term" strike ", or at the end of his last year if his pension rights are based upon the provisions of section 1 of this amendatory act"

In section 3, page 2, line 25 of the engrossed bill, same being line 26 of the printed bill, after "served" strike "a minimum of four consecutive" and insert "an aggregate of twelve"

On page 2 following section 3 add a new section to read as follows:

**NEW SECTION.** Sec. 4. Payments to any retired judge as provided for in chapter 2.12 RCW shall be reduced by any amount received under social security.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Frank W. Foley, F. Stuart Foster, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

Senator Petrich moved that the committee amendments be adopted.

Senator Rasmussen moved that the following amendment to the sixth committee amendment be adopted:

In section 4, strike the period at the end of the committee amendment and add: "Or any other pension or grant."

Senator Greive moved that the amendment by Senator Rasmussen to the sixth committee amendment be laid on the table.

The motion carried and the amendment to the amendment was laid on the table.

The President stated the question before the Senate to be the adoption of the committee amendments.

The motion carried and the committee amendments were adopted.

Senator Rasmussen moved that the following amendment be adopted:

In section 2, page, 1, line 16, strike section 2 and renumber.

On motion of Senator Woodall, the amendment by Senator Rasmussen was laid on the table.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At this particular time, the President should like to remark once again the very noticeable family day we have here today. The President takes great pride in introducing the splendid parents of the noted Senator from Kelso, Senator Don L. Talley. Would the parents of Senator Talley please stand in order that the President might welcome you to Olympia.

"Also present in this particular group is an old friend of the President, Mr. Darold Talley, brother of Senator Talley, and his lovely wife and family. Would this group also please stand in order to be recognized properly. The President was closely associated with Darold at the University of Washington when Darold was a member of his football team. He is a graduate of the University of Washington, and what is more important than all, a real credit to his fine brother, Senator Talley, his parents and wife.

"The President is delighted to have you visit us today."

(Applause.)

The President:

"The President takes great pride in presenting, at the request of Senator Wilbur J. Hallauer, the lovely wife and daughters of Senator Hallauer, seated in the south gallery. The President enjoys introducing people but it is especially delightful to present such a lovely family. The President is amazed at how these young ladies have grown and is hard put to imagine how they could grow so beautiful in such a short time. Would this family please stand, along with the other member of the family, Senator Hallauer. Thank you so much for being here today."

(Applause.)

Senator Rasmussen moved that the following amendment be adopted:

In section 2, page 1, add a new section: "The supreme and superior court judges shall prepare in conjunction with the state retirement board a plan for bringing the judges' retirement system into the state retirement system. This plan shall be presented to the 1963 session of the legislature for their approval."

#### POINT OF ORDER

Senator Woodall:

"I rise to speak on the grounds that this amendment changes both the scope and object of this bill. It clearly is out of order and should be set aside."

Debate ensued.

#### POINT OF ORDER

Senator Woodall:

"Mr. President, he (Senator Rasmussen) is not speaking on the point of order."

#### RULING OF THE PRESIDENT

The President:

"Senator Rasmussen, would you please confine your remarks on the point of order as presented by Senator Woodall."

President Pro Tempore Al Henry in the Chair.

Senator Petrich:

"Speaking on the point of order. I think the point Senator Woodall raises is a good one. This bill relates to changing and modifying eligibility in the retirement system for supreme and superior court judges. What Senator Rasmussen proposes in this amendment is a study for an entirely different type of system. I think it is entirely beyond the scope of the bill."

Senator Rasmussen withdrew his amendment to Sec. 2, with the permission of the Senate.

On motion of Senator Rasmussen the following amendment was adopted:

In section 3, page 2, line 12 of the engrossed bill, same being line 13 of the printed bill after "death," insert "*if she had been married to him for three years,*"

Senator Rasmussen moved that the following amendment be adopted:

After section 3 on page 2 of the engrossed bill being section 3, page 2, of the printed bill add a new section reading as follows:

Sec. 4. Section 6, chapter 229, Laws of 1937, as last amended by section 2, chapter 243, Laws of 1957 and RCW 2.12.060 are each amended to read as follows:

For the purpose of providing moneys in said judges' retirement fund, concurrent monthly deductions from judges' salaries and portions thereof payable from the state treasury and withdrawals from the general fund of the state treasury shall be made as follows: [Six] *Seven* and one-half percent shall be deducted from the monthly salary of each judge of the supreme court and [six] *seven* and one-half percent of the total salaries of each judge of the superior court shall be deducted from that portion of the salary of such judges payable from the state treasury; and a sum equal to [six] *seven* and one-half percent of the combined salaries of the judges of the supreme court and the judges of the superior court shall be withdrawn from the general fund of the state treasury. In consideration of the contributions made by the judges to the

judges' retirement fund, the state hereby undertakes to guarantee the solvency of said fund and the legislature shall make biennial appropriations from the general fund of amounts sufficient to guarantee the making of retirement payments as herein provided for if the money in the judges' retirement fund shall become insufficient for that purpose, but such biennial appropriation may be conditioned that sums appropriated may not be expended unless the money in the judges' retirement fund shall become insufficient to meet the retirement payments. The deductions and withdrawals herein directed shall be made on or before the tenth day of each month and shall be based on the salaries of the next preceding calendar month. The state auditor shall issue warrants payable to the treasurer to accomplish the deductions and withdrawals herein directed, and shall issue the monthly salary warrants of the judges for the amount of salary payable from the state treasury after such deductions have been made. The treasurer shall cash the warrants made payable to him hereunder and place the proceeds thereof in the judges' retirement fund for disbursement as authorized in this chapter.

Debate ensued.

Senator Greive moved that the amendment by Senator Rasmussen be laid on the table, and the motion carried.

Senator Rasmussen moved that the following amendment be adopted:

In section 3, page 2, lines 16, 17, 18 and 19, after the word "unmarried" insert the deleted material on lines 16, 17, 18 and 19.

President Cherberg in the Chair.

Senator Petrich moved that the amendment by Senator Rasmussen be laid on the table, and the motion carried.

Senator Petrich moved that the rules be suspended, Engrossed House Bill No. 248, as amended by the Senate, be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Debate ensued.

Senator Greive demanded the previous question, and the demand was sustained by Senators Woodall and Bailey.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 248, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 18; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Durkan, Foley, Foster, Freise, Gallagher, Greive, Happy, Henry, Herrmann, Hofmeister, Kupka, McCormack, McCutcheon, Neill, Papajani, Petrich, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—29.

Those voting nay were: Senators Bailey, Donohue, Dore, Elway, Jr., Gissberg, Hallauer, Hanna, Hess, Keefe, Knoblauch, Lennart, McMillan, Moriarty, Jr., Nunamaker, Rasmussen, Raugust, Riley, Shannon—18.

Those absent or not voting were: Senators Martin, Morgan—2.

Engrossed House Bill No. 248, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Lennart:

"I was going to speak on this bill, but after listening, and I found out that the judges were worse off now than they were before, I thought it was a pretty good thing."

**Senate Bill No. 456**, by Senators Gallagher, Bargreen and Knoblauch:  
Relating to Century 21.

On motion of Senator Greive, the Senate resolved itself into a Committee of the Whole, Senator Henry in the Chair, for the purpose of considering Senate Bill No. 456.

#### COMMITTEE OF THE WHOLE

Senate Bill No. 456 was considered in the Committee of the Whole and reported back to the Senate, President Cherberg presiding, with the recommendation that it do pass.

On motion of Senator Greive, the report of the committee was adopted.

On motion of Senator Greive, the reading had in the Committee of the Whole was considered the second reading of Senate Bill No. 456.

Senator McCutcheon moved that the following amendment be adopted:

In section 13, page 6, line 16, strike new section 13 and renumber succeeding sections.

Debate ensued.

#### QUESTION OF CONSIDERATION

Senator Greive:

"I raise the question of consideration regarding Senator McCutcheon's amendment, and refer the members to Reed's Rule No. 91, and Senate Rule No. 51."

#### RULING OF THE PRESIDENT

The President:

"Senator Greive, the President feels that once consideration has been stated, your point of consideration is not in order."

#### POINT OF ORDER

Senator Rasmussen:

"I think a point of consideration is entirely out of order in the Committee of the Whole."

The motion lost and the amendment was not adopted.

Senator McCutcheon moved that the following amendment be adopted:

In section 13, page 6, line 21, strike "three" and insert "one and one-half"

Extensive debate ensued.

The President stated the question before the Senate to be the adoption of the amendment by Senator McCutcheon.

The motion lost and the amendment was not adopted.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 456 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 456, and the bill passed the Senate by the following vote: Yeas, 37; nays, 9; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Moriarty, Jr., Neill, Nuna-maker, Papajani, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—37.

Those voting nay were: Senators Chytil, Donohue, Foley, Gissberg, McCutcheon, Petrich, Rasmussen, Raugust, Sandison—9.

Those absent or not voting were: Senators Foster, Henry, Morgan—3.

Senate Bill No. 456, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 75**, by Representatives Flanagan and Clark:

Relating to irrigation district elections.

The bill was read the second time by sections.

On motion of Senator Woodall, the rules were suspended, Engrossed House Bill No. 75 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 75, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Hallauer, Lennart, Morgan—3.

Engrossed House Bill No. 75, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, the Senate recessed at 6:10 o'clock p. m. until 8:10 o'clock p. m.

### EVENING SESSION

The President called the Senate to order at 8:10 o'clock p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Morgan and Papajani.

#### SECOND READING OF BILLS

**House Bill No. 371**, by Representatives Mardesich, Gorton and Uhlman: Relating to financing of capital construction, etc. for higher education. The bill was read the second time by sections.

On motion of Senator Ryder, the rules were suspended, House Bill No. 371 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 371, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Greive, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch,

Kupka, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators DeGarmo, Elway, Jr., Gissberg, Hallauer, Hanna, Lennart, McMillan, Morgan, Papajani, Rasmussen, Riley, Talley—12.

House Bill No. 371, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 24**, by Representatives Schaefer, Klein and Wintler:

Permitting sheriff to sell personal property in his possession.

Senate Chamber,

Olympia, Wash., February 28, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 24, permitting sheriff to sell personal property in his possession, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In new section 1, page 1, line 4, after "property" and before "shall" insert ", other than vehicles governed by 46.52 RCW,"

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Nat Washington.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendment was adopted.

On motion of Senator Petrich, the rules were suspended, House Bill No. 24, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 24, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Greive, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—40.

Those absent or not voting were: Senators Elway, Jr., Gissberg, Hallauer, Hanna, Hofmeister, McMillan, Morgan, Papajani, Thompson, Jr.—9.

House Bill No. 24, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 110**, by Representatives Garrett, Evans and Schaefer (by Departmental request):

Excepting from endowment care cemetery fund deposits of cemeteries less than ten acres.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Engrossed House Bill No. 110 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 110, and the bill passed the Senate by the following vote: Yeas, 40; nays, 3; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—40.

Those voting nay were: Senators McMillan, Rasmussen, Woodall—3.

Those absent or not voting were: Senators DeGarmo, Hallauer, Hanna, Hofmeister, Morgan, Papajani—6.

Engrossed House Bill No. 110, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 173**, by Representatives Olsen, Smith and Gorton:

Permitting rental of state armory in cities over 300,000 population during 1964.

Senate Chamber,  
Olympia, Wash., February 9, 1961.

MR. PRESIDENT:

We, your Committee on State Government, Military Affairs and Civil Defense, to whom was referred House Bill No. 173, permitting rental of state armory in cities over 300,000 population during 1964, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In new section 1, line 8, after "months" strike all of the material down to and including "under" on line 10, and insert the following: ". The fee to be determined by the current schedule of rental charges based on predetermined operating costs in compliance with"

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

The bill was read the second time by sections.

Senator Rasmussen moved that the committee amendment be adopted.

#### POINT OF INQUIRY

Senator Petrich:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Petrich:

"Senator Rasmussen, isn't it true that the RCW section that you are referring to is simply the revision regarding payment of the stipulated rent?"

Senator Rasmussen:

"It has nothing to do with fixing amounts. It simply provides that a certain fraction of the rent charged should be paid in advance."

Senator Petrich:

"With your amendment how are you going to determine what the daily rent will be?"

Senator Rasmussen:

"The main reason for the bill is to assure that the armory will be available. The Adjutant General and, presumably the Governor, will sit down and determine the rent in the conference."

Senator Petrich:

"If the section only provides for the means whereby the rent should be paid in advance, but does not provide what the amount will be, then it seems to me that there is no basis for what the rent will be."

Senator Rasmussen:

"They do have rentals going on all the time. In fact the figures were brought up before the committee. The armory is pretty consistent about rentals for all groups, and it would be in line with figures established."

#### POINT OF INQUIRY

Senator Dore:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Dore:

"Who suggested this amendment?"

Senator Rasmussen:

"When the bill arrived in our committee, we were contacted by the Adjutant General of the National Guard, and they thought it was too far in the future to determine what the operating costs would be at that time."

#### POINT OF INQUIRY

Senator Herrmann:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Herrmann:

"This amendment is very confusing to me, the way it is worded. Now, if I were a renter and you were renting it to me, how would you determine a definite dollar and cents rental fee? How would you arrive at a definite figure?"

Senator Rasmussen:

"I wanted to show you how we might be able to get past this bill and put it further down on the calendar. The only point I want to make is if the state wants to subsidize by this amount, we might make this decision."

Debate ensued.

The President stated the question before the Senate to be the adoption of the committee amendment.

The motion carried and the committee amendment was adopted.

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 173, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 173, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 35; nays, 0; absent or not voting, 14.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Happy, Herrmann, Hess, Keefe, Knoblauch, Kupka, Mc-

Cutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—35.

Those absent or not voting were: Senators DeGarmo, Durkan, Foley, Hallauer, Hanna, Henry, Hofmeister, Lennart, McCormack, McMillan, Morgan, Papajani, Talley, Woodall—14.

House Bill No. 173, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 354**, by Representatives Moos and Goldmark:

Modifying law relating to registering of brands.

The bill was read the second time by sections.

On motion of Senator Donohue, the rules were suspended, House Bill No. 354 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 354, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—41.

Those absent or not voting were: Senators DeGarmo, Foley, Hallauer, Hanna, Henry, Morgan, Talley, Woodall—8.

House Bill No. 354, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Substitute House Bill No. 198**, by Committee on Highways:

Relating to outdoor advertising along highways.

On motion of Senator Washington, Substitute House Bill No. 198 was made a Special Order of Business at 11:00 o'clock a. m. on Monday, March 6, 1961.

On motion of Senator Talley the Senate decided to consider Engrossed House Bill No. 195 immediately on second reading.

**Engrossed House Bill No. 195**, by Representatives Gleason, Swayze and McCormick:

Regulating the manufacture, sale and use of fireworks.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Engrossed House Bill No. 195, regulating the manufacture, sale and use of fireworks, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 18, strike all of new section 92, and renumber the subsequent section.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytl, John L. Cooney, Victor F. DeGarmo, Dewey C. Donohue, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, John Papajani, John A. Petrich, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr., Perry B. Woodall.

The bill was read the second time by sections.

#### PARLIAMENTARY INQUIRY

Senator Thompson:

"According to a notation on my calendar, we had set that bill over until tomorrow at the beginning of the second reading calendar."

The President:

"That is correct, Senator Thompson."

Senator Talley:

"I have been able to get in touch with the parties and received the information I needed, and I will let it go as it is."

On motion of Senator Riley, the committee amendment was adopted.

#### POINT OF INQUIRY

Senator Hess:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"Yes, I will yield."

Senator Hess:

"On page 9, line 18 of the bill, I find it difficult to understand why the license fee is changed so drastically for the wholesaler. I wonder if we might not be eliminating competition by the price of the license fee."

Senator Kupka:

"In answer, I might state that this bill is a model of the one used in California pertaining to fireworks. This bill is a regulation of the sale of fireworks. It was the industry who had agreed to this figure. I have a statement here from them and you must set up a proper vehicle if you are going to have enforcement of it."

Senator Hess:

"How many wholesalers are there now?"

Senator Kupka:

"I know of three in this state, and I am personally not too concerned about out-of-state wholesalers."

Senator Hess:

"Do you assume that three would be all of the wholesalers if we pass this bill?"

Senator Kupka:

"No, and I don't think the \$1,000 fee is too much. I think they ought to pay their freight."

Senator Hess:

"If this bill permits the wholesale selling of fireworks, would it still be worth the \$1,000 fee? I am talking about the explosive fireworks."

Senator Kupka:

"This bill eliminates the explosive fireworks."

Senator Freise moved that the following amendment be adopted:

In section 46, page 9, line 22, strike "January 1, 1962" and insert "April 1, 1963"

Debate ensued.

On motion of Senator Greive, the amendment by Senator Freise was laid on the table.

Senator Thompson moved that the following amendment be adopted:  
In section 45, page 9, line 17, strike \$100.00 and insert \$500.00

Senator Greive moved that the amendment by Senator Thompson be laid on the table.

A division was requested and the motion carried on a rising vote and the amendment by Senator Thompson was laid on the table.

Senator Hess moved that the following amendment be adopted:

In section 45, page 9, line 18, strike the figure "\$1000" and insert "\$500"

Senator Greive moved that the amendment by Senator Hess be laid on the table.

The motion carried, and the amendment by Senator Hess was laid on the table.

Senator Riley moved that the following amendment be adopted:

In section 88, page 18, lines 14 and 15, strike lines 14 and 15 and substitute "a local public agency may fix the permit fee for any one year"

On motion of Senator Greive, the amendment by Senator Riley was laid on the table.

Senator Kupka moved that the following amendment to the title of the bill be adopted:

In line 1 of the title of the engrossed and printed bill, after "penalties;" strike "making an appropriation;"

The motion carried and the amendment to the title was adopted.

Senator Hess:

"I would like the record to show that this was done by unanimous consent of the Senate."

#### RULING OF THE PRESIDENT

The President stated the amendment would be considered adopted.

On motion of Senator Kupka, the rules were suspended, Engrossed House Bill No. 195, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 195, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—41.

Those voting nay were: Senators Bargreen, Durkan, Sandison, Talley—4.

Those absent or not voting were: Senators Gissberg, Hallauer, Morgan, Washington—4.

Engrossed House Bill No. 195, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 78**, by Representatives Epton, Copeland and Litchman, Jr. (by Legislative Council request):

Redetermining minimum sentences of imprisoned persons and parolees, in certain instances.

The bill was read the second time by sections.

On motion of Senator Freise the following amendment was adopted:

In section 2, page 3, line 13, after "himself," and before "and" insert "and may be represented by an attorney"

On motion of Senator Freise, the rules were suspended, Engrossed House Bill No. 78, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 78, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Woodall—41.

Those absent or not voting were: Senators Foley, Foster, Hallauer, Martin, Morgan, Shannon, Thompson, Jr., Washington—8.

Engrossed House Bill No. 78, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 687**, by Representatives Olsen, Testu and Wedekind (by Executive request):

Relating to Century 21.

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, House Bill No. 687 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 687, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Foster, Hanna, McCutcheon, Morgan, Papajani, Shannon—6.

House Bill No. 687, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 15**, by Representatives Smith, O'Donnell and Litchman, Jr.:

Relating to discrimination as to race, color, national origin or ancestry

in the disposition of human remains and denying tax exemptions to cemeteries where practiced.

The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, House Bill No. 15 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 15, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senator McMillan—1.

Those absent or not voting were: Senators Foster, McCutcheon, Morgan, Papajani, Shannon—5.

House Bill No. 15, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 161**, by Representatives Beierlein, McDougall and Bernethy:

Requiring surrender of out-of-state vehicle operators' licenses upon application for Washington license.

Senate Chamber,  
Olympia, Wash., February 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 161, requiring surrender of out-of-state vehicle operators' license upon application for Washington license, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Add two new sections following section 1 to read as follows:

**NEW SECTION. Sec. 2.** There is added to chapter 12, Laws of 1961, and chapter 46.20 RCW a new section to read as follows:

Any resident or nonresident whose operator's license or right or privilege to operate a motor vehicle in this state has been suspended or revoked as provided in this act shall not operate a motor vehicle in this state under a license, permit or registration certificate issued by any other jurisdiction or otherwise during such suspension or after such revocation until a new license is obtained when and as permitted under this chapter.

**NEW SECTION. Sec. 3.** There is added to chapter 12, Laws of 1961, and chapter 46.20 RCW a new section to read as follows:

Whenever application is received from a person previously licensed in another jurisdiction, the director shall request copy of operator's record from such other jurisdiction. When received the operator's record shall become a part of the operator's record in this state with the same force and effect as though entered on the operator's record in this state in the original instance.

Whenever the director receives request for an operator's record from another licensing jurisdiction the record shall be forwarded without charge.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
....., *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Wilbur G. Hallauer, Louis E.

Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, William D. Shannon, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

Senator Herrmann moved that House Bill No. 161 be referred to Judiciary Committee for further study.

Senator Greive moved that the motion by Senator Herrmann be laid on the table.

The motion carried, and the motion was laid on the table.

On motion of Senator Washington, the rules were suspended and the title of House Bill No. 161 was amended by adding the words "two new sections".

Senator Washington moved that the rules be suspended, House Bill No. 161, as amended by the Senate, be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Debate ensued.

#### POINT OF ORDER

Senator Dore:

"Mr. President, I rise to a point of order."

The President:

"State your point of order, Senator Dore."

Senator Dore:

"After the fiftieth day, I understand no member can speak more than once on a bill. I haven't spoken and Senator Washington has already spoken twice."

The President stated the question before the Senate to be the motion to advance House Bill No. 161, as amended by the Senate, to third reading, the second reading be considered the third, and the bill be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of House Bill No. 161, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 20; nays, 23; absent or not voting, 6.

Those voting yea were: Senators Bailey, Connor, DeGarmo, Donohue, Elway, Jr., Freise, Gissberg, Hofmeister, Knoblauch, McCormack, Martin, Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Sandison, Talley, Thompson, Jr.—20.

Those voting nay were: Senators Angevine, Chytil, Cooney, Cowen, Dore, Durkan, Foley, Foster, Gallagher, Greive, Hallauer, Hanna, Happy, Herrmann, Keefe, Kupka, Lennart, McCutcheon, Moriarty, Jr., Petrich, Ryder, Washington, Woodall—23.

Those absent or not voting were: Senators Bargreen, Henry, Hess, McMillan, Morgan, Shannon—6.

House Bill No. 161, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

#### NOTICE FOR RECONSIDERATION

Having voted on the prevailing side, Senator Washington gave notice of reconsideration of the vote by which House Bill No. 161, as amended by the Senate, failed to pass the Senate.

Senator Greive moved that the Senate do immediately reconsider the vote by which House Bill No. 161, as amended by the Senate, failed to pass.

On motion of Senator Washington, the rules were suspended, and the Senate immediately reconsidered the vote by which House Bill No. 161, as amended by the Senate, failed to pass.

#### MOTIONS

On motion of Senator Washington, House Bill No. 161, as amended by the Senate, was returned to second reading for the purpose of an amendment.

On motion of Senator Woodall, further consideration of House Bill No. 161, as amended by the Senate, was made a special order of business at 10:45 o'clock p. m.

On motion of Senator Bailey, Senators Hess and McMillan were excused. On motion of Senator Greive, Senator Morgan was excused.

**House Bill No. 661**, by Representatives Kink, Mardesich and Bergh:

Requiring personal presence of applicant for commercial or personal fishing license if applicant's home state has such requirement.

The bill was read the second time by sections.

On motion of Senator Papajani, the rules were suspended, House Bill No. 661 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 661, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Durkan, Hallauer, Hess, McMillan, Morgan—5.

House Bill No. 661, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 97**, by Representatives Bernethy, King and Wedekind (by Legislative Council request):

Expanding industrial insurance coverage to lunch hours in certain cases.

Senate Chamber,  
Olympia, Wash., February 20, 1961.

#### MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred House Bill No. 97, expanding industrial insurance coverage to lunch hours in certain cases, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 2 add a new section following section 2 as follows:

**NEW SECTION.** Sec. 3. Chapter 23, Laws of 1961 and chapter 51.08 RCW are each amended to read as follows:

"Acting in the course of employment" means the workman acting at his employer's direction, or in furtherance of his employer's business and shall include but not be limited to time spent going to and from work on the jobsite, as defined in sections 1 and 2 of this act, insofar as such time is reasonably immediate to the actual time that the workman is engaged in the work process, and it is not necessary that at the time

an injury is sustained by a workman he be doing the work on which his compensation is based or that the event be within the time limits on which industrial insurance or medical aid premiums or assessments are paid.

In line 2 of the title, after "51.36 RCW" and before the period, add "; and amending chapter 23, Laws of 1961 and chapter 51.08 RCW" AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Louis E. Hofmeister.

The bill was read the second time by sections.

Senator Henry moved that the committee amendment be adopted.

Senators Greive, Connor and Henry demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Hess, McMillan and Morgan, who had been previously excused.

On motion of Senator Greive, the Senate proceeded with business under the Call of the Senate.

#### PARLIAMENTARY INQUIRY

Senator Riley:

"Mr. President, will you indicate now those who have already been excused?"

The President:

"Senators Hess, McMillan and Morgan have been excused, Senator Riley."

#### POINT OF INQUIRY

Senator Lennart:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Lennart:

"Did I understand you to say that you were one of the lawyers that was involved in this mess? I just heard one of the lawyers say that lawyers should stay out of the mess."

Senator Washington:

"This was one of the cases where a workman was bringing action. It was found in the past to be very difficult when a workman was injured on the job to prove that the company was at fault. In this case, he attempted to bring the action outside of the workman's compensation act."

Senator Elway moved that House Bill No. 97 be referred to the Committee on Labor and Industrial Insurance.

Senator Greive moved that the motion by Senator Elway be laid on the table.

Senator Henry demanded a roll call and the demand was sustained by Senators Bailey, Connor, Gallagher, Greive, Herrmann, Hofmeister, Kupka and Martin.

The President stated the question before the Senate to be, it has been moved that Senator Elway's motion to refer House Bill No. 97 to the Committee on Labor and Industrial Insurance be laid on the table.

The Secretary called the roll, and the motion by Senator Elway to refer House Bill No. 97 to the Committee on Labor and Industrial Insurance was

laid on the table by the following vote: Yeas, 30; nays, 16; absent and excused, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Nunamaker, Papajani, Petrich, Rasmussen, Sandison, Washington—30.

Those voting nay were: Senators Cowen, Elway, Jr., Foster, Freise, Hallauer, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Woodall—16.

Those absent and excused were: Senators Hess, McMillan, Morgan—3.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Riley:

"I would like your interpretation of what the following should be: Let's assume there is a barracks being built at Fort Lewis and a construction man is on his way to the job where the barracks are being built. He is walking and he is injured some way on the way to the barracks job. Is he on the job site?"

Senator Gissberg:

"My first reaction would be to say, 'no, he would not be on the job site if he were walking someplace between the fence and the job site.' The job site, I would assume, could consist of the area adjacent someplace near the barracks area. In that case, there would be no coverage in that act."

Senator Riley:

"Let's assume a man parked his car on the company furnished parking lot and he had to walk to the job site."

Senator Gissberg:

"No, he would not be on the job site if he were going across the street; that is a public street, and could not be assumed as part of the job. However, I want to assure you that all lawyers differ in their opinions and that is the reason that you have the Supreme Court interpreting the law to fit the facts. I cannot say here with absolute certainty in any of these examples that you gave me, or would give me hereafter, because it would be just an opinion."

Senator Greive:

"I object to this and feel that it is strictly unparliamentary."

#### RULING BY THE PRESIDENT

The President:

"Senator Riley, would you please ask in each question if Senator Gissberg would yield."

Senator Riley:

"Would Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Riley:

"Is it not true that in the original House Bill No. 97 the Legislative Council requested that those people who spoke for labor and those who spoke for management and the department, itself, were in complete agreement on the original bill as introduced in the House?"

Senator Gissberg:

"My answer to that cannot be a yes or no. I thought I had explained it very well, that there was a complete agreement after holding hearings throughout the state, for which I believe both labor and management should be complimented. The reason for the amendment is brought about by the fact that the Supreme Court overruled a substantial body of law which had been a law for some years. The ruling came out in October of 1960, and that was not time for labor to forget—and that is why we are now submitting the amendment."

Senator Woodall moved that House Bill No. 97 take its place at the beginning of the second reading calendar for tomorrow.

Senator Woodall:

"The time has arrived for a special order of business, and since Senator Gissberg's discussion of this particular matter and Senator Neill and some of the others wish to check some of these cases which may alter some of the opinions on this, perhaps we can take it up tomorrow."

The President stated the question to be, it has been moved that House Bill No. 97 be placed at the beginning of the second reading calendar for tomorrow.

Senator Greive moved that the motion by Senator Woodall be laid on the table.

Senator Greive demanded a roll call, and the demand was sustained by Senators Bailey, Connor, DeGarmo, Gallagher, Henry, Kupka and Rasmussen.

#### POINT OF ORDER

Senator Woodall:

"I call attention to the Presiding Officer that the time has arrived to consider a special order of business."

The President stated the question before the Senate to be, that the motion by Senator Woodall to place House Bill No. 97 at the beginning of the second reading calendar for tomorrow be laid on the table.

The Secretary called the roll, and the motion by Senator Woodall was laid on the table by the following vote: Yeas, 25; nays, 21; absent and excused, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hofmeister, Knoblauch, Kupka, McCormack, Martin, Nunamaker, Papajani, Petrich, Rasmussen, Washington—25.

Those voting nay were: Senators Chytil, Cowen, Donohue, Elway, Jr., Foster, Freise, Hallauer, Happy, Keefe, Lennart, McCutcheon, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—21.

Those absent and excused were: Senators Hess, McMillan, Morgan—3.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the President declared the special order of business to be consideration of House Bill No. 161 on second reading.

#### MOTION TO RECONSIDER

Senator Washington moved that the Senate do now reconsider the vote by which the amendment to new section 3 by the Committee on Highways was adopted by the Senate.

The motion carried and the Senate reconsidered the vote by which the amendment was adopted.

On motion of Senator Washington the amendment adding new section 3 was laid on the table.

On motion of Senator Washington the following amendment to the title was adopted:

In line 2 of the title after "thereof;" and before "and" insert "adding one new section to 46.20 RCW;"

On motion of Senator Washington, the rules were suspended, House Bill No. 161, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 161, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent and excused, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent and excused were: Senators Hess, McMillan, Morgan—3.

House Bill No. 161, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Greive, House Bill No. 97 was ordered to be placed at the beginning of the second reading calendar for tomorrow.

On motion of Senator McCutcheon, the Senate dispensed with the Call of the Senate.

On motion of Senator McCutcheon, he was excused.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Substitute Senate Bill No. 28; also

Senate Bill No. 63; also

Senate Bill No. 144, have compared same with the original bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### SIGNED BY THE PRESIDENT

**The President signed: Substitute Senate Bill No. 28; also  
Senate Bill No. 63; also  
Senate Bill No. 144.**

#### SECOND READING OF BILLS

**Engrossed House Bill No. 455**, by Representatives Taylor, Braun and Henry: Relating to cities and towns.

Senate Chamber,

MR. PRESIDENT:

Olympia, Wash., February 28, 1961.

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 455, relating to cities and towns, have had the

same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 8, after "act" insert ", and the provisions as contained in this act shall apply to all incorporation and annexation proceedings now pending or hereinafter initiated"

In section 3, page 1, line 22, after "thereof" insert ", except that this limitation shall not be applicable to original incorporation proceedings"

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Al Henry, George W. Kupka, Homer O. Nunamaker, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendments were adopted.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 455, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 455, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Hallauer, Hess, McCutcheon, McMillan, Morgan, Petrich—6.

Engrossed House Bill No. 455, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President introduced the Honorable William MacDonald, former all-American basketball player from the University of Washington, now residing in Burlingame. Mr. MacDonald was asked to stand and be recognized.

(Applause.)

**Engrossed House Bill No. 51**, by Representatives Brouillet, Canfield and Testu:

Relating to the use of school buses for extra-curricular school activities.

On motion of Senator Bailey, Engrossed House Bill No. 51 was ordered to retain its place on the second reading calendar for tomorrow.

**House Bill No. 247**, by Representatives Hood, Siler and Leibold (by Departmental request):

Regulating milk and milk products used for animal food.

The bill was read the second time by sections.

On motion of Senator Moriarty, the following amendment was adopted:

In section 9, page 3, line 9, after "records" strike "anywhere in the state" and insert "in the county in which the person licensed under this act resides"

On motion of Senator McCormack, the following amendment was adopted:

In section 10, page 3, line 17, after "skim milk," and before "which does not" insert "for animal food consumption,"

On motion of Senator Freise, the following amendment was adopted:

In section 15, page 4, line 26, after "misdemeanor" insert a period and strike the remainder of the section.

On motion of Senator Elway, the following amendment was adopted:

In section 17, page 5, line 2, after "1961" strike the period and insert the following: ", and shall not apply to a gift or sale of raw milk by a farmer on his own premises to a person who brings his own container and takes it away."

#### POINT OF INQUIRY

Senator Henry:

"Will Senator Donohue yield to a question?"

Senator Donohue:

"Yes, I will."

Senator Henry:

"Your statement that this was processed particularly as pet milk, is that the type that is so labeled in the stores as 'Pet Milk'?"

Senator Donohue:

"No, Senator, I don't think so!"

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Lennart yield to a question?"

Senator Lennart:

"Yes, I will."

Senator Rasmussen:

"Senator Lennart, some two years ago I had to sponsor an initiative to sponsor something colored. At that time, I was told that the farmers never colored anything. Do you think this is fair to the farmers?"

Senator Lennart:

"I think this is good legislation."

On motion of Senator Donohue, the rules were suspended, House Bill No. 247, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 247, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those voting nay were: Senators Gallagher, Moriarty, Jr.—2.

Those absent or not voting were: Senators Gissberg, Hess, McCutcheon, McMillan, Morgan, Raugust—6.

House Bill No. 247, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 339**, by Representatives Klein and Burns:

Relating to selection to jurors.

The bill was read the second time by sections.

On motion of Senator Petrich, the following amendment was adopted:

In section 1, page 2, line 27, after "in the" strike "prepartaion" and insert "preparation"

On motion of Senator Petrich, the rules were suspended, House Bill No. 339, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 339, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Gissberg, Happy, Hess, McCutcheon, McMillan, Morgan, Talley—7.

House Bill No. 339, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**PRESIDENT'S PRIVILEGE****The President:**

"At the request of that distinguished Senator from the forty-fourth district—that man of honor—the Honorable John Papajani, the President should like to introduce from the gallery, two lovely young ladies, Shelies Dunn and Marjorie Phillips. These young ladies are visiting today as legislative consultants. Would you please stand in order that the members may properly recognize you, along with Senator Papajani, of course."

(Applause.)

**MOTION**

At 11:30 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Monday, March 6, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**FIFTY-SEVENTH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Monday, March 6, 1961.

The Senate was called to order at 11:15 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Gary Gilbert, Color Bearer, and Nancy Christiansen, presented the Colors.

Reverend Henry Rahn, Pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Strong Son of God, immortal Love, Whom we that have not seen Thy face by faith and faith alone embrace, believing where we cannot see.

"Thou seemest human and divine, the highest holiest manhood, Thou. Our wills are ours, we know not how; our wills are ours, to make them Thine.

"It is in this attitude that we would continue through this day, exerting human effort in Divine purpose in the giving of ourselves in the service of others.

"Grant now to these leaders in state government courage greater than the obstacles in the way, strength greater than the tasks of the day and a wisdom that transcends knowledge.

"This we humbly pray, in our Master's Name. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

Senators Greive, Henry and Hess demanded a Call of the Senate. The demand was sustained.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber, cleared the lobby, drew the drapes, and locked the elevators.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded with business under the Call of the Senate.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Concurrent Resolution No. 10**, by Committee on Rules and Joint Rules:

Relating to final date for consideration of bills by thirty-seventh legislature.

On motion of Senator Greive, the rules were suspended, Senate Joint Resolution No. 10 was advanced to second reading, and read the second time in full.

**POINT OF INQUIRY**

Senator Woodall:

"I don't think I heard correctly. Did you say after 12:00 o'clock noon on the sixtieth day they would not consider any more bills?"

Senator Hallauer:

"That is true. This time by making the cut-off on the sixtieth day, rather than the fifty-eighth day, we will be able to get about twenty more bills through.

The President:

"Senator Hallauer, with permission of the members of the Senate, the President wishes to advise that the continuity of the Senate will be in a true spirit of cooperation with the Committee on Ways and Means."

On motion of Senator Greive, the rules were suspended, Senate Joint Resolution No. 10 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

On motion of Senator Greive, Senate Concurrent Resolution No. 10 was ordered immediately transmitted to the House.

**PRESIDENT'S PRIVILEGE**

At the request of Senator McCutcheon, the President introduced a group of twenty-two students, along with their teacher, Mrs. Larsen, and Principal, Mr. Andersen, from the Andrew Christenson School in Tacoma. This group, along with Mrs. Hugh Rosellini, who escorted the group through the Capitol, was asked to stand and be properly recognized. Senator McCutcheon was also asked to stand.

(Applause.)

At the request of Senator Knoblauch, the President introduced a group of thirty-nine students from the All Saints School in Puyallup. With this group were Sister Mary Elizabeth, and Father Duggan. Senator Knoblauch was asked to stand along with this group and be recognized.

(Applause.)

At the request of Senator Joe Chytil, the President introduced a group of Onalaska High School Students of U. S. History and World Problems Class accompanied by Mr. Sinclair and Mr. Kearney. This group was asked to stand along with Senator Chytil.

(Applause.)

At the request of Senator Moriarty, the President introduced eighty-two seniors of Queen Anne High School in Seattle, under the direction of Mr. Mickelsen, Mr. Pyles and Mrs. Sperry. The President remarked of the memories this brought back to him personally in his own association as a student, teacher and athletic coach of Queen Anne High School and it was with a great deal of warmth and pride that he asked this group to stand, along with Senator Moriarty.

(Applause.)

**PERSONAL PRIVILEGE**

Senator Thompson:

"Mr. President, you will find on your desks today, a different capsule of vitamins. I want to assure you that these are an excellent type of vitamins. They are all pretty much the same in content. At the dosage of one a day, there are enough to last for the regular session, and I do hope you will treat our bills kindly."

**SPECIAL ORDER OF BUSINESS**

The time having arrived, the President stated the special order of business to be Substitute House Bill No. 198 on second reading.

**Substitute House Bill No. 198**, by Committee on Highways:

Relating to outdoor advertising along highways.

The bill was read the second time by sections.

Senator Foster moved that the following amendment be adopted:

In section 2, subsection (6), page 2, line 9, strike the period after "way" and insert "; the entire width of which is acquired subsequent to July 1, 1956; and not within an area zoned for commercial or industrial use within the boundary of an incorporated city or town on September 21, 1959, or within an area zoned for commercial or industrial use by a county on September 21, 1959."

President Pro Tempore Al Henry in the Chair.

**POINT OF INQUIRY**

Senator Raugust:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Raugust:

"The first is that you pointed out in the green section, the scenic section, but you will have to admit that you have to be off so many miles, and you can put up only so many signs. This did not allow many signs. Is that correct?"

Senator Hess:

"Within two miles of any intersection outside of cities or towns there would be no signs."

Senator Raugust:

"Then there would be a distance of four miles where you could put no signs, because it would be two miles each way."

**POINT OF INQUIRY**

Senator Bargreen:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Bargreen:

"I do not find in the bill, relating to a question related to signs which advertise facilities for tourists, signs for restaurants and motels, and the places that are along the highway. I understand from the sponsors that there should be a sign for the motel drawing attention to the general public. There should be one in each direction, but I do not find that in the bill. Can you refer to a section where this is allowed to direct tourists so they will know where they can stop?"

Senator Hess:

"This act does not specify what should be the responsibility of the highway department to prepare this consistent with the federal act. You will find in the federal act that the State Highway Department may direct official placing of signs. The highway department will have signs saying there are facilities ahead, gas stations, etc. In addition to that there may be billboards every mile along the highway. In addition to that, there may be a limit on on-site signs. Wherever there is a motel, etc., there may be on-site signs.

"Then, for instance, as we approach a small or any size community, and we are traveling across the state, when a city wants to place a sign indicating that some city is ahead, they can do so and say what is available in the city. Then when the traveling public takes a turn off, then on that side-road there may be any number of separate signs advertising."

## POINT OF INQUIRY

Senator Greive:

"Will Senator Foster yield to a question?"

Senator Foster:

"Yes, I will."

Senator Greive:

"I would like to know how your amendment would affect the problem of the frequency of signs."

Senator Foster:

"I don't believe that this is going to affect frequency except on places where the right of way was acquired prior to the passage of the federal act."

Debate ensued.

Senator Gissberg moved that the amendment by Senator Foster be laid on the table.

Senator Hess demanded a roll call and the demand was sustained by Senators Connor, Donohue, Dore, Gissberg, Greive, Hanna, McCormack, Papajani and Washington.

The Secretary called the roll, and the amendment by Senator Foster was laid on the table by the following vote: Yeas, 25; nays, 24; absent or not voting, 0.

Those voting yea were: Senators Angevinc, Chytil, Cowen, Donohue, Dore, Freise, Gissberg, Hallauer, Hess, Keefe, Knoblauch, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Ryder, Shannon, Washington, Woodall—25.

Those voting nay were: Senators Bailey, Bargreen, Connor, Cooney, DeGarmo, Durkan, Elway, Jr., Foley, Foster, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Kupka, Lennart, Moriarty, Jr., Raugust, Riley, Sandison, Talley, Thompson, Jr.—24.

Senator Bargreen moved that the following amendment be adopted:

On page 7, add a new section 19 reading as follows: "This act will allow two attractive signs not larger than six feet high and fifteen feet in length for restaurant, hotel and motel facilities, in each direction of the highway."

President Cherberg in the Chair.

Senator Gissberg moved that the amendment by Senator Bargreen be laid on the table.

Senator Greive demanded a roll call, and the demand was sustained by Senators Bailey, Bargreen, Connor, Dore, Durkan, Hallauer, Herrmann, Hess and Morgan.

The President stated the question before the Senate to be that the amendment by Senator Bargreen be laid on the table.

The Secretary called the roll, and the amendment by Senator Bargreen was laid on the table by the following vote: Yeas, 26; nays, 23; absent or not voting, 0.

Those voting yea were: Senators Angevine, Chytil, Cowen, DeGarmo, Donohue, Dore, Foley, Freise, Gissberg, Hallauer, Hess, Hofmeister, Keefe, Knoblauch, McCormack, McCutcheon, McMillan, Morgan, Neill, Papajani, Petrich, Rasmussen, Ryder, Shannon, Washington, Woodall—26.

Those voting nay were: Senators Bailey, Bargreen, Connor, Cooney, Durkan, Elway, Jr., Foster, Gallagher, Greive, Hanna, Happy, Henry, Herr-

mann, Kupka, Lennart, Martin, Moriarty, Jr., Nunamaker, Raugust, Riley, Sandison, Talley, Thompson, Jr.—23.

Senator Washington moved that the rules be suspended, Substitute House Bill No. 198 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Kupka:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Kupka:

"If we pass this bill, would it mean that I can't put a 'no hunting' sign on my property?"

Senator Hess:

"There is no relation to that type of sign: 'for sale' signs, etc. are entirely different from this. This deals directly with advertising."

#### POINT OF INQUIRY

Senator Nunamaker:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Nunamaker:

"If I understand this bill right, it gives the highway commission the authority to regulate these outdoor signs."

Senator Washington:

"Certainly, Senator Nunamaker, it does within the framework of this particular bill, and also the attempt to secure the funds that are made available by the federal government on the Federal Interstate Commission, so that it will come within the provisions of the federal act in order that we will be able to secure the money allocated by Congress."

#### POINT OF INQUIRY

Senator Lennart:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Lennart:

"I am not as closely acquainted with the bill as you are, but does this bill guarantee due process of law to the owners who would be affected?"

Senator Washington:

"If it doesn't, and it is my opinion that it does, then I have always felt that it is the province of the court to determine whether something is constitutional or unconstitutional. The Legislature has passed many bills that the courts have held constitutional, and many bills have been passed that the courts have declared unconstitutional. When the press asks me about unconstitutionality, I refuse to accept the responsibility, because we can't function as attorneys while we are here. But if your worst fears are realized, what we do here will be of no affect. Personally, it is my opinion that it does not affect the constitutionality of the bill, but if it should be unconstitutional, then the courts shall so rule. But you still have the final determination

of the courts, and I feel that you can vote for this feeling that the courts will react according to due process of the law."

Senator Happy:

"Someone said that the bill would not become effective for three years or for a period of time necessary to decide whether all these angles can be worked out."

Senator Hess:

"The act would go into effect in normal course; however, the negative aspects of taking signs down would not take place for three years. In the meantime there would be a state study and if they determine the act is not workable in some instances, they can come back and enact new legislation; however, the act would prevent new signs from being erected. It seems to me that we would almost have a trial period for the next three years, and if it does not work out satisfactorily, we can change it."

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"Yes, I will."

Senator Woodall:

"I don't know, now, would this encroach on the rights of Indians to make smoke signals?"

Senator Kupka:

"No, because that isn't put on billboards, you see. Indians, like some city people, do blow a lot of smoke, but in tepees, and that would not violate the laws."

The President stated the question before the Senate to be that Substitute House Bill No. 198 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Substitute House Bill No. 198, and the bill passed the Senate by the following vote: Yeas, 41; nays, 8; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those voting nay were: Senators Bailey, Connor, Cooney, Elway, Jr., Foster, Herrmann, Raugust, Sandison—8.

Substitute House Bill No. 198, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Woodall, Senators Freise and Gissberg were excused from under the Call of the Senate for ten minutes.

#### POINT OF INQUIRY

Senator Papajani:

"Mr. President, I thought we were under the Call of the Senate.

"I would like to know what Senator Cowen is doing in the gallery with my constituents?"

The President:

"You are correct, Senator Papajani.

"Will the Sergeant-at-Arms please escort Senator Cowen to the Senate Chamber."

**MOTION**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Hess, the President introduced a group of fifty students, their teacher Mr. Walter Edmiston, and six adults from the Puget Sound Junior High School from the Thirty-first District.

The group was asked to stand together with Senator Hess in order to be recognized by the members of the Senate.

(Applause.)

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

**Gubernatorial Appointment:**

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred the Governors' appointment of Herbert S. Little, Seattle, to the Board of Regents of the University of Washington, appointed March 2, 1960, effective March 2, 1960, for the term ending the second Monday in March, 1965, succeeding Thomas Balmer, deceased, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

GORDON SANDISON, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank W. Foley, John H. Happy, Mike McCormack, Frances Haddon Morgan, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Referred to Committee on Rules and Joint Rules.

**Gubernatorial Appointment:**

Senate Chamber,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred the Governor's appointment of Harry E. Morgan, of Ocean Park, to the State Highway Commission for the term ending July 1, 1965, succeeding himself, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman,*  
AL HENRY, *Vice-Chairman,*  
FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, Don L. Talley.

Referred to Committee on Rules and Joint Rules.

**Gubernatorial Appointment:**

Senate Chamber,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred the Governor's appointment of George D. Zahn, of Methow, to the State Highway Commission, for

the term ending July 1, 1966, succeeding Oscar E. Stone, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, Don L. Talley.

Referred to Committee on Rules and Joint Rules.

**Senate Bill No. 482:**

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 482, making appropriations and reappropriations for operation of highway commission and toll bridge authority, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 28:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We a majority of your Committee on Natural Resources to whom was referred Engrossed House Bill No. 28 continuing the water resources advisory committee for another biennium and making an appropriation have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE MCCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Wilbur G. Hallauer, Al Henry, John T. McCutcheon, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 68:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Substitute House Bill No. 68, providing for payment of counsel for indigent criminal defendants, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 129:**

Senate Chamber,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 129, relating to fire protection district local improvement districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Al Henry, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 143:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Engrossed House Bill No. 143, requiring polling places to remain open until 9:00 p.m., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. MCCUTCHEON, *Chairman.*

We concur in this report: Wayne G. Angevine, Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Karl V. Herrmann, Andy Hess, Mike McCormack, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust.

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Engrossed House Bill No. 143, requiring polling places to remain open until 9:00 p.m., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 189:**

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred House Bill No. 189, relating to refunds of illegally collected taxes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, John H. Happy, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Re-Engrossed House Bill No. 270:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Re-Engrossed House Bill No. 270, creating Washington state council on aging, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 286** (reported by Committee on Ways and Means):  
Do pass as amended.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 376:**

Senate Chamber,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred House Bill No. 376, eliminating separate report on catastrophe account in accident fund as unnecessary, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, F. Stuart Foster.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 389** (reported by Committee on Agriculture and Horticulture):

Do pass as amended.

DEWEY C. DONOHUE, *Chairman.*

We concur in this report: F. Stuart Foster, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, Fred J. Martin, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 424:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 424, relating to legal descriptions of real property by maps in the county assessor's and county auditor's offices, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Harry Elway, Jr.,

Frank W. Foley, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, John Papajani, A. L. Rasmussen, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 431:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 4, 1961.

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Bill No. 431, providing for collective bargaining with state and its political subdivisions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 450:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 6, 1961.

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 450, permitting notice of pendency of actions affecting real property in federal district courts in Washington, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 457:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 4, 1961.

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 457, increasing fire commissioners' per diem, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Fred H. Dore, Harry Elway, Jr., Frank W. Foley, Al Henry, James E. Keefe, George W. Kupka, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 510:**

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 6, 1961.

We, a majority of your Committee on Social Security, to whom was referred Engrossed House Bill No. 510, modifying requirements for payments into unemployment compensation fund for public employees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 519** (reported by Committee on Social Security):  
Do pass as amended.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Senator Ryder moved that Engrossed House Bill No. 519 be referred to the Committee on Ways and Means.

**POINT OF INQUIRY**

Senator Hallauer:

"May I inquire, Mr. President, if this is the bill involving the purchase of surplus food?"

The President:

"Yes, that is correct."

Senator Hallauer:

"I want to support the motion."

**POINT OF INQUIRY**

Senator Angevine:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Angevine:

"In the last meeting of the Committee on Ways and Means, about two or three days ago, when did you decide to hold another meeting?"

Senator Hallauer:

"We will be meeting almost constantly on Wednesday and Thursday."

Senator Angevine:

"You will be meeting on the fifty-ninth day and not before?"

Senator Hallauer:

"I think we will be meeting as there are a lot of bills such as this one, and it is an appropriation bill we can consider anytime during the regular or special session.

"I make the issue here entirely clear. The information that has been coming to the committee on this bill has been confused, and I want to get the thing straightened out before the bill goes through this body."

Senator Greive demanded the previous question.

The President stated the question before the Senate to be the motion by Senator Ryder that Engrossed House Bill No. 519 be referred to the Committee on Ways and Means.

The motion carried and Engrossed House Bill No. 519 was referred to the Committee on Ways and Means.

**House Bill No. 521:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred House Bill No. 521, creating a work relief program under public assistance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 527:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was

referred House Bill No. 527, relating to official fees of county treasurers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Harry Elway, Jr., Frank W. Foley, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 544:**

Senate Chamber,

Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 544, modifying law relating to public printing for counties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 545:**

Senate Chamber,

Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 545, modifying law relating to publishing of legal notices, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 546:**

Senate Chamber,

Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred House Bill No. 546, modifying law relating to weighing of railroad cars loaded with lumber and lumber products, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman*.

We concur in this report: Frank Connor, John L. Cooney, David C. Cowen, Frank W. Foley, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, George W. Kupka, John T. McCutcheon, Marshall A. Neill, John A. Petrich, Edward F. Riley, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 559** (reported by Judiciary Committee):

Do pass as amended.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 566:**

Senate Chamber,

Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 566, authorizing personal or corporate surety bonds or security

for port district leases, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in his report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Harry Elway, Jr., Frank W. Foley, Al Henry, George W. Kupka, Mike McCormack, Homer O. Nunamaker, John Papajani, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 621:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 621, permitting county auditor to keep books of photographic reproduction of instruments for use of public, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Frank W. Foley, Al Henry, Andy Hess, George W. Kupka, Homer O. Nunamaker, A. L. Rasmussen.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 635:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred House Bill No. 635, relating to old age assistance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Edward F. Riley, Don L. Talley.

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Social Security, to whom was referred House Bill No. 635, relating to old age assistance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: W. C. Raugust, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 643:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Bill No. 643, relating to industrial insurance, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Victor F. DeGarmo, F. Stuart Foster, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 693:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Engrossed House Bill No. 693, creating a committee to study salaries and establishing

salaries for appointive state officials, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Victor F. DeGarmo, Fred H. Dore, Michael J. Gallagher, John H. Happy, Karl V. Herrmann, George W. Kupka, Mike McCormack, Marshall A. Neill, John Papajani, John A. Petrich, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 16:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred House Joint Memorial No. 16, requesting Congress to incorporate medical care into social security system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Social Security, to whom was referred House Joint Memorial No. 16, requesting Congress to incorporate medical care into social security system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: W. C. Raugust, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Joint Resolution No. 9** (reported by Committee on Constitution, Elections and Legislative Processes):

Do pass as amended.

....., *Chairman*.

We concur in this report: Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Charles P. Moriarty, Jr., John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Resolution No. 23:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred House Joint Resolution No. 23, recognizing week of April 16-22 as National Library Week, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, John H. Happy, Mike McCormack, Frances Haddon Morgan, John N. Ryder, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Joint Resolution No. 31:**Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Engrossed House Joint Resolution No. 31, permitting legislative redistricting by commission action, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Andy Hess, Mike McCormack, Charles P. Moriarty, Jr., John Papajani, Albert C. Thompson, Jr.

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

I, a minority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Engrossed House Joint Resolution No. 31, permitting legislative redistricting by commission action, have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

I concur in this report: Dewey C. Donohue.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Concurrent Resolution No. 12:**Senate Chamber,  
Olympia, Wash., March 3, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Engrossed House Concurrent Resolution No. 12, requesting Fort George Wright be used for educational purposes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Wilbur G. Hallauer, Mike McCormack, Frances Haddon Morgan, Marshall A. Neill, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Concurrent Resolution No. 21:**Senate Chamber,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Engrossed House Concurrent Resolution No. 21, providing for an interim committee to study industrial insurance laws, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, F. Stuart Foster.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**House of Representatives,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 11; also  
Engrossed Senate Bill No. 31; also  
Engrossed Senate Bill No. 43; also  
Engrossed Senate Bill No. 44; also

Senate Bill No. 89; also  
 Senate Bill No. 90; also  
 Senate Bill No. 91; also  
 Engrossed Senate Bill No. 123; also  
 Senate Bill No. 125; also  
 Substitute Senate Bill No. 129; also  
 Engrossed Senate Bill No. 193; also  
 Substitute Senate Bill No. 209; also  
 Senate Bill No. 211; also  
 Engrossed Senate Bill No. 212; also  
 Senate Bill No. 295; also  
 Engrossed Senate Bill No. 306; also  
 Senate Bill No. 316; also  
 Senate Bill No. 330; also  
 Engrossed Senate Bill No. 392; also  
 Engrossed Senate Bill No. 434; also  
 Senate Bill No. 462; also  
 Senate Bill No. 554; also  
 Senate Joint Memorial No. 21; also  
 Senate Joint Memorial No. 23; also  
 Senate Joint Resolution No. 21, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

The Speaker has signed: Substitute Senate Bill No. 28; also  
 Senate Bill No. 63; also  
 Senate Bill No. 144, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the conference committee on House Joint Resolution No. 6 and the Senate amendment thereto, Representatives Gorton, Marsh and Burns.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 24 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 78 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 161 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 173 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 195 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 248 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 339 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 453, with the following amendment: On page 2, section 7, line 22, after "select" and before "a chairman" insert "alternately from the house and the senate", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Hess, the Senate did not concur in the House amendment to Engrossed Senate Bill No. 453, and asked the House to recede therefrom.

#### MOTION

At 1:15 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:30 o'clock p. m.

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#### AFTERNOON SESSION

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The President called the Senate to order at 2:30 o'clock p. m.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan and Keefe.

A Call of the Senate was ordered by Senators Greive, Hofmeister and Bailey.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded with business under the Call of the Senate.

#### MOTION

At 2:50 o'clock p. m., on motion of Senator Greive, the Senate was at ease for twenty minutes.

The President called the Senate to order.

#### SECOND READING OF BILLS

**House Bill No. 97**, by Representatives Bernethy, King and Wedekind (by Legislative Council request):

Expanding industrial insurance coverage to lunch hours in certain cases. The bill was read the second time by sections.

Senator Henry moved that the following amendment by the Committee on Labor and Industrial Insurance be adopted:

On page 2 add a new section following section 2 as follows:

**NEW SECTION.** Sec. 3. Chapter 23, Laws of 1961 and chapter 51.08 RCW are each amended to read as follows:

"Acting in the course of employment" means the workman acting at his employer's direction, or in furtherance of his employer's business and shall include but not be limited to time spent going to and from work on the job site, as defined in sections 1 and 2 of this act, insofar as such time is reasonably immediate to the actual time that the workman is engaged in the work process, and it is not necessary that at the time an injury is sustained by a workman he be doing the work on which his compensation is based or that the event be within the time limits on which industrial insurance or medical aid premiums or assessments are paid.

Senator Gissberg moved that the following amendment to the amendment by the Committee on Labor and Industrial Insurance be adopted:

In line 2 of the committee amendment adding a new section 2, after "follows:" strike the remainder of the amendment and insert the following:

"Acting in the course of employment" means the workman acting at his employer's direction or in the furtherance of his employer's business which shall include time spent going to and from work on the job site, as defined in sections 1 and 2 of this act, insofar as such time is immediate to the actual time that the workman is engaged in the work process in areas controlled by his employer, except parking areas, and it is not necessary that at the time an injury is sustained by a workman he be doing the work on which his compensation is based or that the event be within the time limits on which industrial insurance or medical aid premiums or assessments are paid.

#### MOTION

On motion of Senator Greive, the rules were suspended and Senator Durkan was excused from under the Call of the Senate.

Debate ensued.

The President stated the question to be the adoption of the amendment by Senator Gissberg to the amendment by the Committee on Labor and Industrial Insurance.

The motion carried and the amendment to the amendment was adopted.

The President stated the question to be the adoption of the committee amendment as amended.

The motion carried and the committee amendment as amended was adopted.

On motion of Senator Henry, the following amendment to the title by the Committee on Labor and Industrial Insurance was adopted:

In line 2 of the title, after "51.36 RCW" and before the period, add "; and amending chapter 23, Laws of 1961 and chapter 51.08 RCW"

On motion of Senator Henry, the rules were suspended, House Bill No. 97, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 97, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent and excused, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—48.

Those absent and excused were: Senator Durkan—1.

House Bill No. 97, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

At the request of the eminent Senator Fred J. Martin from Skagit county, the President introduced a 4-H group, headed by Mrs. Fred Jonasson of Alger, in the north gallery. Also with the group were Mrs. Elliott and Mrs. Haggerty of Alger.

The President asked the group, together with Senator Martin, to stand and be recognized by the members of the Senate.

(Applause.)

**Engrossed House Bill No. 51**, by Representatives Brouillet, Canfield and Testu:

Relating to the use of school buses for extra-curricular school activities.

Senate Chamber,

Olympia, Wash., February 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Engrossed House Bill No. 51, relating to the use of school buses for extra-curricular school activities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 2, section 1, subsection 11 of the Engrossed Bill, strike all of the underlined matter on line 20 through and including line 31, same being page 2, lines 22 through 31 of the printed bill, and insert the following: "*When commercial charter bus service is not reasonably available to a school district, the State Board of Education may authorize the use of school buses and drivers hired by the district for the transportation of school children and the school employees necessary for their supervision to and from any school activities within or without the school district during or after school hours and whether or not a required school activity, so long as the school board has officially designated it as a school activity. The school board shall charge for any extra-curricular uses an amount sufficient to reimburse the district for its cost incurred by reason of such use.*"

ANDY HESS, Chairman.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., Albert C. Thompson, Jr., Nat Washington.

The bill was read the second time by sections.

Senator Hess moved that the committee amendment be adopted.

#### POINT OF INQUIRY

Senator Happy:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Happy:

"Isn't it true that different districts provide different costs. In other words, if one school district could provide a school bus for less than another, you would have to give some leeway."

Senator Hess:

"I think the answer to that is that each district would determine its own costs differently. It is not up to the state to determine costs, but whether or not this could be authorized."

Senator Ryder:

"Is it your interpretation of this amendment that any school district wanting to use the school buses would apply to the superintendent of schools and they would give them some blanket authority to do so, so that they would not have to apply for each use, but would be governed by the authority?"

Senator Hess:

"It would be my thinking that the school district would apply at the beginning of the year, asking for permission to use the school buses for certain types of activities for the school year, stating what charges they would make, etc., and if the school board found it acceptable, they would be governed by this."

Senator Martin:

"These charges made for the extra-curricular uses of the school buses, how would these funds be handled?"

Senator Hess:

"I would assume they would go into the general fund of the school district."

Senator Greive:

"What about the method of determining the availability of commercial transportation? Maybe that is something that should be spelled out. How would we determine when it is available, and when not available?"

Senator Hess:

"I would assume that if a public transportation system would be available to provide transportation they would notify the school board."

#### MOTIONS

On motion of Senator Greive, Engrossed House Bill No. 51 was ordered placed at the beginning of the second reading calendar for this evening.

On motion of Senator Greive, the Call of the Senate was dispensed with.

**Engrossed House Bill No. 365**, by Representatives Day, Wang and Edwards: Relating to firemen's pensions.

On motion of Senator Angevine, Engrossed House Bill No. 365 was ordered placed at the beginning of the second reading calendar for this evening.

**Engrossed House Bill No. 138**, by Representatives Wang, Campbell and Marsh:

Relating to fees of public officers.

On motion of Senator Petrich, Engrossed House Bill No. 138 was ordered placed after House Bill No. 404 on the second reading calendar.

**Engrossed House Bill No. 101**, by Representatives Hurley, Gorton and Marsh:

Relating to guardian bonds.

Senate Chamber,  
Olympia, Wash., February 20, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 101, relating to guardian bonds, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, page 1, line 11, after "fix" strike all of the material down to and including "The" on line 13 and insert " , and such" JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, Michael J. Gallagher, William A. Gissberg, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendment was adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed House Bill No. 101, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 101, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Freise, Gissberg, Greive, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators Bargreen, Foley, Foster, Gallagher, Hallauer, Hanna, Henry, McCutcheon, Morgan, Papajani, Raugust, Talley—12.

Engrossed House Bill No. 101, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 388**, by Representatives Brink, Williams and Hood:

Adopting uniform act for simplification of fiduciary security transfers.

The bill was read the second time by sections.

On motion of Senator Freise, the rules were suspended, Engrossed House Bill No. 388 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 388, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Freise, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Shannon, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators Donohue, Foley, Foster, Gallagher, Hallauer, Hess, McCutcheon, Morgan, Papajani, Raugust, Sandison, Talley—12.

Engrossed House Bill No. 388, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 448**, by Representatives Kink, Hood and King:

Relating to reef net fishing areas.

The bill was read the second time by sections.

On motion of Senator Nunamaker, the rules were suspended, House Bill No. 448, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 448, and the bill passed the Senate by the following vote: Yeas, 36; nays, 0; absent or not voting, 13.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—36.

Those absent or not voting were: Senators Bailey, Dore, Durkan, Foley, Foster, Freise, Hallauer, Hess, McCutcheon, McMillan, Papajani, Riley, Talley—13.

House Bill No. 448, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 311**, by Representatives Brink, Klein and Epton (by Departmental request):

Relating to vocational training for blind persons.

The bill was read the second time by sections.

On motion of Senator Angevine, the rules were suspended, House Bill No. 311, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 311, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Bailey, Durkan, Foley, Foster, Hallauer, McCutcheon, McMillan, Papajani, Talley—9.

House Bill No. 311, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 404**, by Representatives Mardesich, Litchman, Jr. and Shropshire:

Relating to public assistance.

The bill was read the second time by sections.

On motion of Senator Angevine, the rules were suspended, House Bill No. 404 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 404, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Freise, Gissberg, Greive, Hanna,

Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Bailey, Bargreen, Foley, Foster, Gallagher, Hallauer, McCutcheon, Papajani, Petrich, Talley—10.

House Bill No. 404, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 138**, by Representatives Wang, Campbell and Marsh:

Relating to fees of public officers.

Senate Chamber,  
Olympia, Wash., March 2, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 138, relating to fees of public officers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 3, line 28 of the engrossed bill, the same being line 31 of the printed bill, after "(9)" strike all of the material down to and including "garnishment" on line 31 of the engrossed bill and line 33 of the printed bill and insert "For the filing of an affidavit for garnishment a fee of five dollars shall be charged"

In section 1, page 4, line 11 of the engrossed bill and the printed bill, after "of" and before "dollars" strike "twenty-five" and insert "fifteen"

In section 1, page 4, line 20 of the engrossed and printed bill after "shall" strike all of the material down to and including "cases" on line 21 and insert "be liable for a fee of fifteen dollars"

JOHN A. PETRICH, Chairman.

We concur in this report: John L. Cooney, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington, Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

Senator Petrich moved that the following amendment be adopted:

In section 1, subsection 5, page 3, line 16 of the engrossed bill, same being line 18 of the printed bill, after "dollars" strike the period and insert ", and in the event that the case is settled out of court prior to the time that such case is called to be heard upon trial, such fee shall be returned to such party by the clerk."

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Woodall:

"I agree generally with your idea; however, I feel that there is a situation that you should bear in mind. If you settled it in advance of that day, so that they would not have to call the jury back, the situation as you read it, would have changed.

"Don't you think it would be better if you settled it at least a minimum of twenty-four hours or even three days prior to the time the jury was set for trial?"

Senator Petrich:

"I have an amendment to settle that. If you so desire, in case of settling out of court prior to that time, if you wanted to say, 'if the case is settled out of court not less than twenty-four hours prior.'"

## MOTION

On motion of Senator Petrich, the rules were suspended, and the amendment was orally amended as follows:

In section 1, subsection 5, page 3, line 16 of the engrossed bill, same being line 18 of the printed bill, after "dollars" strike the period and insert ", and in the event that the case is settled out of court not less than twenty-four hours prior to the time that such case is called to be heard upon trial, such fee shall be returned to such party by the clerk."

The President stated the question before the Senate to be the adoption of the amendment by Senator Petrich.

The motion carried and the amendment by Senator Petrich was adopted.

On motion of Senator Woodall, the following amendments were adopted:

In section 1, subsection 1, page 3, line 4 of the engrossed and printed bill, after "restitution," and before "change" insert "or"

In section 1, subsection (1), page 3, line 4 of the engrossed bill, same being lines 4 and 5 of the printed bill, after "name," strike "or habeas corpus"

On motion of Senator Freise, Engrossed House Bill No. 138 was ordered placed on the second reading calendar for this evening immediately after House Bill No. 135.

## PRESIDENT'S PRIVILEGES

The President introduced, at the request of Senator Petrich, Girl Scout Troop No. 77 from St. Patrick's School in Tacoma under the direction of Mrs. Donald Dittman. Included in the troop was the lovely daughter of Senator and Mrs. Petrich, Jane, age 11. The President complimented the group on their excellent deportment and asked them to stand, along with Senator Petrich, and be properly recognized.

(Applause.)

The President introduced one of the leading citizens in the northwest, Mr. Leonard Johnson of the Highline District. The President extended a warm welcome to Mr. Johnson and asked that he stand and be recognized.

(Applause.)

**House Bill No. 47**, by Representatives Siler, Marsh and Pence (by Legislative Council request):

Amending the weather modification board act.

Senate Chamber,  
Olympia, Wash., February 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred House Bill No. 47, amending the weather modification board act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 2 add a new subsection following subsection (2) reading as follows:

"(3) A majority of the members shall constitute a quorum for the transaction of business."

In section 2, page 2 add a new subsection following subsection (5) reading as follows:

"(6) If the board has held an open public hearing in Olympia as to such issuance."

MIKE McCORMACK, Chairman.

We concur in this report: Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Harry Elway, Jr., F. Stuart Foster, Wilbur G. Hallauer, Al Henry, W. C. Raugust, Albert C. Thompson, Jr.

The bill was the second time by sections.

On motion of Senator Chytil, the committee amendments were adopted.

On motion of Senator Talley, the rules were suspended, House Bill No. 47,

as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 47, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Freise, Gallagher, Greive, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Woodall—37.

Those absent or not voting were: Senators Dore, Foley, Foster, Gissberg, Hallauer, Henry, McCutcheon, McMillan, Martin, Morgan, Ryder, Washington—12.

House Bill No. 47, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 26**, by Representatives Campbell, Andersen and Bergh (by Legislative Council request):

Reorganizing, clearing obsolete matter from juvenile laws.

Senate Chamber,  
Olympia, Wash., March 3, 1961.

**MR. PRESIDENT:**

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 26, reorganizing, clearing obsolete matter from juvenile laws, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 3, section 1, beginning on line 4 of the engrossed bill, being page 3, line 5 of the printed bill, after "child; or" strike all of the matter down to and including "who" on line 8 of the engrossed bill, being line 9 of the printed bill, and insert "[ (13) Whose father, mother, guardian or custodian is an habitual drunkard, or do not properly provide for such child, and it appears that such child is destitute of a suitable home or of adequate means of obtaining an honest living, or who] (8) Who"

In new section 3, page 4, line 29 of the engrossed bill, the same being line 31 of the printed bill, after "may" and before "make" insert "*with the consent of the parent, parents, or legal guardian*"

JOHN A. PETRICH, Chairman.

We concur in this report: John L. Cooney, Fred H. Dore, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Petrich, the committee amendments were adopted.

Senator Greive moved that the following amendment be adopted:

In section 9, page 10, line 8 of the engrossed bill, being line 8 of the printed bill as amended by the House amendment, after "right to" and before "an appeal to" insert "a jury trial and"

President Pro Tempore Al Henry in the Chair.

**POINT OF INQUIRY**

Senator Hess:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Hess:

"Under your amendment would this be a permissive matter with the judge in the case?"

Senator Greive:

"I seldom comment on one of these matters."

**POINT OF INQUIRY**

Senator Washington:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Washington:

"As I understand it, when a custody has been deprived and a custody has been turned over to the court, it is possible at a later time for a parent to apply again and have the custody restored. Isn't this correct?"

Senator Greive:

"You never can get that back out of the record."

Senator Herrmann:

"I just talked to Senate Greive in regard to a matter of divorce. It is imperative that one of the parents have the custody of the children. In juvenile cases, it is a matter as to whether the parents are proper and fit to have the custody of their own children. As you know, the judge determines the law and the jury determines the facts, and the factual situation here is turned over to a social worker. You may have the right facts, or you may have a lot of hearsay, and I think it is right that the parents have to have their own children, as there is no substitute for the natural love that parents have for their own children. If that is going to be determined where there is no divorce, I say that you are getting into factual situations that should be determined by a jury."

Senator Washington:

"Also, where a judge makes the determination, the parents can bring the same evidence before a judge that they can before a jury."

Senator Herrmann:

"The question is whether or not we are going to submit the facts to the judge, or whether we will submit the facts to a jury trial. How are you going to cross-examine one of the social worker's reports?"

Senator Washington:

"The social worker in such a matter, during the hearing on the custody matter, can be brought to court and cross-examined before the judge."

**POINT OF INQUIRY**

Senator Kupka:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Kupka:

"Should your amendment prevail, would you anticipate an abundance of cases that would occur under this, or would this be somewhat rare?"

Senator Greive:

"In my opinion, it would be rather rare. It is true that it would probably involve enough cases to present a little problem."

Senator Kupka:

"If this is one of the areas that will cost us some money and present a little trouble, I think it is our responsibility to provide that right."

Senator Bailey demanded the previous question, and the demand was sustained by Senators Herrmann and Nunamaker.

Senator Bailey demanded a roll call, and the demand was sustained by Senators Connor, DeGarmo, Dore, Durkan, Morgan, Moriarty, Riley and Washington.

The President stated the question before the Senate to be the adoption of the amendment by Senator Greive.

The Secretary called the roll, and the amendment was adopted by the following vote: Yeas, 33; nays, 11; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Rasmussen, Raugust, Thompson, Jr., Woodall—33.

Those voting nay were: Senators Connor, Cowen, Foley, Happy, Lennart, Moriarty, Jr., Petrich, Riley, Shannon, Talley, Washington—11.

Those absent or not voting were: Senators Foster, Freise, Hallauer, Ryder, Sandison—5.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Dore moved that the Senate immediately reconsider the vote by which the amendment by Senator Greive was adopted.

#### POINT OF INQUIRY

Senator Gissberg:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Gissberg:

"Why does it necessarily follow that in providing for a jury trial you are therefore amending the remnant of the law that requires the particular cases to be sealed. However, in the event of a jury trial, in these cases they should be sealed and not permitted open to the public?"

Senator Greive:

"As far as I am concerned, it is in the law. The law is very distinct. This is a complete act. It is the way the act was prepared and adopted by the Legislative Council."

Senator Greive demanded the previous question, and the demand was sustained by Senators McCutcheon and Hofmeister.

The President stated the question before the Senate to be, the motion by Senator Dore that the Senate do now reconsider the vote by which the amendment by Senator Greive was adopted.

Senator Greive demanded a roll call, and the demand was sustained by Senators Connor, DeGarmo, Dore, Hofmeister, McCutcheon, Petrich, Sandison and Talley.

The Secretary called the roll, and the motion to reconsider the vote by which the amendment by Senator Greive was adopted was lost by the following vote: Yeas, 12; nays, 29; absent or not voting, 8.

Those voting yea were: Senators Connor, Cowen, Dore, Freise, Gissberg, McCutcheon, Moriarty, Jr., Petrich, Riley, Sandison, Talley, Washington—12.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, Martin, Morgan, Nunamaker, Papajani, Rasmussen, Shannon, Thompson, Jr., Woodall—29.

Those absent or not voting were: Senators Foley, Foster, Happy, McCormack, McMillan, Neill, Raugust, Ryder—8.

On motion of Senator Woodall, the following amendment was adopted:

In section 9, page 10, line 10 of the engrossed bill, same being line 9 of the printed bill, as amended by the House amendment, after "appellant" and before the period insert the following: " *Provided*, That juvenile courts shall have no jurisdiction in cases involving a minor over the age of sixteen years who is charged solely with violating any state motor vehicle law or any city or town traffic ordinance. Police courts, justice courts, or superior courts having jurisdiction shall dispose of such cases in like manner as with cases involving adult defendants"

On motion of Senator Woodall, the following amendment to the title was adopted:

In line 26 of the title after "RCW 13.04.090", strike the period and insert the following: "; amending section 2, chapter 160, Laws of 1913, as last amended by section 1, chapter 65, Laws of 1937, and RCW 13.04.030."

On motion of Senator Petrich, the rules were suspended, Engrossed House Bill No. 26, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 26, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 4; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Durkan, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—38.

Those voting nay were: Senators Cooney, Dore, Neill, Talley—4.

Those absent or not voting were: Senators Donohue, Foley, Foster, Hallauer, Herrmann, McCutcheon, McMillan—7.

Engrossed House Bill No. 26, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, the rules were suspended and Substitute House Bill No. 199 was considered immediately.

**Substitute House Bill No. 199**, by Committee on Medicine, Dentistry and Drugs:

Authorizing licensed practical nurses to be certified to administer medications under supervision, and raising licensed practical nurse's annual license fee.

The bill was read the second time by sections.

On motion of Senator Morgan, the rules were suspended, Substitute House

Bill No. 199 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute House Bill No. 199, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Angevine, Donohue, Hallauer, McMillan, Petrich, Talley—6.

Substitute House Bill No. 199, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Freise:

"There was a little bit of a breakdown in the liaison between Charlie Johnson and myself. The candy that was just distributed was through the courtesy of the Licensed Practical Nurse's Association of Walla Walla. We have two ladies representing this association in the gallery now. They are Mrs. Wood and Mrs. Crawlman. Would these ladies please stand."

(Applause.)

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 11, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 425, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**House Bill No. 269** (reported by Committee on Education):

Do pass as amended.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, W. C. Raugust, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed Substitute House Bill No. 426** (reported by Committee on Public Utilities):

Do pass as amended.

FRED H. DORE, *Chairman*.

We concur in this report: Joe Chytil, Frank Connor, David C. Cowen, John L. Cooney, Martin J. Durkan, F. Stuart Foster, H. B. Hanna, James E. Keefe, John T. McCutcheon, John A. Petrich, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 528:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Engrossed House Bill No. 528, relating to intoxicating liquors, prohibiting the sale thereof on or near the University of Washington, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRANK CONNOR, *Chairman*.

We concur in this report: Howard Bargreen, Victor F. DeGarmo, Herbert H. Freise, Michael J. Gallagher, John H. Happy, Al Henry, James E. Keefe, George W. Kupka, Homer O. Nunmaker, John Papajani, Edward F. Riley.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 26:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred House Joint Memorial No. 26, requesting Congress to set up international tourist agency abroad, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Frank Connor, John L. Cooney, David C. Cowen, Fred H. Dore, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 247 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 455 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Senate Concurrent Resolution No. 10, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### MOTION

At 5:50 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:30 o'clock p. m.

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**EVENING SESSION**

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The President called the Senate to order at 8:30 o'clock p. m.

The Secretary called the roll and announced to the President that all the Senators were present.

**SECOND READING OF BILLS**

**Engrossed House Bill No. 51**, by Representatives Brouillet, Canfield and Testu:

Relating to the use of school buses for extra-curricular school activities.

Senator Hess moved that the pending committee amendment be adopted.

Senator Petrich moved that the following amendment to the committee amendment be adopted:

In section 1, line 15 of the amendment, strike the words "school board" and insert "State Board of Education"

Debate ensued.

Senator Cowen demanded the previous question, and the demand was sustained by Senators Petrich and Bailey.

The President stated the question before the Senate to be the adoption of the amendment by Senator Petrich to the committee amendment.

A division was requested, and the amendment by Senator Petrich was not adopted on a rising vote.

Senator Riley moved that the following amendment to the committee amendment be adopted:

In the last line of the committee amendment to section 1, after "its" and before "cost" insert "complete"

**POINT OF INQUIRY**

Senator Thompson:

"Will Senator Riley yield to a question?"

Senator Riley:

"Yes, Senator Thompson."

Senator Thompson:

"I think Senator Washington expressed that it is the intention of the amendment that the cost be borne by the particular school district. Now there are certain costs involved, such as the example you used. You are talking about oil and wear and tear and depreciation. Now, would it be your understanding in the purpose of the word, 'complete' that those costs are attributable to the use of the bus in this activity? My question is, would you want the cost actually determined by the extra trip, or would you want the pro rated cost of every expense involved in the use of the bus?"

Senator Riley:

"My purpose was to get into this measure some intent, some explanation of what we feel is the legislative intent to charge those school boards, and shall be in addition to what is conservatively and commonly referred to as costs; namely, gasoline, etc. But when you say 'complete costs', in my mind I want to make sure, and I thought I expressed it fairly clearly as a measuring stick. Thus, the school boards know what the cost per mile to drive the buses actually is. I want to know what the complete costs are if you use these buses for 25,000 miles of extra-curricular activities. That is 25,000 miles that will have to be retired from them—interest, insurance, wear and tear, gasoline, oil and tires."

The President stated the question before the Senate to be the adoption of the amendment by Senator Riley to the committee amendment.

The motion carried and the amendment by Senator Riley to the committee amendment was adopted.

The President stated the question before the Senate to be the adoption of the committee amendment, as amended.

The motion carried and the committee amendment, as amended, was adopted.

The bill was read the second time by sections.

On motion of Senator Hess, the rules were suspended, Engrossed House Bill No. 51, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 51, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 3; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those voting nay were: Senators Chytil, Petrich, Riley—3.

Engrossed House Bill No. 51, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, Senator Hess was excused.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"A measure relating to education has just been enacted. The President believes that it is especially appropriate tonight to present to the Senate and ladies and gentlemen, a man who has contributed immeasurably in this field, Mr. A. G. Soneruud, who teaches a citizenship class at Stadium High School in Tacoma. With Mr. Soneruud is a group of people who have come to the United States to seek a better way of life, students in the American Citizenship class. The President believes that on occasion these fine people may have a better appreciation of our fine way of government than ourselves. In order that we may show our approval and appreciation in their interest in our foundation of good government, let us welcome our visitors. Would this group please stand, along with Senator Kupka?"

(Applause.)

The President:

"Also present in the south gallery is a group of executives and employees from St. Regis Paper Company of Tacoma, Washington. Would Senators Kupka, Petrich, McCutcheon, Rasmussen and Knoblauch please stand. Thank you."

(Applause.)

**Engrossed House Bill No. 365**, by Representatives Day, Wang and Edwards: Relating to firemen's pensions.

The bill was read the second time by sections.

Senator Angevine moved that the following amendment be adopted:

In section 8, page 9, line 2 of the engrossed bill, same being page 9, lines 26 and

27 of the printed bill, after "(2)" strike "[forty-five] *seventy-five*" and insert "forty-five"; also on line 6 of the engrossed bill, being lines 30 and 31 of the printed bill, after "The" strike "[forty-five] *seventy-five*" and insert "forty-five"

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Angevine yield to a question?"

Senator Angevine:

"Yes, I will."

Senator Riley:

"I didn't get my book at the right page fast enough, but does your amendment, by striking the word 'seventy-five' and putting in the word, 'forty-five' in lieu thereof, now place the bill back in the same position as the provisions were prior to the other amendment?"

Senator Angevine:

"Yes."

Senator Bailey:

"If we adopt your amendment, Senator Angevine, does that mean that the cities will then have to levy sixteen mills to pay for this burden?"

Senator Angevine:

"Not necessarily. This amendment doesn't have to do with financing."

Senator Bailey:

"I am worried about the millage for our little junior districts. This will hurt some of our hospital districts and our library districts."

Senator Angevine:

"Not necessarily at all, Senator. You will find that most of the present fire protection districts or cities are already levying the sixteen mills, or their fund is in such a condition financially as not to need any further millage."

**POINT OF INQUIRY**

Senator Freise:

"Will Senator Angevine yield to a question?"

Senator Angevine:

"Yes, I will."

Senator Freise:

"I understand that before your amendment, our city of Walla Walla would have to raise its millage one mill to pay this additional bill. Now, if the fire insurance fund is relieved of any burden of contributing, are we going to have to levy more than one mill?"

Senator Angevine:

"The original intent of providing further funds from the fire insurance tax to the other fire protection programs was to enable the cities to have a further resource. I cannot say exactly what effect this would have on the city of Walla Walla. It would not be necessary to raise additional money through additional levies. The purpose of that inclusion in the bill is to leave the millage out in the event that in the future time the fund is not such as to require the levy of the additional mill by the cities."

Senator Freise:

"Have you had the opportunity to discuss this bill with the lobbyists from the cities, such as Mr. Biesen, to determine what their attitude is and whether there actually is a burden?"

Senator Angevine:

"I have discussed this bill with the proponents. I did not see fit to discuss it with

anyone else. The bill was discussed with the Association of Washington Cities. The bill passed the House by a substantial margin.

"I have not at any time been contacted by a representative of the Association of Washington Cities with regard to any aspect of this bill. The only people who have contacted me about this bill are the firemen and their representatives. I therefore assume that if this bill would have any detrimental effect on the cities, the representatives, being cautious as they are, would have contacted me. I have never been contacted at any time by anyone that offered any opposition by any of the cities."

Debate ensued.

#### POINT OF INQUIRY

Senator Moriarty:

"Will Senator Angevine yield to a question?"

Senator Angevine:

"Yes, I will."

Senator Moriarty:

"In section 9, page 10 of the bill, it states that it shall be the duty of each of the cities and towns to levy a tax of two mills. In the past, it has been only one mill. Would you please explain that?"

Senator Angevine:

"I will be happy to, Senator Moriarty. This is the exact point I spoke on before. The bill also makes it mandatory to levy from the taxes, what presently is one mill, and this bill will make it two mills."

Senator Moriarty:

"What is going to be the financial impact of this bill? Someone will have to pick up the tab. My first interest was in deference to the state, but the cities funds are just as important to them as ours are to us. This is why I felt that the amendment needs study."

The President stated the question to be the adoption of the amendment proposed by Senator Angevine.

The motion carried, and the amendment was adopted.

#### MOTION

Senator Bailey moved that Engrossed House Bill No. 365 hold its place on the second reading calendar for tomorrow.

Debate ensued.

The President stated the question before the Senate to be that it has been moved that Engrossed House Bill No. 365 hold its place on the second reading calendar for tomorrow.

The motion carried and Engrossed House Bill No. 365 was ordered to hold its place on the second reading calendar for Tuesday, March 7, 1961.

**Engrossed House Bill No. 138**, by Representatives Wang, Campbell and Marsh:

Relating to fees of public officers.

The bill was read the second time by sections.

On motion of Senator Woodall, the following amendment was adopted:

In section 1, subsection (2), page 3, line 7 of the engrossed bill, same being line 8 of the printed bill, after "any" and before "appeal" strike "other" and insert "civil"

On motion of Senator Petrich, the rules were suspended, Engrossed House Bill No. 138, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 138, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senator Moriarty, Jr.—1.

Those absent or not voting were: Senators Donohue, Durkan, Foley, Hallauer, Hess, Talley—6.

Engrossed House Bill No. 138, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 271**, by Representatives McCormick, Schaefer and Wintler: Authorizing county, city, and regional planning.

The bill was read the second time by sections.

On motion of Senator Hanna, the rules were suspended, House Bill No. 271 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 271, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Bargreen, Durkan, Foster, Hallauer, Hess, McMillan, Nunamaker, Papajani—8.

House Bill No. 271, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 348**, by Representatives Leland, Bigley and Testu: Relating to ski lifts.

The bill was read the second time by sections.

On motion of Senator Dore, the following amendment was adopted:

In section 2, page 2, line 13, after "into" strike "*the parks and parkways account of*"

On motion of Senator Thompson, the rules were suspended, House Bill No. 348, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 348, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr.,

Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Foley, Foster, Hallauer, Hess, McCutcheon, McMillan, Petrich—7.

House Bill No. 348, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the second order of business for the purpose of receiving reports of standing committees.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,

Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred:

Senate Bill No. 11; also

Senate Bill No. 31; also

Senate Bill No. 43; also

Senate Bill No. 44; also

Senate Bill No. 89; also

Senate Bill No. 90; also

Senate Bill No. 91; also

Senate Bill No. 123; also

Senate Bill No. 125; also

Substitute Senate Bill No. 129; also

Senate Bill No. 193; also

Substitute Senate Bill No. 209; also

Senate Bill No. 211; also

Senate Bill No. 212; also

Senate Bill No. 295; also

Senate Bill No. 306; also

Senate Bill No. 316; also

Senate Bill No. 330; also

Senate Bill No. 392; also

Senate Bill No. 434; also

Senate Bill No. 462; also

Senate Bill No. 554, have compared same with the original and engrossed bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,

Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred:

Senate Joint Memorial No. 21; also

Senate Joint Memorial No. 23; also

Senate Joint Resolution No. 21, have compared same with the original memorials and resolution and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,

Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 15; also

House Bill No. 24; also

House Bill No. 75; also  
House Bill No. 78; also  
House Bill No. 110; also  
House Bill No. 161; also  
House Bill No. 173; also  
House Bill No. 195; also  
House Bill No. 247; also  
House Bill No. 248; also  
House Bill No. 339; also  
House Bill No. 354; also  
House Bill No. 371; also  
House Bill No. 455; also  
House Bill No. 661; also  
House Bill No. 687, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President has signed: Senate Bill No. 11; also**

**Senate Bill No. 31; also**  
**Senate Bill No. 43; also**  
**Senate Bill No. 44; also**  
**Senate Bill No. 89; also**  
**Senate Bill No. 90; also**  
**Senate Bill No. 91; also**  
**Senate Bill No. 123; also**  
**Senate Bill No. 125; also**  
**Substitute Senate Bill No. 129; also**  
**Senate Bill No. 193; also**  
**Substitute Senate Bill No. 209; also**  
**Senate Bill No. 211; also**  
**Senate Bill No. 212; also**  
**Senate Bill No. 295; also**  
**Senate Bill No. 306; also**  
**Senate Bill No. 316; also**  
**Senate Bill No. 330; also**  
**Senate Bill No. 392; also**  
**Senate Bill No. 434; also**  
**Senate Bill No. 462; also**  
**Senate Bill No. 554; also**  
**Senate Joint Memorial No. 21; also**  
**Senate Joint Memorial No. 23; also**  
**Senate Joint Resolution No. 21; also**  
**House Bill No. 15; also**  
**House Bill No. 24; also**  
**House Bill No. 75; also**  
**House Bill No. 78; also**  
**House Bill No. 110; also**  
**House Bill No. 161; also**  
**House Bill No. 173; also**  
**House Bill No. 195; also**  
**House Bill No. 247; also**  
**House Bill No. 248; also**  
**House Bill No. 339; also**  
**House Bill No. 354; also**

**House Bill No. 371; also**  
**House Bill No. 455; also**  
**House Bill No. 661; also**  
**House Bill No. 687.**

**Engrossed House Bill No. 338**, by Representatives Klein, Shropshire and Wedekind:

Consenting to suits against state in tort actions.

The bill was read the second time by sections.

Senator Gissberg moved that the following amendment be adopted:

In section 1, page 1, line 11, after the period following the word "state" add the following: "This act shall be retroactive except as limited by RCW 4.16.080."

**POINT OF INQUIRY**

Senator Washington:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Washington:

"Does this make valid, claims which would be invalid, if we did not attach this amendment?"

Senator Gissberg:

"If this bill passes it only becomes active ninety days after the session adjourns, so obviously, it only takes effect on claims which arose after the effective date of this act. My proposed amendment would make effective claims which had arisen for the past three years."

Senator Washington:

"If this did not pass, would it mean that there are some potential claims now existing which could not be paid?"

Senator Gissberg:

"Yes."

Senator Washington:

"Of course, you have no idea how many claims might be pending?"

Senator Gissberg:

"No, I don't have any."

The President stated the question before the Senate to be the adoption of the amendment by Senator Gissberg.

The motion carried and the amendment was adopted.

Senator Gissberg moved that the rules be suspended, Engrossed House Bill No. 338, as amended by the Senate, be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Debate ensued.

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Riley:

"Was that quotation while Abraham Lincoln was a lawyer and probably needed a client, or was that after he became President?"

Senator Gissberg:

"While he was giving his Message to Congress on June 30, 1861."

Senator Bailey demanded the previous question, and the demand was sustained by Senators Herrmann and Hofmeister.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 338, as amended by the Senate, and the bill failed to pass the Senate by the following vote: Yeas, 12; nays, 32; absent or not voting, 5.

Those voting yea were: Senators Angevine, Connor, Cooney, Dore, Durkan, Greive, Hofmeister, Kupka, McCormack, Martin, Nunamaker, Papajani—12.

Those voting nay were: Senators Bailey, Bargreen, Chytil, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Hanna, Henry, Herrmann, Keefe, Knoblauch, Lennart, McMillan, Morgan, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—32.

Those absent or not voting were: Senators Hallauer, Happy, Hess, McCutcheon, Rasmussen—5.

Engrossed House Bill No. 338, as amended by the Senate, having failed to receive the constitutional majority, was declared lost.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Gissberg moved that the Senate do now reconsider the vote by which Engrossed House Bill No. 338, as amended by the Senate, failed to pass the Senate. The motion carried.

#### MOTION

On motion of Senator Gissberg, the rules were suspended and Engrossed House Bill No. 338, as amended by the Senate, was returned to second reading for the purpose of amendment.

On motion of Senator Gissberg, the Senate voted to reconsider the vote by which the amendment by Senator Gissberg was adopted.

#### RECONSIDERATION

The President stated the question before the Senate to be the reconsideration of the vote by which the amendment by Senator Gissberg was adopted to Engrossed House Bill No. 338.

The amendment was reconsidered and not adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed House Bill No. 338 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 338, and the bill passed the Senate by the following vote: Yeas, 32, nays, 9; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Durkan, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCut-

eon, Martin, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Woodall—32.

Those voting nay were: Senators Chytil, Cowen, Donohue, Elway, Jr., Lennart, Moriarty, Jr., Neill, Thompson, Jr., Washington—9.

Those absent or not voting were: Senators Foley, Hallauer, Happy, Hess, McCormack, McMillan, Morgan, Rasmussen—8.

Engrossed House Bill No. 338, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 277**, by Representatives Huntley, Bozarth and Beierlein (by Departmental request):

Modifying law relating to highway contracts for day labor to include rental of equipment with operators.

The bill was read the second time by sections.

On motion of Senator Hofmeister, the rules were suspended, House Bill No. 277 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 277, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators DeGarmo, Hallauer, Happy, McCormack, McMillan, Martin, Morgan—7.

House Bill No. 277, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 286**, by Representatives Edwards, Hurley and Shropshire: Modifying laws relating to state patrol retirement system.

Senate Chamber,

Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, your Committee on Ways and Means, to whom was referred House Bill No. 286, modifying laws relating to state patrol retirement system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On pages 2 and 3, strike all of sections 2 and 3 and renumber the remaining sections consecutively.

On page 6, section 6, being renumbered section 4, line 26 after "[five]" and before "percent" strike "seven" and insert "six"

In line 4 of the title after "43.220;" strike all of the matter down to and including "43.43.260;" on line 8

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,

Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey

C. Donohue, Fred H. Dore, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr., Perry B. Woodall.

The bill was read the second time by sections.

Senator Foley moved that the committee amendments be adopted.

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Foley yield to a question?"

Senator Foley:

"Yes, I will yield."

Senator Rasmussen:

"Do you think this is a fair way to treat the State Patrol, when we gave the judges a raise yesterday?"

Senator Foley:

"I am not comparing the State Patrol with the judges."

Senator Rasmussen:

"When they defend us on the highway through rain, storm and snow?"

Senator Woodall:

"I would suggest that Senator Rasmussen send a specific amendment to the Secretary's desk if he objects."

The President stated the question before the Senate to be the adoption of the committee amendments.

The motion carried and the committee amendments were adopted.

On motion of Senator Foley, the committee amendment to the title was adopted.

Debate ensued.

On motion of Senator Greive, the rules were suspended, House Bill No. 286, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 286, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—47.

Those absent or not voting were: Senators McMillan, Washington—2.

House Bill No. 286, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTION**

On motion of Senator Greive, the bills remaining on the second reading calendar for today were ordered placed at the beginning of the second reading calendar for tomorrow, Tuesday, March 7, 1961.

**PERSONAL PRIVILEGE**

Senator Henry:

"I would like to take a little of your time to tell about an incident that happened here today and I feel that I should talk about it a little bit.

"I brought a very lovely little girl to Olympia as my patronage. She received a message this morning that her brother was seriously injured and still in a coma in a Los Angeles hospital. Before I had been able to find out what the details were toward getting her there, one of the members of this body, a grand little guy with whom I don't always agree, made all the arrangements and sent her to Los Angeles.

"Thank you, Senator David Cowen!"

**MOTION**

On motion of Senator Greive, at 11:20 o'clock p. m., the Senate adjourned until 10:00 o'clock a. m., Tuesday, March 7, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FIFTY-EIGHTH DAY

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**MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, March 7, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Talley.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Susan Harris, presented the Colors.

Reverend Henry Rahn, Pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Dear Lord and Father of mankind, Whose bountiful providence is everywhere and always available, help us this day to lay hold of those spiritual resources, which are the secret of strength and serenity.

"Humbly we pray for the valor of a faith that will not fail, for the joy of a hope that will inspire, and for the measure of a strength that will endure.

"We are grateful for those legislators and leaders who have come from the different parts of our state, who are willing to give of their time, their talents and their energy. Grant to them this day the reward of noble achievement.

"This we ask in our Master's name. Amen."

On motion of Senator Henry, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

## SENATE RESOLUTION

By Senators Greive, Washington and McCormack:

WHEREAS, There is presently before the Congress legislation relating to extension of the Sugar Act of 1948, as amended; and

WHEREAS, The success of reclamation projects in the state of Washington, and particularly the Columbia Basin Project, depends greatly upon the securing by farmers in these reclamation areas of sugar beet contracts; and

WHEREAS, The reclamation areas of the Columbia Basin are among the most suitable in the nation for the production of sugar beets of unexcelled sugar content and tons of beets per acre; and

WHEREAS, The international situation on imports of sugar is such that domestic sources of supply must be greatly increased immediately;

Now, Therefore, Be It Resolved, That we, the Senate of the state of Washington do hereby respectfully urge that the President and the Congress of the United States enact legislation providing for an extension of the Sugar Act of 1948, as amended, for at least four years, so that production of sugar beets in the reclamation areas of the Columbia Basin may be increased and additional manufacturing facilities for the production of beet sugar may be encouraged; and

Be It Further Resolved, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the President of the United States, to the President of the Senate of the United States, to the Speaker of the United States House of Representatives, and to each member of the Congress of the United States from the state of Washington.

On motion of Senator McCormack, the resolution was adopted.

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Concurrent Resolution No. 10, have compared same with the original resolution and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytill.

## SIGNED BY THE PRESIDENT

The President has signed: Senate Concurrent Resolution No. 10.

Engrossed House Bill No. 98:

Senate Chamber,  
Olympia, Wash., March 21, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 98, authorizing garnishment judgments to be set aside, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

Substitute House Bill No. 245:

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Substitute House Bill No. 245, amending the fire protection district law, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MIKE McCORMACK, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytill, Harry Elway, Jr., F. Stuart Foster, Michael J. Gallagher, Al Henry, John T. McCutcheon, Frances Haddon Morgan, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 336:**

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred House Bill No. 336, authorizing aeronautics commission to make available service and materials to public, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman*.

We concur in this report: Robert C. Bailey, Joe Chytil, Frank Connor, Martin J. Durkan, F. Stuart Foster, R. R. (Bob) Greive, John H. Happy, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John A. Petrich, A. L. Rasmussen, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 491:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Engrossed House Bill No. 491, creating "floater" license plates for certain owners eligible for proportional registration and licensing, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Ernest W. Lennart, Mike McCormack, W. C. Raugust, Edward F. Riley, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 492:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 492, providing for temporary permits for certain interstate operation of motor vehicles, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, William A. Gissberg, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 493:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Engrossed House Bill No. 493, providing for special reciprocity identification license plates on certain commercial vehicles, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., Frank W.

Foley, Herbert H. Freise, William A. Gissberg, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 533:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred House Bill No. 533, relating to parks and recreation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DeGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., William D. Shannon, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 592:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Engrossed House Bill No. 592, modifying law relating to contracts of the toll bridge authority relating to Puget Sound ferry system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Ernest W. Lennart, Mike McCormack, W. C. Raugust, Edward F. Riley, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**House Joint Memorial No. 8:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Joint Memorial No. 8, petitioning U. S. Congress not to reenact one cent gasoline tax for interstate highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

NAT WASHINGTON, *Chairman*,

AL HENRY, *Vice-Chairman*,

FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, William A. Gissberg, Karl V. Herrmann, Louis E. Hofmeister, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Gordon Sandison, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Victor F. DeGarmo, the President introduced a group of fifty-three students from Jefferson Junior High School, together with Mr. Ray Arnold and Mr. David Ensberg their teachers.

(Applause.)

The President also introduced, at the request of Senator Victor F. DeGarmo, a group of thirty-one sixth and seventh grade students from the Boston

Harbor School, together with their teacher, Mrs. Robert Cooper, and eight parents.

(Applause.)

The President introduced, at the request of Senator Victor F. DeGarmo, a group of sixty-five students in the seventh grade of the Michael T. Simmons School, together with Mr. James Walker, Mr. Merle Davis, Mr. Robert Bryan and Mr. Clyde Johnson.

(Applause.)

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, March 6, 1961.

*To the Honorable, The Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

**Senate Bill No. 8:**

An Act relating to drugs; amending section 1, chapter 6, Laws of 1939, as last amended by section 1, chapter 24, Laws of 1955, and RCW 69.40.060; and amending section 1, chapter 23, Laws of 1955 and RCW 69.40.061.

**Senate Bill No. 18:**

An Act relating to elections; amending section 1, chapter 215, Laws of 1955 and RCW 29.64.010; amending section 2, chapter 215, Laws of 1955 and RCW 29.64.020; and amending section 3, chapter 215, Laws of 1955 and RCW 29.64.030.

**Senate Bill No. 37:**

An Act relating to determination of the population of territory annexed to cities and towns; and amending section 14, chapter 175, Laws of 1957 and RCW 35.13.260.

**Senate Bill No. 51:**

An Act relating to budgets of taxing districts.

**Senate Bill No. 52:**

An Act providing for the abolishment of townships.

**Senate Bill No. 67:**

An Act relating to eggs and egg products; and amending section 5, chapter 193, Laws of 1955, and RCW 69.24.170.

**Senate Bill No. 117:**

An Act relating to franchises on county roads and bridges; and amending section 38, chapter 187, Laws of 1937 and RCW 36.55.010, 36.55.040, 36.55.050 and 36.55.060.

**Senate Bill No. 132:**

An Act relating to blind made products; and amending section 1, chapter 100, Laws of 1959 and RCW 19.06.010; and amending section 2, chapter 100, Laws of 1959 and RCW 19.06.020; and adding two new sections to chapter 100, Laws of 1959 and chapter 19.06 RCW.

**Senate Bill No. 134:**

An Act relating to volunteer firemen's relief and pensions; amending section 16, chapter 261, Laws of 1945 as last amended by section 2, chapter 159, Laws of 1957, and RCW 41.24.160; amending section 17, chapter 261, Laws of 1945 as last amended by section 3, chapter 253, Laws of 1953, and RCW 41.24.170; amending section 18, chapter 261, Laws of 1945, and RCW 41.24.180; amending section 20, chapter 261, Laws of 1945 as amended by section 5, chapter 253, Laws of 1953, and RCW 41.24.200; amending section 22, chapter 261, Laws of 1945 as last amended by section 4, chapter 159, Laws of 1957, and RCW 41.24.220; and amending section 23, chapter 261, Laws of 1945 as last amended by section 5, chapter 159, Laws of 1957, and RCW 41.24.230.

**Senate Bill No. 166:**

An Act relating to purchase of land for parks by towns; and amending section 1, chapter 103, Laws of 1899 and RCW 35.27.400.

**Senate Bill No. 194:**

An Act authorizing the conveyance of certain lands in Benton county, Washington to the county of Benton, Washington.

**Senate Bill No. 230:**

An Act relating to honey, removing the requirement of a state seal; amending section 1, chapter 103, Laws of 1957 and RCW 69.28.080; amending section 40, chapter 199, Laws of 1939 and RCW 69.28.090; and repealing section 38, chapter 199, Laws of 1939 and RCW 69.28.160.

Very truly yours,

WARREN A. BISHOP,  
*Assistant to the Governor.*

State of Washington, Executive Department,  
Olympia, March 7, 1961.

To the Honorable, The Senate of the State of Washington.

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bill, entitled:

**Senate Bill No. 127:**

An Act relating to banks and banking; amending section 30.04.230, chapter 33, Laws of 1955 and RCW 30.04.230.

Very truly yours,

WARREN A. BISHOP,  
*Assistant to the Governor.*

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 3; also  
Engrossed Senate Bill No. 9; also  
Engrossed Senate Bill No. 10; also  
Engrossed Senate Bill No. 17; also  
Senate Bill No. 22; also  
Senate Bill No. 27; also  
Senate Bill No. 137; also  
Engrossed Substitute Senate Bill No. 147; also  
Engrossed Senate Bill No. 167; also  
Engrossed Senate Bill No. 182; also  
Senate Bill No. 204; also  
Engrossed Senate Bill No. 217; also  
Engrossed Senate Bill No. 250; also  
Engrossed Senate Bill No. 288; also  
Engrossed Senate Bill No. 312; also  
Engrossed Senate Bill No. 321; also  
Engrossed Senate Bill No. 331; also  
Senate Bill No. 352; also  
Senate Bill No. 383; also  
Engrossed Senate Bill No. 384; also  
Engrossed Senate Bill No. 419; also  
Senate Bill No. 459; also  
Engrossed Senate Joint Resolution No. 9, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 81 with the following amendments:  
On page 5, section 4, subsection (11), line 13, after "professional conduct" and before "generally expected" insert "*or standards*"

Beginning on page 7, section 5, line 29, strike all of subparagraph (d) and insert the following:

"[(e)] (d) upon the filing with the board of the application for certificate for authorization, certified copy of resolution, affidavit and designation of persons specified in subparagraphs (a) [and] (b), and (c) of this section [, there shall be issued to the corporation a certificate of authorization to practice engineering in this state] the board shall issue to such corporation a certificate of authorization to practice engineering in this state upon a determination by the board (1) that:

(i) The by-laws of the corporation contain provisions that all engineering decisions pertaining to any project or engineering activities in this state shall be made by the specified engineer in responsible charge, or other responsible engineers under his direction or supervision;

(ii) The application for certificate of authorization states the type, or types, of engineering practiced, or to be practiced by such corporation;

(iii) A current certified financial statement accurately reflecting the financial condition of the corporation has been filed with the board and is available for public inspection;

(iv) The applicant corporation has the ability to provide through qualified engineering personnel, professional services or creative work requiring engineering experience, and that with respect to the engineering services which the corporation undertakes or offers to undertake such personnel have the ability to apply special knowledge of the mathematical, physical, and engineering sciences to such professional services or creative work as consultation, investigation, evaluation, planning, design and supervision of construction for the purpose of assuring compliance with specifications and design, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works or projects;

(v) The application for certificate of authorization states the professional records of the designated person or persons who shall be in responsible charge of each project and each major branch of engineering activities in which the corporation shall specialize;

(vi) The application for certificate of authorization states the experience of the corporation, if any, in furnishing engineering services during the preceding five year period and states the experience of the corporation, if any, in the furnishing of all feasibility and advisory studies made within the state of Washington;

(vii) The applicant corporation meets such other requirements related to professional competence in the furnishing of engineering services as may be established and promulgated by the board in furtherance of the objectives and provisions of this chapter; and

(2) upon a determination by the board based upon an evaluation of the foregoing findings and information that the applicant corporation is possessed of the ability and competence to furnish engineering services in the public interest.

The board may in the exercise of its discretion refuse to issue or may suspend and/or revoke a certificate of authorization to a corporation where the board shall find that any of the officers, directors, incorporators, or the stockholders holding a majority of stock of such corporation has committed misconduct or malpractice as defined in RCW 18.43.105 or has been found personally responsible for misconduct or malpractice under the provisions of subsections (f) and (g) hereof.

The certificate of authorization shall specify the major branches of engineering of which the corporation has designated a person or persons in responsible charge as provided in subsection (8) [(b)] (c) of this section.

[In the event of a violation of any of the provisions of this chapter by the corporation or by any employee acting at its direction the certificate of authorization shall be subject to suspension or revocation in the same manner as certificates of registration issued under this chapter. The suspension or revocation of any certificate of authorization issued to a corporation shall not preclude the board from suspending or revoking the certificate of registration of any person employed by such corporation and holding a certificate of registration under this chapter.]"

and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

Senator Shannon moved that the Senate do concur in the House amendments to Engrossed Senate Bill No 81.

The President stated the question before the Senate to be, it has been

moved that the Senate do now concur in the House amendments to Senate Bill No. 81.

The motion carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 81, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Chytil, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—41.

Those voting nay were: Senator Greive—1.

Those absent or not voting were: Senators Bargreen, Connor, DeGarmo, Dore, Martin, Riley, Talley—7.

Engrossed Senate Bill No. 81, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Senator McCormack moved that the rules be suspended, and Senator McCormack be shown as voting "aye" on Senate Bill No. 81, as amended by the House.

#### POINT OF ORDER

Senator Hess:

"I think that it would be a very serious tendency for members to continue this practice. It seems to me that this has been done about four times in the past few days, and I raise a serious issue to it."

#### RULING OF THE PRESIDENT

The President:

"The President concurs. It could lead to a very difficult and serious situation. If it meet with the approval of the Senate, unless it is a most extreme case and emergency, the President will decline to accept any such further motions."

The motion carried.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 131 with the following amendment:

On page 1, section 1, line 17, before the period insert "*Provided, however, That any such penalty shall commence running only after notice of such violation shall have been issued by the commission to the violating party*", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Herrmann, the Senate concurred in the House amendment to Senate Bill No. 131.

The Secretary called the roll on the final passage of Senate Bill No. 131, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 34; nays, 7; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka,

Lennart, McCormack, McCutcheon, Neill, Nunamaker, Papajani, Rasmussen, Raugust, Sandison, Shannon, Thompson, Jr., Washington, Woodall—34.

Those voting nay were: Senators Chytil, Cowen, Happy, Hess, Moriarty, Jr., Petrich, Ryder—7.

Those absent or not voting were: Senators Connor, Donohue, Foster, McMillan, Martin, Morgan, Riley, Talley—8.

Senate Bill No. 131, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Herrmann demanded a Call of the Senate and the demand was sustained by Senators Angevine and Durkan.

#### CALL OF THE SENATE

The Sergenat-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

#### HOUSE AMENDMENT TO SENATE BILL

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 5, 1961.

The House has passed: Engrossed Senate Bill No. 213 with the following amendment: On page 3, immediately following the new subsection (18) which was added by the amendment by Senator Foster, add a new subsection to read as follows:

*"(19) Officers and employees of agricultural commissions formed under the provisions of chapter ....., Laws of 1961 (Substitute House Bill No. 389)."*

and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Foster, the Senate concurred in the House amendment to Engrossed Senate Bill No. 213.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 213, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 2; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Woodall—42.

Those voting nay were: Senators Foley, Hess—2.

Those absent or not voting were: Senators Bargreen, Connor, Morgan, Talley, Washington—5.

Engrossed Senate Bill No. 213, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENT TO SENATE BILL

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 5, 1961.

The House has passed: Engrossed Senate Bill No. 246 with the following amendment: On page 3, section 3, line 28 of the engrossed bill, being page 4, line 20 of the printed

bill, after "corporation" and before the period insert ": PROVIDED, HOWEVER, That in any event, a passbook shall be issued upon request", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Herrmann, the Senate concurred in the House amendment to Engrossed Senate Bill No. 246.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 246, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 2; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—38.

Those voting nay were: Senators Foley, Gissberg—2.

Those absent or not voting were: Senators Donohue, Dore, Durkan, Elway, Jr., Happy, Morgan, Moriarty, Jr., Raugust, Talley—9.

Engrossed Senate Bill No. 246, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Substitute Senate Bill No. 247 with the following amendment:

In section 2, line 17 of the engrossed bill, being section 2, line 15 of the printed bill, after "of a" and before "misdemeanor" insert "gross" which was stricken by the Senate amendment by Senator Freise, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Henry, the Senate concurred in the House amendment to Engrossed Substitute Senate Bill No. 247.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 247, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senator Freise—1.

Those absent or not voting were: Senators Dore, Durkan, Foster, Keefe, Morgan, Riley—6.

Engrossed Substitute Senate Bill No. 247, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 314 with the following amendments:  
On page 2, section 1, subsection (1), line 4, after "*United States*," insert "*or any corporation wholly owned by the government of the United States*,"

On page 5, add a new section following section 5 as follows:

"Sec. 6. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Hanna, the Senate concurred in the House amendments to Engrossed Senate Bill No. 314.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 314, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—41.

Those absent or not voting were: Senators DeGarmo, Durkan, Foster, Henry, Martin, Morgan, Nunamaker, Washington—8.

Engrossed Senate Bill No. 314, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 338 with the following amendment:

On page 2, section 1, line 8 after "*the fourth*" insert "*and the ninth*", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Bargreen, the Senate concurred in the House amendment to Senate Bill No. 338.

The Secretary called the roll on the final passage of Senate Bill No. 338, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—40.

Those absent or not voting were: Senators DeGarmo, Durkan, Foster, Happy, Martin, Morgan, Nunamaker, Raugust, Washington—9.

Senate Bill No. 338, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 5, 1961.

## MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 436 with the following amendments:  
In line 5 of the title, after "and adding" strike "three new sections" and insert "a new section"

On page 2, strike all of section 4 and renumber section 5 to read "Sec. 4."; and on line 22, before "Cities" insert "There is added to chapter 302, Laws of 1959 and to chapter 35.86 RCW a new section to read as follows:

On page 2, strike all of section 6 and renumber section 7 to read "Sec. 6."

Beginning on page 2, strike all of the old section 7, being renumbered section 6., and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Elway moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 436 and that the House recede therefrom.

Senator Kupka moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 436.

On motion of Senator Ryder, Engrossed Senate Bill No. 436 and the House amendments thereto was made a special order of business for 11:30 o'clock a. m.

House of Representatives,  
Olympia, Wash., March 7, 1961.

## MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 11; also

Senate Bill No. 31; also

Senate Bill No. 43; also

Senate Bill No. 44; also

Senate Bill No. 89; also

Senate Bill No. 90; also

Senate Bill No. 91; also

Senate Bill No. 123; also

Senate Bill No. 125; also

Substitute Senate Bill No. 129; also

Senate Bill No. 193; also

Substitute Senate Bill No. 209; also

Senate Bill No. 211; also

Senate Bill No. 212; also

Senate Bill No. 295; also

Senate Bill No. 306; also

Senate Bill No. 316; also

Senate Bill No. 330; also

Senate Bill No. 392; also

Senate Bill No. 434; also

Senate Bill No. 462; also

Senate Bill No. 554; also

Senate Joint Memorial No. 21; also

Senate Joint Memorial No. 23; also

Senate Joint Resolution No. 21, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## SECOND READING OF BILLS

**Engrossed House Bill No. 365**, by Representatives Day, Wang and Edwards:  
Relating to firemen's pensions.

On motion of Senator Angevine, Engrossed House Bill No. 365 was made a special order of business immediately after lunch.

**Re-Engrossed House Bill No. 326**, by Representatives Epton, Johnston and Leibold:

Providing for support of mentally or physically deficient acceptable in state residential schools in day training centers.

Senate Chamber,  
Olympia, Wash., February 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred Re-Engrossed House Bill No. 326, providing for support of mentally or physically deficient acceptable in state residential schools in day training centers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 24 of the re-engrossed bill, same being line 25 of the printed bill, after the period insert a new paragraph to read as follows:

For the purpose of this act the terms "day training center" and "group training home" shall have the following meanings:

(1) "Day training center" shall mean a facility equipped, supervised, managed and operated at least three days per week by any person, association or corporation on a non-profit basis for the day-care, training and maintenance of mentally or physically deficient persons accepted for admission to state residential schools, and approved in accordance with this act and the standards of the department of institutions as set forth in the rules and regulations to be promulgated by the director.

(2) "Group training home" shall mean a facility equipped, supervised, managed and operated on a full time basis by any person, association or corporation on a non-profit basis for the full time care, training and maintenance of mentally or physically deficient persons accepted for admission to a state residential school, and approved in accordance with this act and the standards of the department of institutions as set forth in rules and regulations to be promulgated by the director.

In section 3, page 2, lines 16 and 17 of the re-engrossed and printed bill after "certification" and before "after" insert "or revoke certification previously granted"

On page 3, line 12 of the re-engrossed bill, being page 3, line 15 of the printed bill, strike section 6 of the printed bill, being section 5 of the re-engrossed bill and insert two new sections as follows:

**NEW SECTION.** Sec. 5. There is hereby appropriated from the general fund of the state treasury to the department of institutions for the purposes of carrying out the provisions of this act the sum of thirty thousand dollars or so much thereof as may be necessary.

**NEW SECTION.** Sec. 6. This act shall be of no further force or effect on and after July 1, 1963.

On line 11 of the title of the re-engrossed bill, same being line 12 of the printed bill, after "payments" and before the semicolon insert "and granting, denying or revoking certification of day training centers or group training homes or combinations thereof"

In line 13 of the title of the re-engrossed bill, same being line 14 of the printed bill, after the semicolon and before "adding" insert "defining terms and"

In line 14 of the title of the re-engrossed bill, same being line 15 of the printed bill, after "RCW;" strike "and declaring an emergency" and insert "and providing for the expiration of the act on July 1, 1963"

FRED J. MARTIN, *Chairman.*

We concur in this report: Herbert H. Freise, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Charles P. Moriarty, Jr., John A. Petrich, Gordon Sandison, Perry B. Woodall.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Re-Engrossed House Bill No. 326, providing for support of mentally or physically deficient acceptable in state residential schools in day training centers, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 3, add a new section following section 4 as follows:

**NEW SECTION.** Sec. 5. A day training center and a group training home as used in this act shall be a nonsectarian day training center and a nonsectarian group training home.

Renumber old section 5, section 6.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Mike McCormack, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Martin, the first two amendments by the Committee on Public Institutions were adopted.

Senator Martin moved that the third committee amendment be amended as follows:

On page 3, line 12 of the re-engrossed bill, being page 3, line 15 of the printed bill, strike section 6 of the printed bill, being section 5 of the re-engrossed bill, after "insert" strike "two" and insert "one"

The motion carried and the third committee amendment, as amended, was adopted.

Debate ensued.

On motion of Senator Martin, the fourth committee amendment was not adopted.

On motion of Senator Martin, the remaining amendments by the Committee on Public Institutions were adopted.

On motion of Senator Martin, the amendments by the Committee on Ways and Means were adopted.

On motion of Senator Martin, the rules were suspended, Re-Engrossed House Bill No. 326, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Re-Engrossed House Bill No. 326, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 36; nays, 2; absent or not voting, 11.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Neill, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr.—36.

Those voting nay were: Senators Donohue, Moriarty, Jr.—2.

Those absent or not voting were: Senators Angevine, Dore, Foster, Hofmeister, McMillan, Morgan, Nunamaker, Raugust, Shannon, Washington, Woodall—11.

Re-Engrossed House Bill No. 326, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

When Re-Engrossed House Bill No. 326, as amended by the Senate, was on final passage today, I was inadvertently called away from the floor of the Senate by a visiting constituent from Poulsbo.

Had I been present, I would have voted "Yea" on this measure.

(signed) FRANCES HADDON MORGAN.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate; Ladies and Gentlemen:

"The President would like to take just a moment to introduce Mr. Bob Neilsen, a member of the Hood River basketball team, who is visiting in Olympia today."

(Applause.)

**PRESIDENT'S PRIVILEGE**

At the request of the esteemed Senator Howard Bargreen, the President asked a group of seven girls and Mrs. Wiler from the Martha Lake School in Everett, present in the north gallery, to stand together with Senator Bargreen and be welcomed by the members of the Senate.

(Applause.)

At the request of Senator Fred J. Martin, the President introduced a group in the south gallery of thirty-four students and ten members of the PTA representing the Lucille Umbarger Elementary School of Burlington. Their teachers, Mrs. Farina and Mitchell Kink, were also introduced.

(Applause.)

**Engrossed House Joint Resolution No. 9**, by Representatives Backstrom, Metcalf and Bergh:

Amending Constitution to insure governmental continuity in war emergency.

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Engrossed House Joint Resolution No. 9, amending Constitution to insure governmental continuity in war emergency, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 2, line 1 of the engrossed resolution, same being page 2, line 3 of the printed resolution, after "Governorship" and before the semicolon, insert " : *Provided*, That the legislature shall not depart from section 10, article III, as amended by amendment 6, of the state Constitution relating to the Governor's office so long as any successor therein named is available and capable of assuming the powers and duties of such office as therein prescribed" ....., *Chairman*.

We concur in this report: Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Al Henry, Mike McCormack, Charles P. Moriarty, Jr., John Papajani, Albert C. Thompson, Jr.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The resolution was read the second time in full.

On motion of Senator Rasmussen, the committee amendment was adopted.

On motion of Senator Sandison, the rules were suspended, Engrossed House Joint Resolution No. 9, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

**POINT OF INQUIRY**

Senator Rasmussen:

"Will Senator Sandison yield to a question?"

Senator Sandison:

"Yes, I will."

Senator Rasmussen:

"I see in the resolution, as amended by the House, they have inserted 'during the period of emergency caused by enemy attack only'.

"My first question is, who declares the emergency? Would that be by the President of the United States?"

Senator Sandison:

"This has come up in other states and there would be no immediate pressing need for the first few hours. During that period it is assumed that the President of the United States declares a state of war."

Senator Rasmussen:

"This would be an attack on the United States, or in event of war, in some other part of the world in which the United States is joining?"

Senator Sandison:

"The resolution says an actual enemy attack which as I interpret it would be an attack on the United States."

Senator Rasmussen:

"That's my question. If they were to act in some other world conflict or not, whether or not we would want the constitution of the state disregarded if there were war in the Congo, or something like that?"

Senator Sandison:

"There would be no need unless there was some bombing on state government."

The President stated the question before the Senate to be Engrossed House Joint Resolution No. 9, as amended by the Senate, on final passage.

The Secretary called the roll on the final passage of Engrossed House Joint Resolution No. 9, as amended by the Senate, and the resolution passed the Senate by the following vote: Yeas, 46; nays, 3; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those voting nay were: Senators Cowen, Hallauer, Lennart—3.

Engrossed House Joint Resolution No. 9, as amended by the Senate, having received the constitutional two-third's majority, was declared passed.

**MOTION**

Senator Greive moved that the Senate do now dispense with the Call of the Senate.

The motion carried.

**SPECIAL ORDER OF BUSINESS**

The time having arrived, the President stated the special order of business to be further consideration of Engrossed Senate Bill No. 436 and the House amendments thereto.

The President stated the question before the Senate to be the motion by Senator Kupka that the Senate do concur in the House amendments to Engrossed Senate Bill No. 436.

The motion carried and the Senate concurred in the House amendments to Engrossed Senate Bill No. 436.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 436, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those voting nay were: Senator Petrich—1.

Those absent or not voting were: Senators Bargreen, Durkan, Happy, Papajani—4.

Engrossed Senate Bill No. 436, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 269**, by Representatives Testu, Goldsworthy and Avey:

Relating to use of flag in schools.

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Engrossed House Bill No. 269, relating to use of flag in schools, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On line 15, after "week," strike "*and at*" and insert "*including but not limited to*"  
ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, Fred H. Dore, Frank W. Foley, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John T. McCutcheon, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, John A. Petrich, W. C. Raugust, Albert C. Thompson, Jr., Nat Washington.

The bill was read the second time by sections.

On motion of Senator Hess, the committee amendment was adopted.

Senator Lennart moved that the following amendment be adopted:

In section 1, page 1, line 22, strike the period after "*feasible*" and insert "*: Provided, That the rights and immunities guaranteed the people in the first amendment in the U. S. Constitution shall be secure.*"

A division was requested, and the amendment was not adopted on a rising vote.

On motion of Senator Hess, the rules were suspended, Engrossed House Bill No. 269, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill

No. 269, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Sandison, Talley, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Foster, Hallauer, Hanna, Henry, McMillan, Papajani, Ryder, Shannon—8.

Engrossed House Bill No. 269, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 102**, by Representatives Bernethy, King and Wintler (by Departmental request):

Relating to price paid to commissioner of public lands by highway commission for highway materials.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 102 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 102, and the bill passed the Senate by the following vote: Yeas, 36; nays, 0; absent or not voting, 13.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Raugust, Sandison, Talley, Thompson, Jr., Woodall—36.

Those absent or not voting were: Senators Cowen, Foley, Hallauer, Hanna, Happy, McMillan, Martin, Nunamaker, Papajani, Riley, Ryder, Shannon, Washington—13.

Engrossed House Bill No. 102, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 296**, by Representatives Burtch, Anderson and Backstrom (by Departmental request):

Amending law relating to bonds for motor vehicle dealer's licenses.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, Engrossed House Bill No. 296 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 296, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher,

Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Ryder, Sandison, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Bargreen, Cowen, Hanna, Happy, McMillan, Martin, Papajani, Riley, Shannon, Talley—10.

Engrossed House Bill No. 296, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

At the request of Senator DeGarmo, the President introduced Mary Hern, President of Thurston County Democratic Women, along with forty-seven members of the Democratic Club. Senator Victor F. DeGarmo was asked to stand, along with the group.

(Applause.)

#### PERSONAL PRIVILEGE

Senator DeGarmo:

"Thank you very much for coming, and I believe on behalf of the ladies club and myself, we would like to serve a little treat around here—a box of cigars and candy for the ladies!"

The President:

"Thank you very much, Senator DeGarmo. The President appreciates your generosity."

**Engrossed House Bill No. 261**, by Representatives Wang, Connor and Testu:

Relating to real estate brokers.

Senator Dore moved that Engrossed House Bill No. 261 be placed immediately following House Bill No. 363.

Senator Woodall moved that Engrossed House Bill No. 261 be placed at the end of the second reading calendar for today.

Debate ensued.

The President stated the question to be, it has been moved that Engrossed House Bill No. 261 be placed at the end of the second reading calendar for today.

The motion carried.

**Engrossed Substitute House Bill No. 30**, by Committee on State Resources, Forestry and Lands:

Authorizing counties to create flood control zone districts.

The bill was read the second time by sections.

On motion of Senator Hofmeister, the rules were suspended, Engrossed Substitute House Bill No. 30 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 30, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Mc-

Millan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Durkan, Foley, Hallauer, Papajani, Petrich, Raugust—6.

Engrossed Substitute House Bill No. 30, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 363**, by Representatives Connor, Wintler and Klein:

Authorizing the county treasurer to invest certain funds.

The bill was read the second time by sections.

Senator McCormack moved that the following amendment be adopted:

In section 1, page 1, line 16, after "*county treasurer*" strike ", to be invested by the county" and insert "*or other municipal corporation treasurer, to be invested by such*"

#### POINT OF INQUIRY

Senator Thompson:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will yield."

Senator Thompson:

"I think the intent of the underlined material is any municipal corporation whose funds are in the custody of the county treasurer. Doesn't your amendment complicate it?"

Senator McCormack:

"No, I think it clarifies it. You see, we have other municipal corporation treasurers."

#### POINT OF INQUIRY

Senator Ryder:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Ryder:

"As I read the bill, it appears to me that this was originally drafted so that only county treasurers could do the investing of these funds. Do you think it would be proper for the treasurers of all these small districts to invest funds?"

Senator McCormack:

"Yes, as I don't think it would endanger the handling of these funds. I think it would be perfectly legitimate."

The President stated the question before the Senate to be the adoption of the amendment by Senator McCormack.

The motion carried, and the amendment was adopted.

Senator Thompson moved that the following amendment be adopted:

In section 1, page 1, line 20, strike the period following "funds" and insert ": Five percent of the interest or earnings, with a minimum of ten dollars or maximum of fifty dollars, on any transactions authorized by each resolution of the governing body shall be paid as an investment service fee to the office of county treasurer when such investment is terminated and the interest or earnings become available to the governing body."

The motion carried and the amendment was adopted.

Senator Moriarty moved that the following amendment be adopted:

In section 1, page 1, line 18, after "*warrants*" strike "*or other long*"

Debate ensued.

**POINT OF INQUIRY**

Senator Herrmann:

"Will Senator Ryder yield to a question?"

Senator Ryder:

"Yes, I will."

Senator Herrmann:

"I note in this sentence there is a qualifying phrase which says 'which are authorized for the investment of public funds'. Now, is that referring to the particular section of our code?"

Senator Ryder:

"I have a little question on that myself as to what section of the code it refers. As to the investment of funds, I would assure you that this problem would be under the regulations by which the state treasurer can invest certain surplus funds in the various state accounts."

Senator Herrmann:

"I think that point should be clarified and there should be an amendment written to denote sections and the sections set out specifically. Take a little time, and I would suggest that this bill be held over to be considered immediately prior to the last bill at the end of the calendar."

The President stated the question to be the adoption of the amendment by Senator Moriarty.

The motion carried and the amendment was adopted.

On motion of Senator Ryder, further consideration of House Bill No. 363 was ordered placed immediately preceding consideration of Engrossed House Bill No. 261 at the end of the second reading calendar for today.

**Engrossed House Bill No. 264**, by Representatives Henry and Siler:

Relating to duty of veterinary board to adopt a code of ethics and adding two causes for revoking a license.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, Engrossed House Bill No. 264 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator Greive:

"Will Senator Henry yield to a question?"

Senator Henry:

"Yes, I will yield."

Senator Greive:

"What is contained in the code of ethics?"

Senator Henry:

"I will ask Senator Donohue to yield to that."

Senator Donohue:

"About the only thing I can say is they are going to adopt the same code of ethics as the American Medical Association."

**POINT OF INQUIRY**

Senator Rasmussen:

"Will Senator Donohue yield to a question?"

Senator Donohue:

"Yes, I will."

Senator Rasmussen:

"Is this the American Veterinary Medical Association code of ethics?"

Senator Donohue:

"Yes."

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Henry yield to a question?"

Senator Henry:

"Yes, I will."

Senator Rasmussen:

"My question is I had a little bill that would include the legislators under the same code of ethics that we adopted for all state employees. Would you think that this bill would include being covered by a code of ethics?"

Senator Henry:

"I know nothing about that particular bill, but are you suggesting that the legislators should be included under a code of ethics for legislators?"

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Rasmussen:

"Are you aware of what the new code of ethics will be?"

Senator Greive:

"To adopt a code of ethics that is spelled out would be declared unconstitutional."

Senator Rasmussen:

"If you are adopting by reference, a code of ethics to be adopted in the future, rather than what actually exists, I don't think you have a constitutional bill."

The Secretary called the roll on the final passage of Engrossed House Bill No. 264, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Bailey, Durkan, Elway, Jr., Foley, Hallauer, Happy, Hess, Kupka, Lennart, Neill, Petrich—11.

Engrossed House Bill No. 264, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed Substitute House Bill No. 140**, by Committee on Agriculture and Livestock:

Regulating agricultural pesticides.

The bill was read the second time by sections.

**MOTION**

On motion of Senator Martin, Senator Kupka and Senator Petrich were excused.

On motion of Senator Moriarty, the following amendments were adopted:

In section 9, renumbered section 8, page 10, lines 3 and 4 of the engrossed and printed bill, after "records" and before "in any" strike "anywhere in the state" and insert "in the county in which the person licensed under this act resides"

In section 32, renumbered section 31, page 19, line 18 of the engrossed and printed bill, after "misdemeanor" insert a period and strike all of the remainder of the material on lines 18, 19, 20, 21 and 22, down to and including "offense." on line 23.

In section 2, page 1, line 16, of the engrossed and printed bill, strike all of section 2 and renumber the remaining sections consecutively.

In section 6, renumbered section 5, page 8, line 22 of the engrossed and printed bill, strike "(state administrative procedures act)"

In section 7, renumbered section 6, page 8, lines 26 and 27 of the engrossed and printed bill, strike "(state administrative procedures act)"

In section 8, renumbered section 7, page 9, beginning on line 33 of the engrossed and printed bill, strike "(state administrative procedures act)"

On page 20, beginning on line 8 of the engrossed and printed bill, strike all of section 35, renumbered section 34 and renumber the remaining sections consecutively.

On page 21, beginning on line 1 of the engrossed and printed bill, strike all of section 41, renumbered section 39 and renumber the remaining sections consecutively.

Senator Riley moved that the following amendment be adopted:

On page 1, beginning with line 7, strike all of section 1 and renumber the following sections consecutively.

Debate ensued.

The motion was lost, and the amendment was not adopted.

On motion of Senator Raugust, the rules were suspended, Engrossed Substitute House Bill No. 140, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 140, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMullan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Lennart, McCutcheon, Martin, Ryder, Shannon—5.

Engrossed Substitute House Bill No. 140, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 514**, by Representatives Andersen (James A.), Garrett and Morrissey:

Permitting organization of an association of water district commissioners.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 514 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 514, and the bill passed the Senate by the following vote: Yeas, 38; nays, 3; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Morgan, Neill, Nunamaker, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those voting nay were: Senators Chytil, Moriarty, Jr., Rasmussen—3.

Those absent or not voting were: Senators Foley, Foster, Hallauer, Hanna, Lennart, McCutcheon, Martin, Papajani—8.

Engrossed House Bill No. 514, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 397**, by Representatives Ahlquist, Schaefer and Canfield:

Providing for formation and establishing procedures for soil and water conservation districts.

The bill was read the second time by sections.

On motion of Senator McCormack, the rules were suspended, Engrossed House Bill No. 397 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 397, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Greive, Hanna, Happy, Henry, Herrmann, Hofmeister, Knoblauch, Kupka, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Foley, Gissberg, Hallauer, Hess, Keefe, Lennart, McCutcheon, Martin, Papajani, Raugust—10.

Engrossed House Bill No. 397, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Cooney:

"I would like to announce that the cigars and candy being passed around are from the railroads in appreciation of favorable consideration of their measure."

#### PERSONAL PRIVILEGE

Senator DeGarmo announced that the candy and cigars being distributed were through the courtesy of the ladies of the Thurston County Democratic Club.

## PRESIDENT'S PRIVILEGE

At the request of Senator Greive, the President announced the presence in the north gallery of a group of thirty members of Tibbetts Memorial Methodist Church in Seattle, under the direction of Ruby Rehs, Secretary. This group was asked to stand and be recognized, along with Senator Greive.

(Applause.)

**Engrossed House Bill No. 57**, by Representatives Ackley, Pritchard and Goldmark:

Creating arts commission.

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Engrossed House Bill No. 57, creating arts commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In new section 3, page 1, beginning on line 21 of the engrossed bill, same being line 22 of the printed bill, after "be" strike "five members for one year terms, five members for two year terms and five members for three year terms." and insert "seven members for one year terms, seven members for two year terms and seven members for three year terms."

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, John T. McCutcheon, John N. Ryder, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Happy, the committee amendment was adopted.

On motion of Senator Happy, the following amendment was adopted:

In section 2, line 13 of the engrossed bill, same being lines 13 and 14 of the printed bill, after "of" and before "members" strike "fifteen" and insert "twenty-one"

On motion of Senator Gissberg, the following amendment was adopted:

On page 2 of the engrossed and printed bill, add a new section following section 7, reading as follows:

**NEW SECTION.** Sec. 8. Provided that no funds from the governor's emergency fund shall be expended in carrying out the provisions of this act.

Senator Gissberg moved that the following amendment be adopted:

Strike all of section 1.

A division was requested, and the motion lost on a rising vote.

The amendment was not adopted.

Senator Herrmann moved that the following amendment be adopted:

On page 2 of the engrossed and printed bill, after the amendment of Senator Gissberg adding a new section 8, insert a new section reading as follows:

**NEW SECTION.** Sec. 9. The commission shall have the authority to designate a poet laureate for the state of Washington.

## POINT OF ORDER

Senator Happy:

"I am afraid that this is beyond the scope of the bill."

Senator Rasmussen:

"I sustain Senator Happy on his point of order as to the scope.

"We are setting up a commission and leaving it to them to provide for the preservation and development of beauty, and now we are directing them to do something, when we are just enacting a new law."

Senator Herrmann:

"In answer to the statement by Senator Rasmussen, it says, 'they shall have the authority to appoint a poet laureate.' That is merely giving them enabling legislation."

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Would it be helpful to the President to have this matter determined so that he could decide on the point of order?"

#### RULING OF THE PRESIDENT

The President:

"Ruling upon the point of order as presented by Senator Happy. The President believes that the point of order as presented by Senator Happy is not well taken. The amendment does not change the scope and object of the bill. The President believes that this encompasses the amendment as presented by Senator Herrmann; therefore, the amendment is in order."

The motion carried and the amendment was adopted.

Senator Woodall moved that the following amendment be adopted:

Add a new section reading as follows: "Study the arts, crafts and tepees of the Yakima Indians."

The motion lost, and the amendment was not adopted.

On motion of Senator Happy, the rules were suspended, Engrossed House Bill No. 57, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

The Secretary called the roll on the final passage of Engrossed House Bill No. 57, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—42.

Those voting nay were: Senators Gissberg, McCormack, Neill, Woodall—4.

Those absent or not voting were: Senators McMillan, Raugust, Talley—3.

Engrossed House Bill No. 57, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Cowen:

"It has been my greatest ambition to find someday an artist to paint a mural on the Senate walls, and since we now have the new Arts Commission to assist us in finding an artist, there is no doubt that the Governor will give his approval. I wish to leave as a memorium in this Senate lovely murals on these walls. I will take it upon myself to find someone in eastern Washington who can do this painting. This would be something such as is painted in the General Administration Building. So, you can direct me to find some individual who will do the mural on these walls, after the Art Commission has voted on it."

#### MOTION

On motion of Senator Greive, the Senate recessed until 3:30 o'clock p. m.

### AFTERNOON SESSION

The President called the Senate to order at 3:30 o'clock p. m.

The Secretary called the roll and announced to the President that all the members were present except Senators Durkan and Raugust.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the President stated the special order of business to be consideration of Engrossed House Bill No. 365 on second reading.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 365**, by Representatives Day, Wang and Edwards:  
Relating to firemen's pensions.

The bill was read the second time by sections.

Senator Greive moved that the following amendment be adopted:

In section 12, page 12, line 5 of the engrossed bill, same being page 13, line 7 of the printed bill, after "chapter" and before "by" insert "or under such prior act"

#### POINT OF INQUIRY

Senator Gissberg:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will yield."

Senator Gissberg:

"Am I correct in my assumptions that the language of the entire section is in there for the reason that, if we simply increase the benefits of this retirement act and then strike all the financial provisions, the case will then prevail and some particular agency of government will have to pick up the tab."

Senator Greive:

"The assistant to the chief in Seattle came to me and said that he was covered under a prior act and he did not have anything to worry about, but he wanted to be protected and he wanted others in such cases provided for in the act. I went to the bill drafting attorneys and asked them to draft this amendment."

The President stated the question before the Senate to be the adoption of the amendment by Senator Greive.

The motion carried and the amendment was adopted.

Senator Angevine moved that the following amendments be adopted:

In section 8, page 9, line 2 of the engrossed bill, same being page 9, lines 26 and 27 of the printed bill, after "(2)" strike "[forty-five] *seventy-five*" and insert "forty-five"; also on line 6 of the engrossed bill, being lines 30 and 31 of the printed bill, after "The" strike "[forty-five] *seventy-five*" and insert "forty-five"

Beginning on page 9, line 29, strike all of the material down to and including line 26 on page 10 of the engrossed bill, same being page 10, line 22 to line 26 on page 11 of the printed bill, as amended, and insert the following:

It shall be the duty of the legislative authority of each municipality, each year as a part of its annual tax levy, to levy and place in the fund a tax of one mill on all the taxable property of such municipality: *Provided*, That should the estimated amount to be raised by said levy of one mill, together with other estimated income be insufficient to meet the estimated requirements of the fund then there shall be levied such additional tax, not to exceed one mill, as will meet said requirements: *Provided further*, That this additional levy may be in addition to the city fifteen mill levy limit now provided by law.

Any city or town may, at any time before the annual budget for the city or town is made, cause an examination of and report on the condition of the firemen's pension

fund by an actuary, and if it is established from such examination and report that the condition of the fund and the estimated demands and requirements thereon under this chapter during the ensuing budget year will not require the levy of the mandatory one mill, or if all or any part of the additional one mill levy is unnecessary to meet the estimated demands on the fund under this chapter for the ensuing budget year, the levy of the mandatory or additional one mill may be omitted, or the whole or any part of such millage may be levied and used for any other municipal purpose.

Senator Hallauer moved that Engrossed House Bill No. 365 be referred to the Committee on Cities, Towns and Counties.

Senator Greive demanded a Call of the Senate, and the demand was sustained by Senators Connor and Bailey.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

#### POINT OF INQUIRY

Senator Bargreen:

"Will Senator Talley yield to a question?"

Senator Talley:

"Yes, Senator Bargreen, I yield."

Senator Bargreen:

"If this motion carries, that House Bill No. 365 be considered by the Committee on Cities, Towns and Counties, how soon will it come back to the Senate floor?"

Senator Talley:

"What does this body want? This bill was considered in the committee. Why is it to be referred back?"

Senator Bargreen:

"I think it refers to the new amendment."

#### POINT OF INQUIRY

Senator Talley:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Talley:

"What do you want the committee to do?"

Senator Hallauer:

"This problem relates to a financial matter on cities, and I want the committee to figure out how the cities will be able to pay for this. The question is, will the Committee on Cities, Towns and Counties allow an additional burden to be placed on the cities? They are seeking help, and we are about to burden them further."

#### POINT OF INQUIRY

Senator Bargreen:

"Senator Talley, the question is, if this motion carries, how soon will this bill be back before this body for us to consider?"

Senator Talley:

"Time is about to run out on us."

Senator Angevine:

"Mr. President, Members of the Senate:

"I think the answer that Senator Talley has to give is quite ample evidence that the Committee on Cities, Towns and Counties is not desirous of taking this bill away from the Senate now in an attempt to kill the bill."

**POINT OF ORDER**

Senator Woodall:

"A motion to refer to the Committee was made; were there any instructions with that referral?"

The President:

"There was no reference made to instructions."

**POINT OF ORDER**

Senator Woodall:

"Senator Angevine is speaking on the merits of the bill, and not on the motion."

**RULING OF THE PRESIDENT**

The President:

"Please confine your remarks to the motion, Senator Angevine."

**PERSONAL PRIVILEGE**

Senator Angevine:

"The reason given for referral indicates there was no reasonable grounds for referral. The Committee on Cities, Towns and Counties obviously doesn't want to consider the bill further."

Senator Durkan demanded the previous question, and the demand was sustained by Senators Greive and Angevine.

The President stated the question before the Senate to be, shall the main question be now put:

The motion carried and the demand for the previous question was sustained.

Senator Greive demanded a roll call, and the demand was sustained by Senators Bailey, Durkan, Angevine, Gallagher, Keefe, Kupka, Hofmeister and Papajani.

The President stated the question to be the motion by Senator Hallauer that Engrossed House Bill No. 365 be referred to the Committee on Cities, Towns and Counties.

The Secretary called the roll, and the motion was lost by the following vote: Yeas, 22; nays, 27; absent or not voting, 0.

Those voting yea were: Senators Bailey, Chytil, Donohue, Freise, Gissberg, Hallauer, Happy, Hess, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—22.

Those voting nay were: Senators Angevine, Bargreen, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Greive, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Martin, Morgan, Nunamaker, Papajani, Rasumssen, Talley, Woodall—27.

The President stated the question before the Senate to be the adoption of the amendments by Senator Angevine.

The motion carried and the amendments were adopted.

**POINT OF INQUIRY**

Senator Bargreen:

"Will Senator Angevine yield to a question?"

Senator Angevine:

"Yes, I yield."

Senator Bargreen:

"Finance has been brought up in regard to the bill. Is it true there are adequate funds in the reserve fund to take care of the requirements?"

Senator Angevine:

"As a matter of fact, the figures before me show that there is one-half million dollars in the Spokane Fireman Reserve Fund. There is no need to worry at all about the condition of this fund."

Debate ensued.

Senator Angevine moved that the rules be suspended, Engrossed House Bill No. 365, as amended by the Senate, be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A roll call was demanded by Senators Gissberg, Cowen, Henry, Herrmann, Hofmeister, Kupka, Sandison, McCutcheon, Rasmussen and DeGarmo.

The Secretary called the roll, and the motion to advance Engrossed House Bill No. 365, as amended by the Senate, to third reading and final passage was carried by the following vote: Yeas, 27; nays, 22; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bargreen, Connor, Cooney, DeGarmo, Durkan, Elway, Jr., Foley, Foster, Gallagher, Greive, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Rasmussen, Talley, Thompson, Jr.—27.

Those voting nay were: Senators Bailey, Chytil, Cowen, Donohue, Dore, Freise, Gissberg, Hallauer, Happy, Hess, Lennart, McMillan, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Washington, Woodall—22.

Senator Angevine demanded the previous question.

Debate ensued.

The demand for the previous question was withdrawn with the permission of the Senate.

#### POINT OF INQUIRY

Senator Bailey:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"I yield, Senator Bailey."

Senator Bailey:

"What does this do to the smaller cities? Under the present law they can levy seven to sixteen mills, and there are only about three cities in the state of Washington using the sixteen mill levy."

Senator Hallauer:

"This law will force most of the little districts to use the sixteen mill levy. It is true it is on the books at this time, but to force them into using it will not help the little cities at all. They might have a little money but they need to have some in reserve.

"I think before we vote on a bill like this, it is better to hold it in abeyance than to vote hastily on something where we don't know what we are doing."

Senator Gissberg moved that Engrossed House Bill No. 365, as amended by the Senate, hold its place on the third reading calendar for tomorrow.

## POINT OF INQUIRY

Senator Hess:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Hess:

"If action were deferred on this until tomorrow, would it be possible for the Committee on Ways and Means to obtain advice from the Tax Commission regarding the possibility of raising the tax sufficiently to cover not only the cost of this program, but the entire cost of the firemen's program?"

Senator Hallauer:

"I think this could be done."

Senator Hess:

"If we did make such a deferral, and I made this request of the Committee, would you do your best to see that this information was obtained?"

Senator Hallauer:

"Certainly, Senator Hess."

Senator Greive demanded the previous question, and the demand was sustained by Senators Morgan and McCutcheon.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried.

Senator Greive demanded a roll call, and the demand was sustained by Senators Hofmeister, Connor, Morgan, Angevine, Kupka, Herrmann, DeGarmo and Rasmussen.

The President stated the question before the Senate to be that it has been moved that Engrossed House Bill No. 365, as amended by the Senate, hold its place on the third reading calendar for tomorrow.

The Secretary called the roll, and the motion to hold Engrossed House Bill No. 365, as amended by the Senate, on the third reading calendar for tomorrow was carried by the following vote: Yeas, 28; nays, 21; absent or not voting—0.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Cowen, Donohue, Foster, Freise, Gissberg, Hallauer, Hanna, Happy, Hess, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—28.

Those voting nay were: Senators Angevine, Connor, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Gallagher, Greive, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Morgan, Nunamaker, Papajani, Rasmussen, Talley—21.

## PRESIDENT'S PRIVILEGE

The President:

"The President happily notices the presence of a lovely and gracious lady in the gallery. It is a great privilege for the President to present the wife of that popular and fearless Senator from Pierce County, John McCutcheon. Mrs. McCutcheon is here today to attend with Senator McCutcheon a grand dinner being held this evening in his honor. Mrs. McCutcheon has a definite antipathy for politics, but not for statesmen."

(Applause.)

The President:

"The President knows that this short announcement will be of great interest to all.

The President has just been informed by the Honorable Senator Hanna that Page Vicki Peterson has received the GRAND CROSS OF COLOR, the highest award given in Rainbow, from the Wenatchee Rainbow Assembly.

"Vicki, would you please stand in order that you may be properly recognized."

(Applause.)

#### MOTION

On motion of Senator Greive, the Senate returned to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 414 with the following amendments: Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. There is added to chapter 53, Laws of 1899 and to chapter 6.24 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 6.24.140 and RCW 6.24.160, the period of redemption shall be limited as provided in this act where the sale is by virtue of an execution or other process issued upon a decree for the foreclosure of a mortgage upon improved real property and the property is abandoned either before or after the sale by the judgment debtor or his successor in interest.

**NEW SECTION.** Sec. 2. There is added to chapter 53, Laws of 1899 and to chapter 6.24 RCW a new section to read as follows:

If the court finds that the property has been abandoned prior to the entry of the mortgage foreclosure decree, the judgment debtor or his successor in interest or any redemptioner may redeem the property only during the period of ten days following the sale: *Provided*, That the notice of sale shall state that the property has been abandoned and may be redeemed only during such period.

**NEW SECTION.** Sec. 3. There is added to chapter 53, Laws of 1899 and to chapter 6.24 RCW a new section to read as follows:

(a) If no finding of abandonment is made by the court prior to the entry of the mortgage foreclosure decree, the purchaser at the sale or any redemptioner may move at any time during the period of redemption, with or without supporting affidavits, that the court enter an order establishing such abandonment and limiting the period of redemption as provided in this section.

(b) A copy of such motion and the notice of hearing shall be served at least five days before the hearing on each party who filed with the clerk of court a notice of appearance, motion or pleading in the mortgage foreclosure action. If the judgment debtor or his successor in interest did not appear in the mortgage foreclosure action a copy of the notice of hearing describing the object of the motion shall be posted at the front door of the principal building on the property at least five days prior to the hearing.

(c) Any adverse party prior to the day of hearing may serve opposing affidavits. Supporting and opposing affidavits shall be made on personal knowledge and shall show affirmatively that the affiant is competent to testify to the matters stated therein. The court may either decide the motion on the basis of the affidavits or order a continuance to permit affidavits to be obtained or depositions to be taken or make such other order as is just.

(d) If the abandonment is established to the satisfaction of the court, an order to that effect shall be entered and when entered shall be conclusive, and thereupon the judgment debtor or his successor in interest or any redemptioner may redeem the property only during a period of thirty days following the entry of the order. The person entitled to a conveyance from the sheriff shall deliver a certified copy of the order to the sheriff before the conveyance is delivered.

**NEW SECTION.** Sec. 4. There is added to chapter 53, Laws of 1899 and to chapter 6.24 RCW a new section to read as follows:

If the sale is confirmed as provided by law and the period of redemption as limited

by this act shall expire, the sheriff shall issue and deliver a deed to the property as provided in RCW 6.24.220. If the property is redeemed in the manner provided by law, the property shall be subject to successive redemptions as provided in RCW 6.24.150.

In line 1 of the title, after "of mortgages" strike the remainder of the title and insert ", providing for limiting of the redemption period when the property has been abandoned by the mortgagor; and adding four new sections to chapter 53, Laws of 1899 and chapter 6.24 RCW.", and the same is hereby transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Freise moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 414.

#### POINT OF ORDER

Senator Petrich:

"Mr. President, the House amendment on Engrossed Senate Bill No. 414 changes the scope and object of the bill."

Debate ensued.

Senator Freise:

"I believe that Senator Petrich is speaking on the merits of the bill and not on the point of order."

#### RULING OF THE PRESIDENT

The President:

"Please speak to the point of order, Senator Petrich."

Senator Petrich:

"I am merely pointing out how much difference there is between the scope and object of the bill and the House amendment."

Senator Greive:

"I don't agree with Senator Petrich, that being a separate branch of government that we have any right to rule upon an action taken in the other house. If Senator Petrich will withdraw his motion, I will be very happy to make a motion to hold this over until tomorrow, because I think we should certainly look this over a little more."

Senator Neill:

"Under our rules there is certainly a rule. If the House does enlarge the scope and object of the bill, then under the Senate rules it must go to the committee from which it came."

Senator Kupka:

"I think that Senator Petrich has a point."

#### RULING OF THE PRESIDENT

The President:

"The point of order as presented by Senator Petrich in regard to the House amendment to Engrossed Senate Bill No. 414 is one that will require a considerable study."

#### MOTION

On motion of Senator Greive, Engrossed Senate Bill No. 414, with the House amendments thereto, was made a special order of business at the beginning of the second reading calendar for this evening.

The Secretary read:

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 489 with the following amendment:

On page 2, beginning on line 32, strike all of section 8, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Washington moved that the Senate do not concur in the House amendment to Senate Bill No. 489, and requests the House to recede therefrom. The motion carried.

#### MOTIONS

Senator Woodall moved that the Senate do now consider the message from the House concerning Engrossed Substitute Senate Bill No. 111.

Senator Greive moved that the Senate defer this motion for ten minutes and consider some of the other messages from the House.

Senator Woodall moved that the Senate consider this matter at 5:15 o'clock p. m.

There being no objections, the message from the House concerning Engrossed Substitute Senate Bill No. 111 was made a special order of business at 5:15 o'clock p. m.

#### SECOND READING OF BILLS

**House Bill No. 363**, by Representatives Connor, Wintler and Klein:

Authorizing the county treasurer to invest certain funds.

The bill was read the second time by sections.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Thompson moved that the Senate do now reconsider the vote by which his amendment to page 1, section 1, line 20 of the bill was adopted.

The motion carried.

#### RECONSIDERATION

On motion of Senator Thompson, the amendment was laid on the table.

On motion of Senator Ryder, the following amendment was adopted:

In section 1, page 1, line 18, after "any" strike the remainder of the section and insert "*short term United States government securities: PROVIDED, Five percent of the interest or earnings, with a minimum of ten dollars or maximum of fifty dollars, on any transactions authorized by each resolution of the governing body shall be paid as an investment service fee to the office of county treasurer or other municipal corporation treasurer when such investment is terminated and the interest or earnings become available to the governing body.*"

On motion of Senator McCormack, the following amendment to the title was adopted:

In line 1 of the title, after "the county" and before "treasurer" insert "or other municipal corporation"

On motion of Senator Ryder, the rules were suspended, House Bill No. 363, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 363, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; nays, 0; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—49.

House Bill No. 363, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

At the request of Senator Donohue, the President introduced four Washington State Future Farmers of America officers of the Washington Association: Hal Johnson, Sentinel, Lincoln County; Jim Danielson, Adams County, Reporter; Mike Beksinski, Pierce County, Treasurer; Steve Porter, Lewis County, President. This group was asked to stand, along with Senator Donohue. (Applause.)

#### POINT OF ORDER

Senator Dore:

"Mr. President, is Engrossed Substitute Senate Bill No. 111 and the message from the House before the Senate?"

#### SPECIAL ORDER OF BUSINESS

The President:

"Engrossed Substitute Senate Bill No. 111 and the message from the House, having been made a special order of business at this time is now before the Senate."

The Secretary read:

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Substitute Senate Bill No. 111 with the following amendments:

On page 2, section 2, line 25, beginning with "There shall" strike all of the matter down to and including "of this act." in line 27 and insert "There shall be one court inferior to the superior court, which court shall be known as the justice court: *Provided*, That any city having a population of more than five hundred thousand may by resolution of its legislative body elect to continue to operate a municipal court pursuant to the provisions of chapter 35.20 RCW, as if this act had never been enacted."

Beginning on page 15, line 13, strike all of chapter 6 and sections 50 through 98, inclusive.

Renumber the remaining sections consecutively.

On page 31, old section 114, line 7, after "chapter 12.12 RCW" strike the period and insert "": *Provided*, That in the trial of actions brought for violating any city ordinance, no jury shall be allowed."

On page 50, old section 156, line 17, after "020," strike all of the matter down to and including the comma following "RCW" in line 18, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Dore moved that the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 111.

Senator Henry moved that the motion by Senator Dore be laid on the table.

#### POINT OF ORDER

Senator Dore:

"I thought the President recognized me to speak on the motion."

The President:

"You were recognized, but a motion of higher order was made."

Senator Dore:

"We are on the same level again, so are you going to recognize him or me?"

#### RULING OF THE PRESIDENT

The President:

"The President will recognize the motion presented by Senator Henry as being of higher rank than that of Senator Dore."

#### PERSONAL PRIVILEGE

Senator Dore:

"I think that with this kind of arrangement I go along with Senator Rasmussen. He always feels that there should be a certain sense of fairness on an important matter. I would like the courtesy of an explanation of what the House amendments are, so we would know how to vote. I would like that courtesy of Senator Henry."

Senator Henry:

"If Senator Dore's motion is tabled, then a motion not to concur is in order, and at that time it can be fully debated."

The President:

"That is true."

Senate Henry:

"You will have the right to debate this in the proper order of business. I thought perhaps you would extend me that courtesy."

Senator Dore demanded a roll call, which was sustained by Senators Henry, Riley, Happy, DeGarmo, McCutcheon, Petrich, Moriarty, Jr. and Chytil.

A roll call was ordered.

#### POINT OF INQUIRY

Senator Petrich:

"Mr. President, did you make the ruling to the effect that in the event this motion was carried, a motion not to concur could be considered by the body?"

#### POINT OF ORDER

Senator Woodall:

"That question is not before the body. We have enlarged to the point of putting a non-debatable motion, and I don't think a point of inquiry is in order."

Senator Henry:

"I think I stated quite clearly that in the event his motion is tabled, then a motion not to concur is in order."

The President stated the question before the Senate to be, it has been moved that the motion by Senator Dore that the Senate do concur in the House amendments to Engrossed Substitute Senate Bill No. 111, be laid on the table.

Senator Dore:

"I might say this. Senator Woodall moved to read the last line only of the amendment, so I very kindly and graciously agreed. Then he got Senator Henry to get up and make the motion so I couldn't explain what the amendments were."

Senator Henry:

"I would like to assure Senator Dore I have been around here for twenty years, and I don't have to have anybody do my thinking!"

The President stated the question before the Senate to be that the motion by Senator Dore to concur in the House amendments to Engrossed Substitute Senate Bill No. 111 be laid on the table.

The Secretary called the roll, and the motion by Senator Dore was laid on the table by the following vote: Yeas, 25; nays, 24; absent or not voting, 0.

Those voting yea were: Senators Chytil, Donohue, Durkan, Elway, Jr., Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hofmeister, Keefe, Knoblauch, Lennart, McCutcheon, McMillan, Neill, Rasumssen, Raugust, Ryder, Shannon, Talley, Woodall—25.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Dore, Foley, Freise, Herrmann, Hess, Kupka, McCormack, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Riley, Sandison, Thompson, Jr., Washington—24.

Senator Henry moved that the Senate do not concur in the amendments by the House to Engrossed Substitute Senate Bill No. 111.

#### PARLIAMENTARY INQUIRY

Senator Dore:

"I would like to be recognized for the purpose of making a substitute motion."

#### RULING OF THE PRESIDENT

The President:

"Under the rules of the Senate, a substitute motion is not in order."

Senator Dore:

"I was against the motion that has been voted down; therefore, I will make a motion that we do concur in the House amendments."

Extensive debate ensued.

#### POINT OF ORDER

Senator Gissberg:

"I have reference to Reed's Rule No. 250, wherein is discussed the effect of the loss of a motion to concur: 'Each of these two motions to concur and to non-concur, is the reverse of the other, and hence when one is rejected the other is considered adopted. The motion to concur is always put first, if demanded, even if the other is moved first, because it is the affirmative and is in the line of agreement with the other body'. The motion to concur has been rejected and so automatically we have accepted the motion to reject."

#### RULING OF THE PRESIDENT

The President:

"The motion to concur has not been rejected. The motion to concur has been tabled."

Senator Greive demanded the previous question, and the demand was sustained by Senators Hofmeister and Henry.

Senator Dore demanded a roll call, and the demand was sustained by Senators Chytil, DeGarmo, Henry, McCutcheon, Moriarty, Jr., Petrich, Ryder and Talley.

The President stated the question before the Senate to be, it has been moved that the Senate do not concur in the House amendments to Engrossed Substitute Senate Bill No. 111.

The Secretary called the roll, and the motion that the Senate do not concur in the House amendments to Engrossed Substitute Senate Bill No. 111 was carried by the following vote: Yeas, 31; nays, 18; absent or not voting, 0.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Hofmeister, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Rasmussen, Raugust, Sandison, Talley, Thompson, Jr., Woodall—31.

Those voting nay were: Senators Angevine, Connor, Cooney, Dore, Foley, Freise, Hallauer, Herrmann, Hess, Keefe, Kupka, Moriarty, Jr., Papajani, Petrich, Riley, Ryder, Shannon, Washington—18.

#### MOTIONS

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, the Senate recessed until 8:30 o'clock p. m.

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#### EVENING SESSION

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The President called the Senate to order at 8:30 o'clock p. m.

The Secretary called the roll and announced to the President that all members were present except Senators Cooney, Dore, Gissberg, Foley, Hallauer, Kupka, Lennart, McCutcheon, Rasmussen, Shannon, Talley and Washington.

On motion of Senator Greive, Senators Cooney, Dore, Foley, Hallauer, Kupka, Rasmussen, Shannon and Talley were excused.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 261**, by Representatives Wang, Conner and Testu: Relating to real estate brokers.

Senator McMillan moved that Engrossed House Bill No. 261 be referred to the Judiciary Committee.

Senator Greive demanded a roll call, and the demand was sustained by Senators Cooney, Dore, Freise, Gallagher, Herrmann, Knoblauch, Kupka, Martin and Petrich.

The President stated the question before the Senate to be, it has been moved that Engrossed House Bill No. 261 be referred to the Judiciary Committee.

The Secretary called the roll, and the motion to refer Engrossed House Bill No. 261, to the Judiciary Committee was lost by the following vote: Yeas, 16; nays, 22; absent or not voting, 11.

Those voting yea were: Senators Bailey, Chytil, Cowen, Donohue, Elway, Jr., Foster, Freise, Happy, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr.—16.

Those voting nay were: Senators Cooney, DeGarmo, Dore, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Nunamaker, Petrich, Sandison, Talley, Washington, Woodall—22.

Those absent or not voting were: Senators Angevine, Bargreen, Connor, Durkan, Gissberg, Hess, Lennart, McCutcheon, Morgan, Papajani, Rasmussen—11.

On motion of Senator Greive, Engrossed House Bill No. 261 was ordered placed at the end of the second reading calendar for tomorrow.

#### POINT OF INQUIRY

Senator Martin:

"Mr. President, it is my understanding that there is a special order of business before the Senate concerning Engrossed Senate Bill No. 414 and the House amendments thereto."

The President stated the Senate would be at ease subject to the call of the Chair.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the President stated the special order of business to be further consideration of Engrossed Senate Bill No. 414, and the House amendments thereto, and the Ruling of the President on the point of order presented by Senator Petrich.

#### RULING OF THE PRESIDENT

The President's ruling on the point of order presented by Senator Petrich:

Engrossed Senate Bill No. 414 provides that in foreclosures of mortgages insured by the Federal Housing Administration where the court found the mortgage property had been abandoned, there would be no right of redemption.

However, the amendment as proposed by the House Judiciary Committee provides that the right of redemption shall be limited in *all* cases of execution upon improved real property.

Certainly the scope of the original bill did not include this area, and to permit an amendment to change the scope so drastically would violate not only the letter but also the spirit of Senate Rule 62.

Therefore the point of order is well taken, and in compliance with the second paragraph of Senate Rule 62, Engrossed Senate Bill No. 414, together with the House amendments thereto, will be referred to the Judiciary Committee.

Engrossed Senate Bill No. 414 and the House amendments thereto was referred to the Judiciary Committee.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 3; also Senate Bill No. 182; also Senate Bill No. 453, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### House Bill No. 454:

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred House Bill No. 454, creating Washington State Potato Commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DEWEY C. DONOHUE, *Chairman*.

We concur in this report: Joe Chytil, F. Stuart Foster, William A. Gissberg, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, David E. McMillan, Fred J. Martin, W. C. Raugust, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 458**, (reported by Committee on Ways and Means):

Do pass as amended.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, George W. Kupka, Ernest W. Lennart, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, Homer O. Nunamaker, Gordon Sandison, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 472:**

Senate Chamber,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Engrossed House Bill No. 472, relating to aid to dependent children, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 557:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 557, providing city or town to dispose of real property acquired for park purposes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Harry Elway, Jr., John H. Happy, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 598:**

Senate Chamber,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Town and Counties, to whom was referred Engrossed House Bill No. 598, relating to municipal transit systems, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Victor F. DeGarmo, Fred H. Dore, Harry Elway, Jr., Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Homer O. Nunamaker, W. C. Raugust, Edward F. Riley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 645:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Engrossed House Bill No. 645, modifying law relating to group life insurance

and annuities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Al Henry, Andy Hess, James E. Keefe, George W. Kupka, Homer O. Nunamaker, A. L. Rasmussen, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Concurrent Resolution No. 13:**

Senate Chamber,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred House Concurrent Resolution No. 13, providing for special subcommittee on unemployment compensation within legislative council, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, John Papajani, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

On motion of Senator Martin, the Senate immediately considered the message from the House and the amendments to Engrossed Senate Bill No 25.

The Secretary read:

**MESSAGE FROM THE HOUSE**

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 25 with the following amendments:

In section 1, lines 9 and 10 of the engrossed bill, being section 1, lines 11 and 12 of the printed bill, after "incurred" strike "as provided in section 4 of this act" and insert "[as provided in section 4 of this act] in accordance with the provision of section 4, chapter 331, Laws of 1959"

In section 3, line 21 of the engrossed bill, being section 3, line 24 of the printed bill, strike "twenty-five" and insert "one hundred" which was the matter stricken by the second Senate amendment, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Martin moved that the Senate do concur in the House amendment to section 1, lines 9 and 10 of the engrossed bill, but that the Senate do not concur in the amendment to section 3, line 21 of the engrossed bill, and ask the House to recede therefrom.

**MOTIONS**

Senator Woodall moved that the rules be suspended and the Senate immediately reconsider the motion whereby Engrossed House Bill No. 261 was placed at the end of the second reading calendar for tomorrow.

The motion carried.

Senator Petrich moved that Engrossed House Bill No. 261 be placed on the second reading calendar for tonight.

Senator Greive moved that Senator Petrich's motion be laid on the table.

**PERSONAL PRIVILEGE**

Senator Petrich:

"Speaking on a point of personal privilege, I think this is a planned attempt to take advantage of one of the members of this body who happens to be off the floor at this time. I think it is not fair to consider the other members of the Senate who we know have an interest in this bill, and I think that the gentleman who has raised the motion at this time is not being fair and is taking advantage of the people off the floor."

The motion carried, and the motion by Senator Petrich, that Engrossed House Bill No. 261 be placed on the second reading calendar for tonight, was tabled.

On motion of Senator Greive, Engrossed House Bill No. 261 was ordered placed at the end of the second reading calendar for tomorrow.

The President stated the question before the Senate to be the motion by Senator Martin that the Senate do concur in the House amendment to section 1, lines 9 and 10 of Engrossed Senate Bill No. 25, and that the Senate do not concur in the amendment to section 3, line 21 of the bill and asks the House to recede therefrom.

**RULING OF THE PRESIDENT**

The President rules that this is an improper motion and should be divided.

On motion of Senator Martin the Senate concurred in the first House amendment to Engrossed Senate Bill No. 25.

On motion of Senator Martin the Senate did not concur in the second House amendment to Engrossed Senate Bill No. 25, and asked the House to recede therefrom.

**SECOND READING OF BILLS**

**Substitute House Bill No. 421**, by Committee on Education:

Relating to teacher contracts.

The bill was read the second time by sections.

On motion of Senator Thompson, the rules were suspended, Substitute House Bill No. 421 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute House Bill No. 421, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Woodall—42.

Those absent or not voting were: Senators Donohue, Hallauer, Happy, Henry, McMillan, Shannon, Washington—7.

Substitute House Bill No. 421, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 111**, by Representatives King, Bernethy and Anderson:

Increasing pensions of prior pensioners under industrial insurance to level of existing awards.

The bill was read the second time by sections.

Senator Woodall moved that Engrossed House Bill No. 111 be referred to the Committee on Ways and Means.

On motion of Senator Greive, the motion by Senator Woodall was laid on the table.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 111 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage

#### POINT OF INQUIRY

Senator Ryder:

"Will Senator Henry yield to a question?"

Senator Henry:

"Yes, I will yield."

Senator Ryder:

"You stated that Senator Hallauer advised that the industrial insurance bill would not increase the budget. Do we have funds provided in the budget for that purpose?"

Senator Henry:

"You evidently did not get your communication, or open your mail, Senator. In the last biennium the appropriation made was approximately \$8,000,000 for this biennium. It comes out of the general fund budget, as I understand. The impact this next biennium for this particular bill will be about two and one-half million dollars from the general fund."

#### POINT OF INQUIRY

Senator Moriarty:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Moriarty:

"While you were off the floor a motion was made to refer this matter to the Ways and Means Committee."

Senator Hallauer:

"My emotions are certainly mixed. I understand the bill was agreed upon in the House by the labor and industry group. I have not been on the committee in the Senate in regard to this matter. I do understand the impact of two and one-half million dollars on the general fund. Probably it is best for this to follow the normal procedure. If it went to my committee I am afraid its chances for survival would be slight."

The Secretary called the roll on the final passage of Engrossed House Bill No. 111, and the bill passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—41.

Those voting nay were: Senators Foster, Lennart, Nunamaker, Raugust—4.

Those absent or not voting were: Senators Dore, Durkan, Happy, Shannon—4.

Engrossed House Bill No. 111, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Concurrent Resolution No. 10**, by Representatives Schaefer, Klein, Wintler and Henry:

Directing legislative council to study timber evaluation and taxation problems.

The resolution was read the second time in full.

On motion of Senator Petrich, the rules were suspended, Engrossed House Concurrent Resolution No. 10 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Concurrent Resolution No. 10, and the resolution passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Dore, Durkan, Happy, Hess, Keefe, Nunamaker—6.

Engrossed House Concurrent Resolution No. 10, having received the constitutional majority, was declared passed.

**Engrossed House Bill No. 515**, by Representatives Adams and McFadden: Relating to professional nurse licensing.

The bill was read the second time by sections.

On motion of Senator Thompson, the rules were suspended, Engrossed House Bill No. 515 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Thompson yield to a question?"

Senator Thompson:

"Yes, I will yield."

Senator Rasmussen:

"I have reservations about this legislation. Maybe you can clear it up. On page 1 of House Bill No. 515, the practice of professional nursing means the performance of any act in the observation, care and counsel of the ill, injured or infirmed. If my mother should happen to fall and break her hip and she was in the hospital and I brought her home and hired my neighbor to come over, I would give her some compensation for the observation and care of my injured mother. As I read this law, she would be in violation of the act for caring for and nursing my mother."

Senator Thompson:

"At present with a permissive license, anyone can practice nursing as long as they don't claim the title of registered nurse. So if your neighbor came over and you knew

she was not a registered nurse and she made no attempt to represent herself as a registered nurse, she would not be in violation of the law."

Senator Rasmussen:

"As I read on page 2 of the old law, line 12: 'this chapter shall not be construed as prohibiting the nursing care of the sick, without compensation.' As I read this law, and this was the particular objection I had to it, I was informed that it would be possible for me to do that, but I don't see that I can. This neighbor that I hired to help my mother would be in violation of the law."

Senator Thompson:

"On page 2, line 16: 'this chapter shall not be construed as prohibiting the practice of practical nursing by any practical nurse, with or without compensation in either homes or hospitals.' Anyone can call herself a practical nurse, but if she calls herself a licensed practical nurse, she would be in violation of the law. The law deals only with licensed practical nurses and registered nurses."

Senator Rasmussen:

"No, it is my understanding that in order to hold yourself up to be a practical nurse, you have to be licensed.

Senator Thompson:

"You do, if you hold yourself up to be a licensed practical nurse, but there is no law at the present time to have to be licensed to call yourself a practical nurse."

Extensive debate ensued.

The Secretary called the roll on the final passage of Engrossed House Bill No. 515, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—44.

Those absent or not voting were: Senators Durkan, Foley, Hallauer, Happy, Woodall—5.

Engrossed House Bill No. 515, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive the Senate returned to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 57 with the following amendment:

On page 2, section 4, lines 3 and 4 of the engrossed bill, being page 2, section 4, lines 6 and 7 of the printed bill, after "this act the" and before "may" strike "attorney general" and insert "official enforcing this act", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Petrich, the Senate concurred in the House amendment to Engrossed Senate Bill No. 57.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 57, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Washington, Woodall—43.

Those absent or not voting were: Senators Foley, Hallauer, Happy, Morgan, Shannon, Thompson, Jr.—6.

Engrossed Senate Bill No. 57, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 86 with the following amendments: On page 1, section 1, line 15 of the engrossed bill, being page 1, section 1, line 14 of the printed bill, after the colon following "forth" insert two new paragraphs as follows:

*"Those tidelands situate in front of, adjacent to, or abutting upon: government lots 3, 4 and 5, section 28 and government lot 1, section 27 and government lots 1, 2, 3 and 4, section 34, township 35 north, range 2 east, W.M., and government lots 1, 2 and 3, section 3, township 34 north, range 2 east, W.M., excepting therefrom the portion deeded by the state of Washington to the Great Northern Railway Company on December 30, 1941.*

*The commissioner of public lands shall withdraw from sale or lease, except lease for the production of oysters or for booming purposes, the following described second class tidelands and detached tidelands within the boundaries hereinafter set forth:"*

On page 1, section 1, line 16 of the engrossed bill, being page 1, section 1, line 15 of the printed bill, after "tidelands" and before "lying" insert "other than tidelands described above in this section", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Martin, the Senate concurred in the House amendments to Engrossed Senate Bill No. 86.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 86, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—44.

Those absent or not voting were: Senators Dore, Hallauer, Happy, Papajani, Thompson, Jr.—5.

Engrossed Senate Bill No. 86, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Substitute Senate Bill No. 526 with the following amendment:

One page 1, section 2, line 25 of the engrossed bill, being page 2, lines 1 and 2 of the printed bill, after "to issue," strike "revocation or suspension of" and insert "revoke or suspend"; and on page 1, line 27 of the engrossed bill, being page 2, lines 3 and 4 of the printed bill, after "to render," strike "revocation or suspension" and insert "revoke or suspend", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Gallagher, the Senate concurred in the House amendment to Engrossed Substitute Senate Bill No. 526.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 526, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—41.

Those absent or not voting were: Senators Bailey, Elway, Jr., Foley, Hallauer, Happy, Morgan, Papajani, Thompson, Jr.—8.

Engrossed Substitute Senate Bill No. 526, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENT TO SENATE RESOLUTION

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Senate Joint Resolution No. 25 with the following amendment:

On page 1, beginning on line 24, after "state]" strike all of the matter down to and including "of the election" on page 2, line 1, and insert "throughout the state during the four weeks next preceding the election in such manner and by such means as the legislature shall deem appropriate to give the people ample notice thereof", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

Senator McCormack moved that the Senate do not concur in the House amendment to Senate Joint Resolution No. 25.

Senator Chytil moved that the Senate do concur in the House amendment to Senate Joint Resolution No. 25.

Debate ensued.

Senator Greive demanded a Call of the Senate, and the demand was sustained by Senators Connor and Henry.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Call of the Senate was dispensed with.

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"I will yield, Senator."

Senator McCutcheon:

"Is Senate Bill No. 384 a companion measure to Senate Joint Resolution No. 25?"

Senator McCormack:

"Senate Bill No. 384 will have no effect unless the constitutional measure is carried."

Senator McCutcheon:

"Then we will have a law with the same wording as the proposed constitutional amendment?"

Senator McCormack:

"Senate Bill No. 384 would apply. The word 'notice' is not removed by the amendment."

Senator McCutcheon:

"Under Senate Joint Resolution No. 25, the legislature would have the power?"

Senator McCormack:

"That is correct."

Senator Greive demanded the previous question, and the demand was sustained by Senators Hofmeister and McCormack.

The President stated the question before the Senate to be that the Senate do concur in the House amendment to Senate Joint Resolution No. 25.

The motion lost, and the Senate did not concur in the House amendment to Senate Joint Resolution No. 25 and asked the House to recede therefrom.

**PERSONAL PRIVILEGE**

Senator Chytil:

"I am sorry that Senator Greive saw fit to cut me off in debate. I wanted to say one final word on this particular point that it is not a battle between radio, TV and/or any other media and not what Senator Greive brought out about the printed word. You learn to walk long before you learn to read. All I wanted was to spell it out so the Legislature would know how they wanted to take care of it."

**SECOND READING OF BILLS**

**Engrossed House Bill No. 55**, by Representatives Shropshire and Marsh:

Changing procedure of appointing superior court judges upon claim of prejudice.

The bill was read the second time by sections.

On motion of Senator Neill the following amendment was adopted:

On page 2 of the engrossed and printed bill, add a new section reading as follows:

**NEW SECTION.** Sec. 2. When a criminal case is transferred to another county pursuant to RCW 10.25 the county from which such case is transferred shall pay to the county in which the case is tried all costs accrued for per diem and mileage for jurors and witnesses and all other costs properly charged to a convicted defendant.

On motion of Senator Neill, the following amendment to the title was adopted:

In line 4 of the title of the engrossed bill, same being line 5 of the title of the printed bill, after "4.12.040" and before the period insert "; and adding a new section to RCW 10.25"

On motion of Senator Neill, the rules were suspended, Engrossed House Bill No. 55, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 55, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 1; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foster, Freise, Gallagher, Greive, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senator Hanna—1.

Those absent or not voting were: Senators Elway, Jr., Foley, Gissberg, Hallauer, McCormack, Nunamaker, Papajani, Petrich, Ryder—9.

Engrossed House Bill No. 55, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 70**, by Representatives Burns, Litchman, Jr. and Shropshire:

Relating to the filing of conditional sales contracts.

The bill was read the second time by sections.

Senator Riley moved that the following amendment be adopted:

In section 1, page 1, line 13 of the engrossed and printed bill, after "within" and before "days" strike "ten" and insert "[ten] twenty"

#### POINT OF INQUIRY

Senator Talley:

"Will Senator Riley yield to a question?"

Senator Riley:

"I will yield, Senator."

Senator Talley:

"Do you think twenty days is sufficient time?"

Senator Riley:

"To answer your question, Senator Talley, I checked a number that I would want, I probably would say thirty days. I wanted to compromise."

Senator Talley:

"Would you be adverse to amending it to thirty days?"

Senator Riley:

"No, Senator Talley, I would be glad to amend it to thirty days."

#### POINT OF INQUIRY

Senator Raugust:

"Will Senator Riley yield to a question?"

Senator Riley:

"Yes, I will."

Senator Raugust:

"Why do you want to extend the days?"

Senator Riley:

"Because those people who have the occasion to use this instrument insist it is an impossibility to get this out in ten days. Keep in mind that ten days to me is ten calendar days. The people only work about five days a week."

Senator Raugust:

"Now if this contract were made up on one day, and another contract was given the next day, and if you didn't file your contract for twenty days, and the other contract taken later was filed earlier, or immediately, there is no use in putting the twenty days on because if the other lien had preference, we would assume that we were right and it would be no good."

The motion carried, and the amendment was adopted.

On motion of Senator Petrich, the rules were suspended, Engrossed House Bill No. 70, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 70, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Foley, Hallauer, McCormack, Ryder—4.

Engrossed House Bill No. 70, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 546**, by Representatives Marsh, Mardesich and Gorton:

Modifying law relating to weighing of railroad cars loaded with lumber and lumber products.

The bill was read the second time by sections.

On motion of Senator Dore, the rules were suspended, House Bill No. 546 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 546, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Foley, Hallauer, McCormack, Martin, Ryder—5.

House Bill No. 546, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTION**

On motion of Senator Greive, the Senate reverted to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

The House has refused to recede from its amendments to Engrossed Substitute Senate Bill No. 111 and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk.*

**MOTION**

On motion of Senator Greive the Senate recessed for five minutes.  
The President called the Senate to order.

**MOTION**

On motion of Senator Greive, the request of the House for a conference on Engrossed Substitute Senate Bill No. 111 and the House amendments thereto, was granted.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 111, Senators Dore, Woodall and McCutcheon.

**CONFIRMATION OF COMMITTEE APPOINTMENTS**

On motion of Senator Greive, the Conference Committee appointments on Engrossed Substitute Senate Bill No. 111, and the House amendments thereto, were confirmed.

**MOTION**

At 11:05 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m., Wednesday, March 8, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FIFTY-NINTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, March 8, 1961.

The Senate was called to order at 10:00 o'clock a. m., by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators DeGarmo, Dore, Morgan, Rasmussen and Washington.

On motion of Senator Greive, Senators DeGarmo, Morgan and Rasmussen were excused.

The Color Guard, consisting of Pages Neill Johnson, Color Bearer, and Vicki Peterson, presented the Colors.

Reverend Henry Rahn, Pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Eternal God, whose power upholds both flower and flaming star, to whom there is no here nor there, no time, no near nor far, no alien race, no foreign shore, no child unsought, unknown: O send us forth, Thy prophets true to make all lands Thine own.

"O God of truth, whom science seeks and reverent souls adore, Who lightest every earnest mind of every clime and shore; dispel the gloom of error's night, of ignorance and fear, until true wisdom from above shall make life's pathway clear!

"As we open the windows of our souls to Thee shine into our lives with that light divine that shall illumine mind, and make our pathway clear.

"In our service for Thee and our fellow men. In our Master's name. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is with great pleasure and pride that the President presents, at the request of Senator Victor F. DeGarmo, forty-six eighth grade students from St. Michael's School in Olympia, under the direction of Sister Frances. Present with the group is James Pengren. Would this group please stand in order that the members may properly recognize you and welcome you to the Washington state Senate."

(Applause.)

The Secretary read:

#### SENATE RESOLUTION

By Senator Elway, Jr.:

WHEREAS, The granting and payment of pensions, retirement plans and other benefit plans for public uniformed officers and personnel has been the subject of various and diverse treatments at state, county, city and town levels; and

WHEREAS, There is a need for harmonizing, combining, integrating and equalizing pension, retirement and benefit plans commensurate to service rendered for the general well-being of all public uniformed officers and personnel throughout the state; and

WHEREAS, A vast and comprehensive legislative study is necessary for the purpose of instituting a fair, just and equitable pension, retirement and benefit program for all uniformed servants of the state and local governments;

*Now, Therefore, Be It Resolved, By the Senate, that the Legislative Council is hereby requested to undertake a study of all pension, retirement and benefit plans affecting state and local public uniformed officers and personnel, with the idea in mind of equalizing and integrating such pension, retirement and benefit plans into a single plan; and*

*Be It Further Resolved, That the Legislative Council report back its findings in the form of proposed code revisions and legislation to the thirty-eighth Legislature in 1963.*

On motion of Senator Elway, the resolution was adopted.

The Secretary read:

**COMMUNICATION FROM MRS. RUDOLPH NACCARATO**

*To the Members of the Washington State Senate:*

We wish to take this opportunity to express to each and every one of you our heartfelt thanks for the honor shown by you in the Resolution you passed in honor of Rudolph Naccarato upon his death last month.

Expressions such as this are greatly appreciated at times like this, and will be cherished in the years to come.

Sincerely,

MRS. RUDOLPH NACCARATO,  
JOHN F. NACCARATO,  
PATRICK A. NACCARATO.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 53; also

Substitute Senate Bill No. 111; also

Substitute Senate Bill No. 147; also

Substitute Senate Bill No. 149; also

Senate Bill No. 190; also

Senate Bill No. 296; also

Senate Bill No. 303; also

Substitute Senate Bill No. 320; also

Senate Bill No. 321; also

Senate Bill No. 372; also

Senate Bill No. 411; also

Senate Bill No. 475; also

Senate Bill No. 486; also

Senate Bill No. 552; also

Senate Joint Resolution No. 11; also

Senate Joint Resolution No. 36, have compared same with the originals bills and resolutions and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

**House Bill No. 337:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 337, permitting appointment of assistants for family court in third class counties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 364:**

Senate Chamber,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 364, relating to proof of service in employment security cases, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Martin J. Durkan, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 445:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 445, giving sellers of commercial fertilizers, pesticides, and weed killer a crop lien, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Michael J. Gallagher, R. R. (Bob) Greive, H. B. Hanna, Karl V. Herrmann.

Passed to Committee on Rules and Joint Rules for second reading.

**Substitute House Bill No. 553:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred Substitute House Bill No. 553, authorizing the state parks and recreation commission to establish a salt water state park in Thurston county, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Wilbur G. Hallauer, James E. Keefe, Charles P. Moriarty, Jr., Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 558:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 558, permitting transfer to surviving joint tenant of stock or securities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 638:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Engrossed House Bill No. 638, establishing a youth

development and conservation corps, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 3; also**

**Senate Bill No. 9; also**

**Senate Bill No. 10; also**

**Senate Bill No. 17; also**

**Senate Bill No. 22; also**

**Senate Bill No. 27; also**

**Senate Bill No. 137; also**

**Senate Bill No. 167; also**

**Senate Bill No. 182; also**

**Senate Bill No. 204; also**

**Senate Bill No. 217; also**

**Senate Bill No. 352; also**

**Senate Bill No. 383; also**

**Senate Bill No. 384; also**

**Senate Bill No. 453; also**

**Senate Bill No. 459.**

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 3; also

Senate Bill No. 9; also

Senate Bill No. 10; also

Senate Bill No. 17; also

Senate Bill No. 22; also

Senate Bill No. 27; also

Senate Bill No. 137; also

Senate Bill No. 167; also

Senate Bill No. 182; also

Senate Bill No. 204; also

Senate Bill No. 217; also

Senate Bill No. 352; also

Senate Bill No. 383; also

Senate Bill No. 384; also

Senate Bill No. 453; also

Senate Bill No. 459; also

Senate Concurrent Resolution No. 10, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 13; also

Engrossed Senate Bill No. 46; also

Senate Bill No. 223; also

Engrossed Senate Bill No. 229; also

Senate Bill No. 259; also

Engrossed Senate Bill No. 296; also  
Senate Bill No. 371, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

The House has passed: House Concurrent Resolution No. 22; also  
House Concurrent Resolution No. 23, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**HOUSE AMENDMENT TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 16 with the following amendment:

On page 7, section 15, line 32, after "for" and before "days" strike "thirty" and insert "[thirty] *ninety*", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Talley, the Senate concurred in the House amendment to Engrossed Senate Bill No. 16.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 16, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—40.

Those absent or not voting were: Senators DeGarmo, Happy, Hess, Hofmeister, McMillan, Morgan, Rasmussen, Raugust, Washington—9.

Engrossed Senate Bill No. 16, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 287, with the following amendments: On page 3, line 13 of the engrossed bill, being page 3, line 24 of the printed bill, strike all of section 4 and renumber the remaining sections consecutively.

On page 4, line 31 of the engrossed bill, being page 5, line 14 of the printed bill, strike all of renumbered section 10, being the old section 11 and insert the following:

"*NEW SECTION.* Sec. 10. In order to detect, control, and prevent the spread of plant pests and diseases no person shall sell, offer for sale or ship or transport any horticultural plant in this state unless it has been inspected and a certificate stating that such horticultural plant is free of plant pests and meets the requirements of this act and rules adopted hereunder has been issued by the director. Such inspection shall be conducted within a reasonable time prior to the time such horticultural plant is sold or shipped or transported: *Provided*, That if such horticultural plant subsequent to such inspection becomes infected with plant pests or does not otherwise meet the requirements of this act it shall not be sold, offered for sale or shipped or transported."

On page 8, in renumbered section 16, being the old section 17, line 30 of the engrossed bill, being page 8, line 25 of the printed bill, after "shall not" and before "any other" strike "effect" and insert "affect",

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Lennart moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 287.

**POINT OF ORDER**

Senator Gissberg:

"Senator Lennart, are you concurring in all of the House amendments in one motion?"

The President:

"The motion included all of the amendments, Senator Gissberg."

The President stated the question before the Senate to be, it has been moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 287.

The motion carried. The Senate did concur in the House amendments to Senate Bill No. 287.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 287, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cowen, Donohue, Dore, Durkan, Foley, Foster Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Sandison, Shannon, Talley, Washington, Woodall—37.

Those absent or not voting were: Senators Bailey, Cooney, DeGarmo, Elway, Jr., Hallauer, Happy, Herrmann, Hofmeister, Morgan, Rasmussen, Ryder, Thompson, Jr.—12.

Engrossed Senate Bill No. 287, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House of Representatives,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

The House has receded from its amendment to section 7, line 22 of Engrossed Senate Bill No. 453, and passed the bill without the amendment, and said bill is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the conference committee on Engrossed Substitute Senate Bill No. 111 and the House amendments thereto, Representatives Campbell, Burns, Johnston.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 286 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

The Senate advanced to the eighth order of business.

**THIRD READING OF BILLS**

**Engrossed House Bill No. 365**, by Representatives Day, Wang and Edwards.

Relating to cities, towns and fire protection districts.

The bill was read the third time by sections.

Senators Herrmann, Angevine and Martin demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary started to call the roll on the Call of the Senate.

On motion of Senator Angevine, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

#### POINT OF INQUIRY

Senator Freise:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Freise:

"Could you tell me approximately what the cost is going to be to the cities?"

Senator Hallauer:

"The information that I was seeking as a result of the discussions yesterday will not be available until 1:00 o'clock. I did check with the Association of Washington Cities on this, and under the circumstance, where the Association will not be paying even themselves, I don't see how they can help with the legislation."

Senators Herrmann, McCutcheon and Sandison demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The Secretary called the roll on the final passage of Engrossed House Bill No. 365, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent and excused, 3.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senators Bailey, Lennart, Riley—3.

Those absent and excused were: Senators Morgan, Rasmussen, Raugust—3.

Engrossed House Bill No. 365, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Senator Durkan moved that Engrossed House Bill No. 365 be immediately transmitted to the House.

## PARLIAMENTARY INQUIRY

Senator Riley:

"I would like to ask the President if he honors such motions?"

The President:

"There have been times in the past when such motions have been offered and the President refused to accept them. The President believes that the motion presented by Senator Durkan is in order and will accept it. However, if there is some reason why the President should not accept it, the President should appreciate such information."

The motion carried and Engrossed Senate Bill No. 365 was ordered immediately transmitted to the House.

The Senate reverted to the seventh order of business.

## SECOND READING OF BILLS

**Substitute House Bill No. 389**, by Committee on Agriculture and Livestock: An Act relating to agricultural commodities and products thereof.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture and Horticulture, to whom was referred Substitute House Bill No. 389, creating agricultural commodity enabling act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 33, page 22, line 1, strike all of subdivision (2) and renumber the remaining subdivisions consecutively.

Beginning on page 34, line 26, strike all of new sections 57 through 60 inclusive and insert the following:

**NEW SECTION.** Sec. 57. All proceedings held by the director for the promulgation of any marketing agreement or order and the amendment, modification, or dissolution thereof and all proceedings concerning the promulgation of any rules or regulations or the amendment or modification thereof and appeals therefrom shall be subject to the provisions of chapter 34.04 RCW (administrative procedures act) as enacted or hereafter amended.

Renumber the remaining sections consecutively.

On page 38, following section 65, renumbered section 61, insert a new section as follows:

**NEW SECTION.** Sec. 62. Except for the provisions of section 41, nothing in this act shall apply to any person engaged in the canning, freezing, pressing, or dehydrating of fresh fruit or vegetables.

Renumber the remaining sections consecutively. DEWEY C. DONOHUE, *Chairman*.

We concur in this report: F. Stuart Foster, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, Fred J. Martin, W. C. Raugust.

The bill was read the second time by sections.

On motion of Senator Martin, the first committee amendment was adopted.

## MOTION

On motion of Senator Woodall, the Senate members of the Conference Committee on Substitute Senate Bill No. 111 were excused from the Call of the Senate.

On motion of Senator Moriarty, the following amendment to the second committee amendment was adopted:

In line 7 of the committee amendment inserting a new section 57, strike "(administrative procedures act)"

The President stated the question before the Senate to be the adoption of the second committee amendment, as amended.

Th motion carried, and the second committee amendment, as amended, was adopted.

On motion of Senator Martin, the third committee amendment was adopted.

On motion of Senator Freise, the following amendments were adopted:

In section 2, page 3, line 14, strike the quotation mark after member and place a quotation mark after association.

In section 2, page 4, line 24, after subsection (20) insert a new subsection reading as follows:

(21) "Person" as used in this act shall mean any person, firm, association or corporation.

In section 7, page 7, line 10, after "department" insert a period and strike the remainder of the material on lines 10, 11 and 12.

On motion of Senator Moriarty, the following amendment was adopted:

In section 9, page 7, lines 28 and 29, after "(as the case may be)" strike "at any place within the state of Washington" and insert "in the county wherein the principal party involved in such hearing resides"

On motion of Senator Freise, the following amendment was adopted:

On page 38, after new section 63, added by the committee amendment, insert a new section reading as follows:

**NEW SECTION.** Sec. 64. Nothing in this act shall apply to any person engaged in growing or processing green peas.

Senator Freise moved that the following amendment be adopted:

In section 39, page 25, line 7, strike "four" and substitute "two"

Senator Martin moved that the amendment by Senator Freise be laid on the table.

The motion carried and the amendment was laid on the table.

On motion of Senator Freise, the following amendments were adopted:

In section 40, page 25, line 17, strike "director" and substitute "board"

In section 40, page 25, line 22, strike "director" and substitute "board"

#### MOTION

On motion of Senator Greive, the rules were suspended, and Senator Knoblauch was excused subject to roll call.

#### NOTICE OF RECONSIDERATION

Senator Martin, having voted on the prevailing side, moved for reconsideration of the vote by which the amendments to section 40 by Senator Freise were adopted.

Debate ensued.

#### MOTION

On motion of Senator Greive, the rules were suspended, and Senator Sandison was excused subject to roll call.

The President stated the question before the Senate to be, it has been moved that the vote by which Senator Freise's amendments to section 40 were adopted by the Senate, be reconsidered.

The motion to reconsider carried.

Senator Freise, with the permission of the Senate, withdrew his amendment.

On motion of Senator Freise, the following amendments were adopted:

In section 40, page 25, line 17, after "director" and before "shall" insert "with the advice and consent of the board"; also in line 22, after "director" and before "shall" insert "with the advice and consent of the board"

On motion of Senator Martin, the rules were suspended, Substitute House Bill No. 389, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute House Bill No. 389, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 5; absent and excused, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Nunamaker, Papajani, Petrich, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—38.

Those voting nay were: Senators Freise, Hallauer, Moriarty, Jr., Neill, Ryder—5.

Those absent and excused were: Senators Dore, McCutcheon, Morgan, Rasmussen, Raugust, Woodall—6.

Substitute House Bill No. 389, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Hanna, Substitute House Bill No. 389, as amended by the Senate, was ordered immediately transmitted to the House.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the worthy Senator from King County, Honorable Martin J. Durkan, the President should like to announce the presence in the south gallery of a group of students from the Griffin Home High School under the direction of their principal, Owen Stanley. Would this group please stand in order that they may be recognized, along with Senator Durkan."

(Applause.)

The President:

"Also present in the south gallery is a group of prominent and respected citizens from Tacoma, Washington. This is a group of representatives from the Washington State Federation of Women's Clubs. Would this group please stand along with Senator Petrich, and be recognized and welcomed to Olympia."

(Applause.)

#### PERSONAL PRIVILEGE

Senator Angevine:

"The cigars and candy being distributed are in appreciation of your support by the Volunteer Firemen on House Bill No. 65."

The Secretary read:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT:

Olympia, Wash., March 8, 1961.

MR. SPEAKER:

We, of your Conference Committee, to whom was referred House Joint Resolution No. 6, authorizing certain judges to perform temporary judicial duties, have had the

same under consideration, and we are unable to agree, and request the powers of Free Conference.

## Senate Members:

JOHN A. PETRICH,  
JOE CHYTL,  
WILLIAM A. GISSBERG.

## House Members:

SLADE GORTON,  
SHIRLEY R. MARSH,  
J. BRUCE BURNS.

On motion of Senator Petrich, the report of the Conference Committee on House Joint Resolution No. 6 was adopted, and the committee was granted the powers of Free Conference.

## SECOND READING OF BILLS

**Engrossed House Bill No. 516**, by Representatives Garrett, Eldridge and McFadden:

Relating to municipal officers' conflict of interest.

Senator Durkan moved Engrossed House Bill No. 516 be placed at the end of the second reading calendar for today.

Senator Freise moved the motion by Senator Durkan be amended to place Engrossed House Bill No. 516 immediately prior to Engrossed House Bill No. 261.

The motion as amended carried and Engrossed House Bill No. 516 was placed on the calendar prior to Engrossed House Bill No. 261.

**House Bill No. 415**, by Representatives Olsen, Ackley and Morrissey:

Authorizing sewer districts and water districts to provide health care services and group insurance for their employees.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, House Bill No. 415 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

On motion of Senator Riley, the rules were suspended and House Bill No. 415 was returned to second reading for the purpose of an amendment.

The following amendment by Senator Gissberg was read:

In section 1, page 1, line 11, after "insurance" and before "for" insert " , other than life insurance,"

## PERSONAL PRIVILEGE

Senator Talley:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Talley:

"Your intention is only to take out group insurance?"

Senator Gissberg:

"Yes, I tried to get the life insurance out of the bill."

Senator Talley:

"I am not sure that I want to strike out the words 'group insurance.'"

Senator Gissberg:

"I want to make sure that life insurance coverage would not be accorded by the Senate."

On motion of Senator Riley, House Bill No. 415 was ordered placed immediately after House Bill No. 521.

**House Bill No. 425**, by Representatives Brink, Poff and Pritchard:

Requiring city councilman positions to be numbered and treated as separate offices for election purposes.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, House Bill No. 425 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 425, and the bill passed the Senate by the following vote: Yeas, 37; nays, 4; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Shannon, Thompson, Jr., Washington—37.

Those voting nay were: Senators Foley, Freise, Ryder, Talley—4.

Those absent or not voting were: Senators Dore, Happy, Henry, McCormack, McCutcheon, Morgan, Raugust, Woodall—8.

House Bill No. 425, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 286, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Substitute Senate Bill No. 111, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Substitute Senate Bill No. 111, reorganizing the justice court system, have had the same under consideration, are unable to agree and request the powers of Free Conference.

Senate Members:

PERRY B. WOODALL,  
JOHN T. MCCUTCHEON,  
FRED H. DORE.

House Members:

KEITH H. CAMPBELL,  
J. BRUCE BURNS,  
ELMER E. JOHNSTON.

On motion of Senator Greive, the report of the Conference Committee on Substitute Senate Bill No. 111 was adopted, and the committee was granted the powers of Free Conference.

## SECOND READING OF BILLS

**House Bill No. 521**, by Representatives Hurley and Gleason:  
Creating a work relief program under public assistance.

On motion of Senator Hallauer, House Bill No. 521 was ordered to remain its place on the next second reading calendar.

**House Bill No. 415**, by Representatives Olsen, Ackley and Morrissey:

Authorizing sewer districts and water districts to provide health care services and group insurance for their employees.

The bill was read the second time by sections.

On motion of Senator Riley, the following amendments by Senator Gissberg were adopted:

In section 1, page 1, line 11, after "insurance" and before "for" insert ", other than life insurance,"

In section 1, page 1, line 16, after "insurance" insert ", other than life insurance,"

On motion of Senator Gissberg, the following amendments were adopted:

In section 2, page 1, line 24, after "insurance" insert ", other than life insurance,"

In section 2, page 2, line 2, after "insurance" insert ", other than life insurance,"

On motion of Senator Gissberg, the following amendment to the title was adopted:

In lines 2 and 3 of the title, after "insurance" insert ", other than life insurance,"

On motion of Senator Talley, the rules were suspended, House Bill No. 415, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 415, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—38.

Those absent or not voting were: Senators Bailey, Cowen, Dore, Henry, McCutcheon, Martin, Morgan, Neill, Raugust, Ryder, Woodall—11.

House Bill No. 415, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 19**, by Representatives Leland, Garrett and Braun:

Authorizing executory conditional sales contracts for public parks and libraries.

On motion of Senator Thompson, House Bill No. 19 was ordered to take its place immediately following Engrossed House Bill No. 513.

**Engrossed House Bill No. 513**, by Representatives Andersen, Garrett and Morrissey:

Permitting organization of sewer district commissioner associations.

The bill was read the second time by sections.

Senator Greive moved that Engrossed House Bill No. 513 be made a special order of business for this evening's calendar.

Senator Talley:

"I should like to set this special order of business at 9:00 o'clock p. m. this evening."

The motion carried, and Engrossed House Bill No. 513 was ordered as a special order of business to be considered at 9:00 o'clock this evening.

**House Bill No. 19**, by Representatives Leland, Garrett and Braun:

Authorizing executory conditional sales contracts for public parks and libraries.

The bill was read the second time by sections.

On motion of Senator Thompson, the following amendment was adopted:

In section 1, page 1, line 21, after "voters" and before the period insert the following: "Provided further, That any city or town or county or library district may jointly execute contracts authorized by this act, if the entire amount of the purchase price does not result in a joint total indebtedness in excess of one and one-half percent of the taxable property in such city or town or county or library district."

On motion of Senator Thompson, the rules were suspended, House Bill No. 19, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 19, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—40.

Those absent or not voting were: Senators Cooney, DeGarmo, Dore, Gallagher, McCutcheon, Morgan, Numamaker, Raugust, Woodall—9.

House Bill No. 19, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the fifth order of business.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

The Speaker has signed: Substitute House Bill No. 198; also Substitute House Bill No. 199; also House Bill No. 271; also House Bill No. 277; also House Bill No. 311; also House Bill No. 338; also House Bill No. 388; also House Bill No. 404; also House Bill No. 448, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.  
House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 26 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 47 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 51, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 57, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 70, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 97, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 101, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 138, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed Substitute House Bill No. 140, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 269, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Re-engrossed House Bill No. 326, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 363, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Joint Resolution No. 9, and has passed the resolution as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has refused to recede from its amendment to Senate Bill No. 489, and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk.*

#### MOTION

On motion of Senator Washington, the request of the House for a conference on Senate Bill No. 489 and the House amendments thereto, was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Senate Bill No. 489 and the House amendments thereto, Senators Washington, Hanna and Freise.

#### CONFIRMATION OF COMMITTEE APPOINTMENTS

On motion of Senator Washington, the Conference Committee appointments on Senate Bill No. 489 and the House amendments thereto, were confirmed.

#### SIGNED BY THE PRESIDENT

**The President signed: Substitute House Bill No. 198; also**

**Substitute House Bill No. 199; also**

**House Bill No. 271; also**

**House Bill No. 277; also**

**House Bill No. 286; also**

**House Bill No. 311; also**

**House Bill No. 338; also**

**House Bill No. 388; also**

**House Bill No. 404; also**

**House Bill No. 448.**

#### MOTION

At 12:40 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

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#### EVENING SESSION

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At 8:00 o'clock p. m. the Senate was called to order by President Cherberg. The President declared the Senate to be at ease for approximately thirty minutes.

At 8:30 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Foley, Papajani and Raugust.

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 131; also

Senate Bill No. 338, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Engrossed Senate Bill No. 81; also

Engrossed Senate Bill No. 213; also

Engrossed Senate Bill No. 246; also

Engrossed Substitute Senate Bill No. 247; also

Engrossed Senate Bill No. 436, have compared same with the engrossed bills and find them correctly re-engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Re-engrossed Senate Bill No. 81; also

Re-engrossed Senate Bill No. 131; also

Re-engrossed Senate Bill No. 213; also

Re-engrossed Senate Bill No. 246; also

Re-engrossed Substitute Senate Bill No. 247; also

Engrossed Senate Bill No. 338; also

Re-engrossed Senate Bill No. 436, have compared same with the engrossed and re-engrossed bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Substitute Senate Bill No. 147; also

Engrossed Senate Bill No. 250; also

Engrossed Senate Bill No. 288; also

Engrossed Senate Bill No. 312; also

Engrossed Senate Bill No. 314; also

Engrossed Senate Bill No. 321; also

Engrossed Senate Bill No. 331; also

Engrossed Senate Bill No. 419; also

Engrossed Senate Joint Resolution No. 9, have compared same with the engrossed bills and resolution and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**House Bill No. 316** (reported by Committee on Public Utilities):

Do pass as amended.

FRED H. DORE, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, David C. Cowen, Martin J. Durkan, H. B. Hanna, John H. Happy, James Keefe, George W. Kupka, Mike McCormack, John A. Petrich, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 443:**

Senate Chamber,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 443, reclassifying counties, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Victor F. DeGarmo, Dewey C. Donohue, Al Henry, James E. Keefe, George W. Kupka, Mike McCormack, John Papajani, A. L. Rasmussen, W. C. Raugust, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed House Bill No. 519** (reported by Committee on Ways and Means):

Do pass as amended.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, William A. Gissberg, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunmaker, A. L. Rasmussen, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 81; also  
Senate Bill No. 131; also  
Substitute Senate Bill No. 147; also  
Senate Bill No. 213; also  
Senate Bill No. 246; also  
Senate Bill No. 247; also  
Senate Bill No. 250; also  
Senate Bill No. 288; also  
Senate Bill No. 312; also  
Senate Bill No. 314; also  
Senate Bill No. 321; also  
Senate Bill No. 331; also  
Senate Bill No. 338; also  
Senate Bill No. 419; also  
Senate Bill No. 436; also  
Senate Joint Resolution No. 9.**

**POINT OF INQUIRY**

Senator Talley:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Talley:

"I know you are the Senator from Walla Walla, but how come you get two cans of peas and the rest of us only get one?"

Senator Freise:

"I just happened to pick out one of the cans this afternoon to determine what the size of the cans were. I would like to announce that they are grown, canned and processed without the benefit of a foreign market ingredient."

#### PERSONAL PRIVILEGE

Senator DeGarmo:

"As long as this matter came up, I wish to inform the members, on a point of personal privilege, regarding the jars of button mushrooms being distributed. These small jars of mushrooms are being distributed through the courtesy of Mr. Yarboro of Thurston County Mushroom Plant, 'Dawn Fresh'. I believe there is a jar on each of the Senators' desks, and there is enough to go around to each member of the press."

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 94; also  
Engrossed Senate Bill No. 164; also  
Engrossed Senate Bill No. 203; also  
Engrossed Senate Bill No. 303; also  
Engrossed Senate Bill No. 336; also  
Senate Bill No. 401; also  
Substitute Senate Bill No. 427; also  
Senate Bill No. 430; also  
Substitute Senate Bill No. 431; also  
Senate Bill No. 456; also  
Senate Bill No. 464; also  
Engrossed Senate Bill No. 475; also  
Engrossed Senate Bill No. 486, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House refuses to recede from its amendment to section 3, line 21 of Engrossed Senate Bill No. 25 and asks the Senate for a conference thereon, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Talley, the request of the House for a conference on Engrossed Senate Bill No. 25 and the House amendment thereto was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 25 and the House amendment thereto, Senators Talley, Henry and Chytill.

#### CONFIRMATION OF COMMITTEE APPOINTMENTS

On motion of Senator Cowen, the Conference Committee appointments on Engrossed Senate Bill No. 25 and the House amendment thereto, were confirmed.

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the conference committee on Senate Bill No. 489 and the House amendments thereto, Representatives Day, Holmes, and Ahlquist.  
S. R. HOLCOMB, Chief Clerk.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 382 with the following amendments:

On page 1, section 1, beginning on line 14, after the double parenthesis strike all of the matter down to and including the period following "1961" on line 17 and insert "Members of the board shall be appointed by the governor. Any member of the board appointed after January 15, 1961 shall hold office for a period of five years from January 15th in the year in which his predecessor's term expired. The members of the board appointed prior to January 15, 1961 shall hold office until the expiration of their respective terms."

On page 1, section 1, line 22, after "[nine]" and before "years" strike "six" and insert "five"

On page 2, strike all of section 2,  
and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

Senators Greive, Connor and Herrmann demanded a Call of the Senate.  
A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors and guarded the elevators of the Senate Chamber.

The Secretary started to call the roll on the Call of the Senate.

#### POINT OF INQUIRY

Senator Woodall:

"How many Senators are now absent?"

The President:

"There are two Senators absent, Senator Woodall."

On motion of Senator Woodall, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

Senator Woodall moved that the Senate do concur with the House amendment to Senate Bill No. 382.

Senators Greive, Herrmann and Hofmeister demanded the previous question.

Senator Woodall demanded a roll call, which was not sustained.

#### PERSONAL PRIVILEGE

Senator Talley:

"Senator Woodall, you undoubtedly put some of us on the spot. I intend to vote against the bill and I will vote on the amendment. I didn't want any changes in the original bill and I don't want any changes now."

Senator Woodall:

"If you vote not to concur I would say that you are not in favor of shortening the term of office."

Senator Talley:

"That is where I differ with you."

Senator Woodall demanded a roll call, which was sustained by Senators Thompson, Chytil, Moriarty, DeGarmo, Lennart, Happy, Bargreen, Hofmeister and Greive.

The President stated the question before the Senate to be, it has been moved that the Senate do concur in the House amendments to Senate Bill No. 382.

#### MOTION

On motion of Senator Greive, the rules were suspended and Senators Papajani and Raugust were excused.

The Secretary called the roll, and the Senate refused to concur in the House amendments to Senate Bill No. 382 by the following vote: Yeas, 19; nays, 28; absent and excused, 2.

Those voting yea were: Senators Bargreen, Chytil, Cowen, Elway, Jr., Foster, Freise, Gissberg, Happy, Lennart, McCutcheon, McMillan, Moriarty, Neill, Rasmussen, Riley, Ryder, Shannon, Thompson, Jr., Woodall—19.

Those voting nay were: Senators Angevine, Bailey, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Petrich, Sandison, Talley, Washington—28.

Those absent and excused were: Senators Papajani, Raugust—2.

#### SPECIAL ORDER OF BUSINESS

The time having arrived, the President declared the special order of business to be consideration of Engrossed House Bill No. 513, on second reading.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 513**, by Representatives Andersen, Garrett and Morrissey:

Permitting organization of sewer district commissioner associations.

The bill was read the second time by sections.

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 513 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 513, and the bill passed the Senate by the following vote: Yeas, 32; nays, 15; absent and excused, 2.

Those voting yea were: Senators Angevine, Bargreen, Connor, Cooney, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Petrich, Sandison, Shannon, Talley, Thompson, Jr., Washington—32.

Those voting nay were: Senators Bailey, Chytil, Cowen, DeGarmo, Donohue, Foster, Happy, Lennart, McCormack, Moriarty, Jr., Neill, Rasmussen, Riley, Ryder, Woodall—15.

Those absent and excused were: Senators Papajani, Raugust—2.

Engrossed House Bill No. 513, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 521**, by Representatives Hurley and Gleason:  
Creating a work relief program under public assistance.

The bill was read the second time by sections.

On motion of Senator Hofmeister, the rules were suspended, House Bill No. 521 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

Senator Hallauer:

"For the record, the estimated effect of the various general assistance programs will be relief of \$166,800 in costs. There will be a plus cost figure of \$42,300 plus administration of \$439,300, making a net effect on state expenditures upward of \$300,000. So there is a cost to this particular measure."

#### MOTION

Senator Greive:

"I move that for the balance of the evening we suspend the rules and call the names of absent Senators at the conclusion of roll call, while under the Call of the Senate."

The motion carried.

The Secretary called the roll on the final passage of House Bill No. 521, and the bill passed the Senate by the following vote: Yeas, 36; nays, 11; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Elway, Jr., Foley, Gallagher, Greive, Hallauer, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Rasmussen, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—36.

Those voting nay were: Senators Donohue, Durkan, Foster, Freise, Gissberg, Hanna, Hess, Neill, Petrich, Riley, Woodall—11.

Those absent and excused were: Senators Papajani, Raugust—2.

House Bill No. 521, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 516**, by Representatives Garrett, Eldridge and McFadden:

Relating to municipal officers' conflict of interest.

The bill was read the second time by sections.

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Talley, the following amendments were adopted:

In section 17, page 7, line 11 of the engrossed and printed bill, after "35.24.170" strike all of the material down to and including "repealed" on lines 12 and 13 and insert "and RCW 35.24.040 and 35.24.170 are each repealed."

On pages 7 and 8 of the engrossed and printed bill, strike all of sections 18 and 19 and renumber the remaining section 20 to read section 18.

Senator Neill moved that the following amendment be adopted:

In section 8, page 5, line 13, of the engrossed and printed bill, after "officer" and before "employee" strike the comma and insert "or"; after "agency" and before "legislative" strike the comma and insert "or" and after "employee" strike ", or other [public official] *officer of the state government*" and insert "[, or other public official]"

## POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Neill yield to a question?"

Senator Neill:

"Yes, I will."

Senator Rasmussen:

"Will this chapter, now that this section is amended, be considered to include elected officials?"

Senator Neill:

"I will have to say I don't know. It is not my intention to change whatever it is now. I was just trying to take this duplication out of the statute."

## POINT OF INQUIRY

Senator Kupka:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Kupka:

"Would you describe 'conflict of interest' as proposed in this bill and give us a few examples you are trying to correct so we would know what these amendments will do?"

Senator Rasmussen:

"I think you would have to talk with the attorney."

Senator Kupka:

"Would you describe 'conflict of interest'? What are you trying to do? What is the purpose of the bill?"

Senator Rasmussen:

"I think we have had a few conflicts of interest."

Senator Kupka:

"I would say the railroad mergers, etc."

Senator Rasmussen:

"That is very true, that they conflict with the interest of the people of this state, and I think that is why we sent the resolution to Congress."

Senator Rasmussen moved that the following amendment to the amendment by Senator Neill be adopted:

In section 1, page 1, in the last line of the amendment after "officer" and before "of" insert "or elected state official"

Senator Hofmeister moved that the amendment by Senator Rasmussen to the amendment by Senator Neill be laid on the table.

The motion carried, and the amendment to the amendment was laid on the table.

The President stated the question before the Senate to be the adoption of the amendment by Senator Neill.

The motion carried, and the amendment was adopted.

Senator Rasmussen moved that the following amendment be adopted:

In section 8, page 5, line 18 after "public interest." insert a new paragraph to read as follows:

"No appointed or elected official, officer, or employee of the state shall in any manner exert his influence to induce any appointive official, officer, or employee of

the state to favor any particular candidate for any state office or to contribute anything in any way to any person for election purposes. Any appointed official, officer or employee who violates this section shall be discharged by the authority which appointed him. Any elected official or officer who violates this section shall forfeit his office."

On motion of Senator Hofmeister, the amendment by Senator Rasmussen was laid on the table.

**POINT OF INQUIRY**

Senator Rasmussen:

"I would like to ask Senator Bailey if he thinks that is a good provision to have in for city employees?"

Senator Bailey:

"I don't think this a good provision for any employees. I don't think if it was taken to the courts, that it would be constitutional."

Senator Freise:

"It does not apply to elected officials, it applies to appointed officials, and there is probably a good reason for that."

Senator Gallagher moved that the following amendment be adopted:

In section 4, page 2, line 18, after "contract" and before "which" insert "or tariff rate"

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Riley:

"Do you feel that within the scope of this bill that any officer would have complete authority to set a tariff rate without consulting with others?"

Senator Gallagher:

"They would consult. It is the same as any other contract. Therefore, I think the amendment is a good amendment."

**POINT OF INQUIRY**

Senator Petrich:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Petrich:

"Is it true that the tariffs to which you have reference, and I understand they are the Tariff's Board of Examiners, are regulated and fixed by the Maritime Board?"

Senator Gallagher:

"That is true."

Senator Petrich:

"Isn't it true that the tariffs fixed by the Maritime Board are uniform for a given area?"

Senator Gallagher:

"That might be true."

Senator Ryder moved that the amendment proposed by Senator Gallagher be laid on the table.

The motion carried, and the amendment was laid on the table.

On motion of Senator Talley, the following amendment to the title was adopted:

In line 8 of the title of the engrossed and printed bill, after "28.58.310;" strike "amending" and insert "repealing"

On motion of Senator Talley, the rules were suspended, Engrossed House Bill No. 516, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 516, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators, Donohue, Gissberg, Herrmann, McCutcheon, McMillan, Raugust—6.

Engrossed House Bill No. 516, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 458**, by Representatives Wedekind, Hawley and Bernethy:

Relating to state employees' retirement system.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Engrossed House Bill No. 458, relating to state employees' retirement system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 5, subsection (1), page 8, line 30, after "full power" and before "to authorize", strike "to invest or"

In section 5, subsection (1), page 8, lines 31 and 32, after "directly by" and before "guaranteed", strike "or insured by or [fully]", and insert "or fully"

On page 15, following section 10 add two sections to read as follows:

Sec. 11. Section 4, chapter 231, Laws of 1957 and RCW 41.40.361 are each amended to read as follows:

(1) For the purpose of this section, the "fundable employer liability" at any date shall be the present value of

(a) all future pension benefits payable in respect of all members in the retirement system at that date, and

(b) all future benefits in respect of beneficiaries then receiving retirement allowances or pensions.

(2) The contributions by the employer for benefits under the retirement system shall consist of the sum of a percentage of the compensation of members to be known as the "normal contribution", a percentage of such compensation to be known as the "unfunded liability contribution" and in the case of employers admitted to the retirement system after April 1, 1949, a percentage of such compensation to be known as the "additional contribution". The rates of such contributions shall be determined by the retirement board on the basis of assets and liabilities as shown by actuarial valuation: *PROVIDED, That as to state employers the total combined contributions of the normal contribution and unfunded liability contribution shall not exceed a total combined percentage rate of six percent for each employer unless authorized by the legislature.*

(3) After the completion of each actuarial valuation subsequent to the first actuarial valuation of June 30, 1953, the retirement board shall determine the normal contribution rate and such contribution rate shall become effective in the ensuing biennium. Until the unfunded liability contribution shall have been discontinued, such normal contribution rate shall be computed to be sufficient, when applied to the present value of the future compensation of the average new member entering the system, to provide for the payment of all respective pension benefits in respect of such member. After the unfunded liability contributions have been discontinued, such normal contribution rate shall be determined as the uniform and constant percentage of the prospective compensation of all members of the retirement system at the date of such valuation which is equivalent to the excess of the fundable employer liability over the amount of funds currently standing to the credit of the benefit account fund.

(4) After the completion of each actuarial valuation subsequent to the first actuarial valuation of June 30, 1953, the retirement board shall determine the unfunded liability contribution, and such rate shall become effective in the ensuing biennium. The unfunded liability contribution rate shall not be less than that percentage of annual compensation of all members in the retirement system at the date of such subsequent valuation which is equivalent to four percent of the unfunded liability of the system. The unfunded liability shall be determined at such date as the excess of the fundable employer liability over the sum of the present value of the future normal contributions payable in respect of all members in the retirement system at that date, and the amount of all funds currently standing to the credit of the benefit account fund. The unfunded liability contributions shall continue until there remains no unfunded liability.

(5) Any employer admitted to the retirement system after April 1, 1949, shall make an additional contribution at a rate equal to not less than twenty-five percent of the sum of the normal contribution rate and the unfunded liability contribution rate until such time as the sum of such additional contributions equals the amount of contributions which such employer would have been required to contribute between April 1, 1949, and the date of such employer's admission to the retirement system: *Provided*, All additional contributions hereunder and under the provisions of RCW 41.40.160(2) must be completed within ten years from date of the employer's admission.

Sec. 12. Section 38, chapter 274, Laws of 1947, as amended by section 26, chapter 240, Laws of 1949, and RCW 41.40.370 are each amended to read as follows:

(1) The retirement board shall ascertain and report to each employer the amount it shall provide for pension benefits for the ensuing biennium or fiscal year whichever is applicable to the said employer's operations. The amount to be so provided shall be computed by applying the rates of contribution as established by RCW [41.40.360] 41.40.361 to an estimate of the total compensation earnable of all the said employer's members during the period for which provision is to be made.

(2) Beginning April 1, 1949, the amount to be collected as the employer's contribution for pension benefits shall be computed by applying the rates established by RCW [41.40.360] 41.40.361 to the total compensation earnable of employer's members as shown on the current payrolls of the said employer. The retirement board shall bill each said employer at the end of each month for the amount due for that month and the same shall be paid as are its other obligations: *Provided*, That the retirement board may, at its discretion, establish a system of billing based upon calendar year quarters in which event the said billing shall be at the end of each such quarter and shall be based upon the employer's payrolls for that quarter.

Renumber the remaining sections consecutively.

In line 18 of the title after "41.40.290;" and before "amending" insert "amending section 4, chapter 231, Laws of 1957 and RCW 41.40.361; amending section 38, chapter 274, Laws of 1947, as amended by section 26, chapter 240, Laws of 1949, and RCW 41.40.370;"

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, Dewey C. Donohue, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, George W. Kupka, Ernest W. Lennart, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Marshall A. Neill, Homer O. Nunamaker, Gordon Sandison, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Hallauer, the committee amendments were adopted.

On motion of Senator Hallauer, the committee amendment to the title was adopted.

On motion of Senator Hallauer, the rules were suspended, Engrossed House Bill No. 458, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 458, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Gissberg, Lennart, Raugust—3.

Engrossed House Bill No. 458, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 366**, by Representatives O'Connell, Leibold and Copeland:

Changing the date of school general elections to odd-numbered years.

The bill was read the second time by sections.

On motion of Senator Hess, the rules were suspended, Engrossed House Bill No. 366 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Moriarty:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Moriarty:

"Would you explain to the body, and to me in particular, just how this bill would reduce the number of votes required to meet the demands of the education group?"

Senator Hess:

"If this bill passes, Senator Moriarty, and the regular school elections are held in January of the odd numbered years, then all special levy elections held subsequent thereto would have the previous January election as the reference point for the forty percent voter turn-out requirement."

Senator Moriarty:

"I don't think the body should vote on the measure without realizing that you are cutting rather heavily into the forty mill levy."

The Secretary called the roll on the final passage of Engrossed House Bill No. 366, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Shannon, Thompson, Jr., Washington—44.

Those voting nay were: Senator Woodall—1.

Those absent or not voting were: Senators Foster, Raugust, Ryder, Talley—4.

Engrossed House Bill No. 366, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 62**, by Representatives DeJarnatt, Bigley and Mahaffey:

Providing procedure for discharge of teachers.

On motion of Senator Hess, Engrossed House Bill No. 62 was placed at the end of the second reading calendar for tomorrow.

**Engrossed House Bill No. 367**, by Representatives Folsom, Brouillet and Mahaffey:

Permitting suspension or expulsion of students for failure to comply with reasonable rules relating to discipline or scholarship.

On motion of Senator Hess, the rules were suspended, Engrossed House Bill No. 367 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Petrich:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Petrich:

"I have no quarrel at all with the right to suspend for breaking the rules. I have a little concern with what they mean by violating the rules with reference to scholarship. Does that mean that a student not able to keep up standards through no fault of his own would be subject to being expelled from school?"

Senator Hess:

"It would mean if a pupil refused to comply diligently with reasonable rules he would be subject to expulsion.

"They are encountered with the fact that it is questionable whether they have a legal right to expel children when they refuse to attempt to study at all. The attorney advised the school board of a question in the legality of the right to expel students under such circumstances. It seems it is a right to go to school, but under such circumstances, something should be done about it."

The Secretary called the roll on the final passage of Engrossed House Bill No. 367, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess,

Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—45.

Those voting nay were: Senator Dore—1.

Those absent or not voting were: Senators Foster, Raugust, Woodall—3.

Engrossed House Bill No. 367, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 333**, by Representatives Pritchard, Litchman, Jr., and Klein:

Authorizing merger on consolidation of religious or charitable corporations.

Senate Chamber,

Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Engrossed House Bill No. 333, authorizing merger on consolidation of religious or charitable corporations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 4, line 8 of the engrossed bill, the same being line 5 of the printed bill, strike all of new section 7.

JOHN A. PETRICH, *Chairman*.

We concur in this report: Fred H. Dore, F. Stuart Foster, Herbert H. Freise, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Freise, the committee amendment was adopted.

On motion of Senator Freise, the rules were suspended, Engrossed House Bill No. 333, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 333, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41, nays, 1; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Washington—41.

Those voting nay were: Senator Elway, Jr.—1.

Those absent or not voting were: Senators Bargreen, McCutcheon, Nunamaker, Raugust, Talley, Thompson, Jr., Woodall—7.

Engrossed House Bill No. 333, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 171**, by Representatives Beierlein, Evans and Huntley:  
Abolishing staggered system of issuing vehicle licenses.

Senate Chamber,

Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 171, abolishing staggered system of issuing vehicle licenses, have had the same

under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Strike all of sections 1 through 4 and substitute five new sections to read as follows:

Section 1. Section 46.16.400, chapter 12, Laws of 1961 and RCW 46.16.400 are each amended to read as follows:

On or after January 1, [1962] 1964, all vehicles as defined in RCW 46.04.670, except motor trucks, truck tractors, trailers, semitrailers, motor buses and bus trailers, taxicabs, motor bicycles, motorcycles, electric vehicles, armored cars, wreckers, tow cars, dealer vehicles, and vehicles owned by the state or political subdivisions thereof, the United States and branches thereof, and consuls of foreign countries, shall be registered for a period of twelve consecutive calendar months. There are established twelve registration periods, each of which shall start on the first day of each calendar month of the year and shall end on the last day of the twelfth month from date of beginning. The period beginning January 1st shall be designated the first period, and the subsequent periods shall be numbered consecutively thereafter.

Sec. 2. Section 46.16.410, chapter 12, Laws of 1961 and RCW 46.16.410 are each amended to read as follows:

All motor vehicles, other than those exempted by RCW 46.16.400, which are operated for the first time on or after January 1, [1962] 1964 upon the public highways of this state, shall be subject to registration and payment of fee for the twelve-month period commencing with the first day of the month of operation.

Sec. 3. Section 46.16.420, chapter 12, Laws of 1961 and RCW 46.16.420 are each amended to read as follows:

In order to allow an orderly change over from the system of calendar year registration to the staggered registration system, the director of licenses may register such motor vehicles as are defined in RCW 46.16.400 for less than a twelve-month period. This may be done at any time or times during the ten-year period beginning January 1, [1962] 1964 when the director of licenses determines that such fractional registration tends to fulfill the purpose of the staggered registration system. For such fractional registration periods the registration fee shall be computed and imposed on the basis of the ratio that such fractional registration periods bear to a full twelve months registration period. The director of licenses shall prescribe reasonable rules to govern such fractional registration. The allocation of motor vehicles to said new monthly intervals by this fractional registration shall be such as will result, in the judgment of the director, in a uniform distribution of the clerical work of registration throughout the year.

Sec. 4. Section 46.16.430, chapter 12, Laws of 1961 and RCW 46.16.430 are each amended to read as follows:

Motor vehicles, other than those exempted by RCW 46.16.400, not previously registered in this state and operated upon the public highways of this state for the first time on or after January 1, [1962] 1964, shall be registered for a full twelve-months period commencing the first day of the month of operation.

Sec. 5. Section 46.16.440, chapter 12, Laws of 1961 and RCW 46.16.440 are each amended to read as follows:

On and after January 1, [1962] 1964 the director is empowered and authorized to make and execute all administrative regulations necessary to accomplish an enforcement of the provisions of RCW 46.16.220, 46.16.230, 46.16.400 through 46.16.440 and 82.44.020.

In line 1 of the title after "licensing thereof;" strike all the matter down to and including "46.16.440" on line 8 and insert the following: "amending section 46.16.400, chapter 12, Laws of 1961 and RCW 46.16.400; amending section 46.16.410, chapter 12, Laws of 1961 and RCW 46.16.410; amending section 46.16.420, chapter 12, Laws of 1961 and RCW 46.16.420; amending section 46.16.430, chapter 12, Laws of 1961 and RCW 46.16.430; amending section 46.16.440, chapter 12, Laws of 1961 and RCW 46.16.440"

NAT WASHINGTON, *Chairman,*

AL HENRY, *Vice-Chairman,*

FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, Gordon Sandison, William D. Shannon, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendments were adopted.

On motion of Senator Washington, the committee amendment to the title was adopted.

On motion of Senator Washington, the rules were suspended, House Bill No. 171, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 171, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Washington—41.

Those voting nay were: Senators Chytil, Hallauer—2.

Those absent or not voting were: Senators Connor, Nunamaker, Raugust, Shannon, Thompson, Jr., Woodall—6.

House Bill No. 171, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 643**, by Representatives Witherbee, Leibold and May:

Relating to industrial insurance.

The bill was read the second time by sections.

On motion of Senator Durkan, the following amendment was adopted:

In section 8, page 12, line 6 of the engrossed and printed bill, beginning with "Within" strike all of the material down to and including "taken:" on line 13 and insert the following: *"Within ten days of the date on which an appeal has been granted by the board, the board shall notify the other interested parties thereto of the receipt thereof and shall forward a copy of said notice of appeal to such other interested parties. Within twenty days of the receipt of such notice of the board, the workman or the employer may file with the board a cross-appeal from the order of the department from which the original appeal was taken: PROVIDED, That nothing contained in this section shall be deemed to change, alter or modify the practice or procedure of the department for the payment of awards pending appeal: AND"*

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Riley:

"Did I understand you to say that this amendment offered by you is what has been agreed upon by responsible leaders of industry and responsible leaders of labor?"

Senator Durkan:

"Yes, that is correct."

Senator Riley:

"Did I further understand you to say that no other amendment offered would be in agreement with the responsible leaders of either?"

Senator Durkan:

"That is correct."

Senator Riley:

"Thank you."

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 643, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 643, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 0; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—47.

Those absent or not voting were: Senators Raugust, Woodall—2.

Engrossed House Bill No. 643, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Substitute House Bill No. 146**, by Committee on Agriculture and Livestock:

Regulating the application of agricultural pesticides.

The bill was read the second time by sections.

On motion of Senator Moriarty, the following amendments were adopted:

On page 1, beginning on line 17, strike all of section 2 and renumber the remaining sections consecutively.

In section 5, renumbered section 4, page 5, line 23, strike "(state administrative procedures act)"

In section 6, renumbered section 5, page 5, lines 27 and 28, strike "(state administrative procedures act)"

Senator Moriarty moved that the following amendment be adopted:

In section 7, renumbered section 6, page 5, line 32, after "records" strike "anywhere in the state" and insert "in the county wherein the person licensed under this act resides."

#### POINT OF INQUIRY

Senator Martin:

"Will Senator Moriarty yield to a question?"

Senator Moriarty:

"Yes, I will."

Senator Martin:

"Your amendment said, 'in the county in which the person licensed under this act resides,' but this event might occur in another county. Would this give authority anywhere?"

Senator Moriarty:

"I am trying to limit it to the county in which the person resides."

Senator Martin:

"Would it be more proper to hold a hearing in the county in which the offense occurred?"

Senator Moriarty:

"I don't think so. I think it would be better to keep it where the person resides."

The motion carried, and the amendment was adopted.

On motion of Senator Moriarty, the following amendments were adopted:

In section 22, renumbered section 21, page 11, line 25, strike "(food, drug and cosmetic act)"

In section 22, renumbered section 21, page 11, line 29, strike "(one-half mile)"

On page 14, line 26, strike all of section 33, renumbered section 32 and renumber the remaining sections consecutively.

In section 36, renumbered section 34, page 15, line 10, after "misdemeanor" insert a period and strike the balance of the section.

On motion of Senator Chytil, the following amendment was adopted:

In section 7, renumbered section 6, page 5, lines 30 and 31, after "subpoenas to" strike "comel" and insert "compel"

On motion of Senator Moriarty, the rules were suspended, Substitute House Bill No. 146, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute House Bill No. 146, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—41.

Those absent or not voting were: Senators Durkan, Hess, Lennart, McCutcheon, McMillan, Petrich, Raugust, Woodall—8.

Substitute House Bill No. 146, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 693**, by Representatives Brink, Wedekind and King (by Executive request):

Creating a committee to study salaries and establishing salaries for appointive state officials.

The bill was read the second time by sections.

On motion of Senator Washington, the following amendment was adopted:

In section 2, page 2, line 23, strike ", the director of highways"

Debate ensued.

#### MOTIONS

Senator Washington moved that further consideration of Engrossed House Bill No. 693 be held after Senate Bill No. 527.

Senator Riley moved that Engrossed House Bill No. 693 be the first measure considered on the second reading calendar for tomorrow.

Senator Greive moved that the motion by Senator Riley be laid on the table.

On motion of Senator Gissberg, Engrossed House Bill No. 693 was ordered to hold its place immediately following House Bill No. 396.

**House Bill No. 394**, by Representatives Beck, Conner and Beierlein:

Authorizing the sale or lease of property of toll bridge authority and Washington state ferry system and granting of permits and franchises thereto.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 394, authorizing the sale or lease of property of toll bridge authority and Washington state ferry system and granting of permits and franchises thereto, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 1, following section 2, add two new sections to read as follows:

**NEW SECTION. Sec. 3.** If the authority is of the opinion that any land, including improvements thereon, is no longer required for toll bridge, toll tunnel, toll road or Washington state ferry system purposes, the authority shall offer it for sale upon notice and bids in the manner that contracts are let by the state highway commission.

**NEW SECTION. Sec. 4.** The authority may reject all such bids if the highest bid does not equal the reasonable fair market value of the real property, plus the value of the improvements thereon, computed on the basis of the reproduction value less depreciation. The authority may accept the highest and best bid, and certify the agreement for the sale to the governor, with a description of the land and the terms of the sale and the governor may execute and the secretary of state shall attest the deed and deliver it to the grantee.

Renumber the remaining sections consecutively.

NAT WASHINGTON, *Chairman*,  
....., *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, Fred H. Dore, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, H. B. Hanna, Karl V. Herrmann, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, John A. Petrich, W. C. Raugust, William D. Shannon.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendment was adopted.

On motion of Senator Washington, the rules were suspended, House Bill No. 394, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 394, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Herrmann, Keefe, McCutcheon, Martin, Raugust—5.

House Bill No. 394, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 395**, by Representatives Beck, Conner and Evans:

Authorizing issuance of permits for passage of vehicles on toll facilities on a credit basis.

The bill was read the second time by sections.

On motion of Senator Hofmeister, the rules were suspended, House Bill No. 395 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 395, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—38.

Those absent or not voting were: Senators Donohue, Dore, Durkan, Foley, Herrmann, McCutcheon, McMillan, Martin, Raugust, Talley, Woodall—11.

House Bill No. 395, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 396**, by Representatives Beck, Conner and Evans:

Providing certain offenses and penalties therefor relating to operation of motor vehicles upon toll facilities.

The bill was read the second time by sections.

On motion of Senator Hofmeister, the rules were suspended, House Bill No. 396 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 396, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Thompson, Jr., Washington—37.

Those absent or not voting were: Senators Durkan, Elway, Jr., Hanna, Happy, Herrmann, McCutcheon, McMillan, Martin, Neill, Ryder, Talley, Woodall—12.

House Bill No. 396, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 693**, by Representatives Brink, Wedekind and King (by Executive request):

Creating a committee to study salaries and establishing salaries for appointive state officials.

The bill was read the second time by sections.

On motion of Senator Washington, the following amendment was adopted: Strike all of section 10.

Senator Greive moved that Engrossed House Bill No. 693 be placed after House Bill No. 211 on today's calendar.

Senator Gissberg:

"In view of the fact that Senator Washington's next amendment is to the title, I would suggest to him that he had better review what he just did. He just struck section 10 out of the bill, which leaves the director of highways payless. You intended to leave him just as he is, but you have gone much further. You have struck all of the salary of the director."

On motion of Senator Greive, Engrossed House Bill No. 693 was ordered to retain its place following Engrossed House Bill No. 242.

**House Bill No. 211**, by Representatives Kink, Conner and Johnston (by Departmental request):

Changing name of public service commission to Washington utilities and transportation commission.

The bill was read the second time by sections.

On motion of Senator Hofmeister, the rules were suspended, House Bill No. 211 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 211, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmiester, Knoblauch, Kupka, Lennart, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Riley, Sandison, Shannon, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Durkan, Keefe, McCormack, McCutcheon, McMillan, Martin, Nunamaker, Raugust, Ryder, Talley—10.

House Bill No. 211, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 242**, by Representatives Bozarth, Anderson and Canfield (by Departmental request):

Authorizing control over birds injurious to agriculture.

The bill was read the second time by sections.

On motion of Senator Hallauer, the following amendment was adopted:

On page 1, strike all of section 3.

On motion of Senator Riley, the following amendment to the title was adopted:

In line 2 of the title of the engrossed bill, same being lines 2 and 3 of the printed bill, strike "; and making an appropriation"

On motion of Senator Hanna, the rules were suspended, Engrossed House Bill No. 242, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 242, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess,

Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senator Bargreen—1.

Those absent or not voting were: Senators Cooney, McCormack, McCutcheon, Martin, Raugust—5.

Engrossed House Bill No. 242, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 693**, by Representatives Brink, Wedekind and King (by Executive request):

Creating a committee to study salaries and establishing salaries for appointive state officials.

#### MOTION FOR RECONSIDERATION

Senator Washington:

"Having voted on the prevailing side, I move that the Senate do now reconsider the vote by which my first amendment was adopted."

The motion carried.

On motion of Senator Washington, the first amendment was laid on the table.

#### MOTION FOR RECONSIDERATION

Senator Washington:

"Having voted on the prevailing side, I move that the Senate do now reconsider the vote by which my second amendment was adopted."

The motion carried.

On motion of Senator Washington, the second amendment was laid on the table.

Senator Rasmussen moved that the following amendment be adopted:

In section 2, page 2, line 29, strike "the governor" and insert "the legislature"

#### QUESTION OF CONSIDERATION

Senator Greive raised a question of consideration of the amendment by Senator Rasmussen.

#### POINT OF ORDER

Senator Woodall:

"A question of consideration must be raised prior to debate."

#### POINT OF ORDER

Senator Gissberg:

"The Chair had not recognized Senator Rasmussen for the purpose of debate."

#### RULING OF THE PRESIDENT

The President:

"Ruling on the point of order, Senator Rasmussen had moved the adoption of the amendment. I had recognized Senator Rasmussen. Senator Rasmussen, you have the floor."

Senator Greive moved that the amendment by Senator Rasmussen be laid on the table.

The motion carried, and the amendment by Senator Rasmussen was laid on the table.

Senator Rasmussen moved that the following amendment be adopted:

In section 8, page 6, line 14 strike section 8 and renumber the remaining sections.

Senator Herrmann moved that the amendment by Senator Rasmussen be laid on the table.

Senator Rasmussen demanded a roll call, which was not sustained.

The motion carried, and the amendment was laid on the table.

On motion of Senator Hallauer, the rules were suspended, Engrossed House Bill No. 693 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 693, and the bill passed the Senate by the following vote: Yeas, 40; nays, 4; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Riley, Ryder, Shannon, Talley, Washington—40.

Those voting nay were: Senators Donohue, Petrich, Rasmussen, Woodall—4.

Those absent or not voting were: Senators Dore, McCutcheon, Raugust, Sandison, Thompson, Jr.—5.

Engrossed House Bill No. 693, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 377**, by Representatives Litchman, Jr., Testu and Metcalf: Authorizing establishment of pedestrian malls.

The bill was read the second time by sections.

Senator Riley moved that the following amendment be adopted:

In section 1, page 1, line 14, after "public purposes" and before the period, insert "except that, 'right of way' shall not mean for the purpose of this act such portions of land as have been or shall be acquired for public use in a condemnation proceeding and paid for by assessments levied and collected in a local improvement district"

#### POINT OF INQUIRY

Senator Hess:

"Will Senator Riley yield to a question?"

Senator Riley:

"Yes, I will."

Senator Hess:

"As I read this and as I listen to the explanation, I am not sure what this does, but it seems to me that under the purpose of the amendment, this could rule out all kinds of public malls. Could you explain more in detail what you had in mind, and how it would work?"

Senator Riley:

"The purpose is to exclude or make possible a space in which the Metropolitan Savings and Loan Association in Seattle on Westlake Avenue might continue to stay in business. Or, in reverse order, without the amendment this banking office would be so completely covered they would not have any access to or exit from its own banking property."

## MOTION

On motion of Senator Greive, House Bill No. 377 was ordered to hold its place at the top of the second reading calendar for tomorrow.

**House Bill No. 527**, by Representatives Olsen, Kirk and Ackley:

Relating to official fees of county treasurers.

The bill was read the second time by sections.

On motion of Senator Riley, the following amendment was adopted:

On page 1, following section 1, add a new section reading as follows:

"Sec. 2. Section 84.69.070, chapter 15, Laws of 1961 and RCW 84.69.070 are each amended to read as follows:

"Refunds ordered with respect to taxing districts shall be paid by checks drawn by the county treasurer upon such available funds, if any, as the taxing districts may have on deposit in the county treasury, or in the event such funds are insufficient, then out of funds subsequently accruing to such taxing district and on deposit in the county treasury. *When such refunds are made as a result of taxes paid under levies or statutes adjudicated to be illegal or unconstitutional all administrative costs incurred by the county treasurer in making such refunds shall be a charge against the funds of such districts until the county current expense fund is fully reimbursed for the administrative expenses incurred in making such refund.*"

On motion of Senator Hess, the following amendment was adopted:

In section 1, page 1, line 22, after "roll." add the following: "The provisions of this section shall not apply to irrigation district assessments."

On motion of Senator Riley, the following amendment to the title was adopted:

In line 1 of the title after "Relating to" strike "official fees of county treasurers;" and insert the following: "Local governmental units; providing for certain official fees; prescribing refund procedure; amending section 84.69.070, chapter 15, Laws of 1961 and RCW 84.69.070;"

On motion of Senator Riley, the rules were suspended, House Bill No. 527, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 527, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Henry, Herrmann, McCutcheon, Petrich, Rasmussen, Raugust, Sandison—7.

House Bill No. 527, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 314**, by Representatives Holmes, Flanagan and Moos:

Revising weed district procedure.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, House Bill No. 314 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 314, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington—42.

Those absent or not voting were: Senators Henry, McCutcheon, Petrich, Rasmussen, Raugust, Sandison, Woodall—7.

House Bill No. 314, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 129**, by Representatives Rickdall, Bigley and Ritner (by Legislative Council request):

Relating to fire protection district local improvement districts.

The bill was read the second time by sections.

On motion of Senator Happy, the following amendment was adopted:

In section 1, page 1, line 15 of the engrossed and printed bill, after "district," and before "and" insert "and to contract for operating such facilities,"

On motion of Senator Cowen, the rules were suspended, Engrossed House Bill No. 129, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 129, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Shannon, Thompson, Jr., Washington—42.

Those voting nay were: Senator Talley—1.

Those absent or not voting were: Senators Connor, McCutcheon, Morgan, Raugust, Sandison, Woodall—6.

Engrossed House Bill No. 129, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 261**, by Representatives Wang, Conner and Testu: Relating to real estate brokers.

On motion of Senator Greive, Engrossed House Bill No. 261 was ordered placed on the second reading calendar for tomorrow.

**Engrossed House Bill No. 130**, by Representatives Rickdall, Williams and Bigley (by Legislative Council request):

Authorizing local improvement districts for library purposes.

The bill was read the second time by sections.

On motion of Senator Ryder, the rules were suspended, Engrossed House

Bill No. 130 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 130, and the bill passed the Senate by the following vote: Yeas, 40; nays, 2; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—40.

Those voting nay were: Senators Lennart, Neill—2.

Those absent or not voting were: Senators Bailey, Connor, McCutcheon, McMillan, Morgan, Raugust, Woodall—7.

Engrossed House Bill No. 130, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Senate Bill No. 489, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., Mrch 8, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Senate Bill No. 489, have had the same under consideration, and recommend that the committee be granted powers of Free Conference.

Senate Members:

NAT WASHINGTON,  
HERBERT H. FREISE,  
H. B. HANNA.

House Members:

H. MAURICE AHLQUIST,  
WILLIAM S. DAY,  
PAUL HOLMES.

On motion of Senator Washington, the report of the Conference Committee on Senate Bill No. 489 was adopted, and the committee was granted the powers of Free Conference.

The Secretary read:

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has receded from its amendment to page 1 of Senate Joint Resolution No. 25, and passed the resolution without the amendment, and said resolution is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No 55 and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The Speaker has signed: Substitute House Bill No. 30; also  
House Bill No. 47; also  
House Bill No. 51; also  
House Bill No. 57; also  
House Bill No. 97; also  
House Bill No. 101; also  
House Bill No. 102; also  
House Bill No. 111; also  
House Bill No. 264; also  
House Bill No. 269; also  
House Bill No. 296; also  
House Bill No. 397; also  
Substitute House Bill No. 421; also  
House Bill No. 425; also  
House Bill No. 514; also  
House Bill No. 515; also  
House Bill No. 546; also  
House Joint Resolution No. 9; also  
House Concurrent Resolution No. 10, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

The President signed: Substitute House Bill No. 30; also  
House Bill No. 47; also  
House Bill No. 51; also  
House Bill No. 57; also  
House Bill No. 97; also  
House Bill No. 101; also  
House Bill No. 102; also  
House Bill No. 111; also  
House Bill No. 264; also  
House Bill No. 269; also  
House Bill No. 296; also  
House Bill No. 397; also  
Substitute House Bill No. 421; also  
House Bill No. 425; also  
House Bill No. 514; also  
House Bill No. 515; also  
House Bill No. 546; also  
House Joint Resolution No. 9; also  
House Concurrent Resolution No. 10.

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has failed to pass: Senate Joint Resolution No. 23, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 7, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 173 with the following amendments:  
On page 1, immediately following section 3, add a new section to read as follows:  
"Sec. 4. Section 2, chapter 12, Laws of 1907 and RCW 43.33.030 are each amended to read as follows:

The state finance committee shall keep a full and complete public record of its proceedings in appropriate books of record, [and a clerk in the office of the state auditor

shall act as the secretary of the committee] *maintain appropriate offices, and employ such personnel as shall be necessary to perform its duties.* [Its office shall be in the office of the state auditor and all records and correspondence relating to the committee shall be kept in the office of the state auditor, and be subject to public inspection]"

Renumber the remaining sections consecutively.

On page 3, strike all of renumbered section 7, being the old section 6, and renumber the remaining section consecutively.

Beginning on line 5 of the title, after the semicolon following "43.43.140" strike "amending section 47.56.020, chapter ....., Laws of 1961 and RCW 47.56.020"

On line 6 of the title, after "and RCW 47.56.020;" strike "and" and on line 7 of the title after "RCW 78.52.020" and before the period insert "; and amending section 2, chapter 12, Laws of 1907 and RCW 43.33.030", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Rasmussen, the Senate concurred in the House amendments to Senate Bill No. 173.

The Secretary called the roll on the final passage of Senate Bill No. 173, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foster, Freise, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington—39.

Those absent or not voting were: Senators Durkan, Foley, Gallagher, Gissberg, McCutcheon, McMillan, Morgan, Raugust, Sandison, Woodall—10.

Senate Bill No. 173, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on House Joint Resolution No. 6, and has granted said committee the powers of Free Conference.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 365 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 153; also

Senate Bill No. 366; also

Engrossed Senate Bill No. 394; also

Senate Bill No. 408; also

Engrossed Senate Bill No. 411; also

Senate Bill No. 422; also

Engrossed Senate Bill No. 494; also

Senate Bill No. 503; also

Engrossed Senate Bill No. 548; also

Engrossed Senate Bill No. 552; also

Engrossed Senate Bill No. 557; also

Senate Joint Memorial No. 13; also

Senate Joint Memorial No. 16, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 344 with the following amendment:

Add a new section immediately following section 2 to read as follows:

*NEW SECTION.* Sec. 3. It is against the public policy of this state to insure against any liability incurred as a result of this act., and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Greive, the Senate refused to concur in the House amendment to Senate Bill No. 344, and asked the House to recede therefrom.

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the Conference Committee on Engrossed Senate Bill No. 25 and the House amendment thereto, Representatives Nicholson, Eldridge and Epton.

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House refuses to concur in the Senate amendment to House Bill No. 348, and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Dore, the Senate receded from its amendment to House Bill No. 348.

The Secretary called the roll on the final passage of House Bill No. 348, without the Senate amendment, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Moriarty, Jr., Neill, Papanjani, Petrich, Rasmussen, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington—38.

Those absent or not voting were: Senators Cooney, Donohue, Gissberg, Happy, McCutcheon, McMillan, Morgan, Nunamaker, Raugust, Sandison, Woodall—11.

House Bill No. 348, without the Senate amendment, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 22**, by Representatives King, Wedekind and Hawley:

Establishing a fisheries interim committee.

The resolution was read the first time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 22 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, House Concurrent Resolution No. 22 was ordered to retain its place on the second reading calendar for tomorrow.

**House Concurrent Resolution No. 23**, by Representatives Schafer, McElroy and Moos:

Creating an interim committee to study game and fish program.

The resolution was read the first time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 23 was advanced to second reading and read the second time in full.

On motion of Senator Herrmann, the following amendment was adopted:  
On page 1, line 9, after "thereof, and" strike "five" and insert "six"

#### POINT OF INQUIRY

Senator DeGarmo:

"Will Senator Herrmann yield to a question?"

Senator Herrmann:

"Yes, I will."

Senator DeGarmo:

"How come \$25.00 a day when the average received is \$20.00?"

Senator Herrmann:

"This has nothing to do with the amount. It is the number of members I was talking about."

#### PERSONAL PRIVILEGE

Senator Knoblauch:

"Mr. President, Senator Gallagher has asked me to say a few words in his behalf because he has lost his voice. The Senator would like you to instruct the Sergeant-at-Arms to present to each Senator a paper bag so that he may take home the loot that he has collected during the session."

The President:

"The President shall advise the Sergeant-at-Arms to provide one paper receptacle in order that each Senator may take home his loot."

On motion of Senator Herrmann, the following amendment was adopted:

On page 1, line 8, before "members" strike "three" and insert "six"

#### POINT OF INQUIRY

Senator DeGarmo:

"Will Senator Herrmann yield to a question?"

Senator Herrmann:

"Yes, I will."

Senator DeGarmo:

"Why do you need so many members on that committee?"

Senator Herrmann:

"I explained to the Senator that we have had twelve members before and we never had more than about one-half of the members there. Every time we had a meeting some of them would be tied up in other meetings, and it is impossible to get twelve people together."

Senator DeGarmo:

"Why should we put these people on the committee who are so busy?"

Senator Herrmann:

"I think we are all busy men."

On motion of Senator Bailey, the following amendment was adopted:

On page 2, lines 7 and 8, after "sum of" strike "twenty-five" and insert "twenty"  
 Senator Durkan moved that the following amendment be adopted:  
*Provided*, That this committee shall study the effect of beaver dams.

**POINT OF INQUIRY**

Senator Hofmeister:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Hofmeister:

"In studying these beaver dams, do you want to find out the technique of the engineers of the beavers?"

The President stated the question to be the adoption of the amendment proposed by Senator Durkan.

The motion lost, and the amendment was not adopted.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 23, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of House Concurrent Resolution No. 23, as amended by the Senate, and the resolution passed the Senate by the following vote: Yeas, 39; nays, 2; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Shannon, Thompson, Jr., Washington—39.

Those voting nay were: Senators Lennart, Neill—2.

Those absent or not voting were: Senators Gissberg, McCutcheon, McMullan, Morgan, Raugust, Sandison, Talley, Woodall—8.

House Concurrent Resolution No. 23, as amended by the Senate, having received the constitutional majority, was declared passed.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**House Bill No. 295:**

Senate Chamber,  
 Olympia, Wash., March 6, 1961.

**MR. PRESIDENT:**

We, a majority of your Judiciary Committee, to whom was referred House Bill No. 295, amending motor vehicle financial responsibility law, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 374**, (reported by Committee on Public Utilities):

Do pass as amended.

FRED H. DORE, *Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Martin Durkan, Frank W. Foley, H. B. Hanna, George W. Kupka, Mike McCormack, John T. McCutcheon, John A. Petrich, A. L. Rasmussen, Don L. Talley, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 556:**

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred House Bill No. 556, relating to inheritance tax, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*,

....., *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Howard Bargeen, Joe Chytil, Frank Connor, John L. Cooney, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Engrossed Substitute House Bill No. 576**, (reported by Committee on Ways and Means):

Do pass as amended.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,

Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargeen, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, William A. Gissberg, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 1:05 o'clock a. m., on motion of Senator Greive, the Senate adjourned until 9:00 o'clock a. m. on Thursday, March 9, 1961.

JOHN A. CHERBERG, *President of the Senate*.

WARD BOWDEN, *Secretary of the Senate*.

## SIXTIETH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, March 9, 1961.

The Senate was called to order at 9:20 o'clock a. m., by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Morgan.

The Color Guard, consisting of Pages Tom Knoblauch, Color Bearer, and Marilyn Rottle, presented the Colors.

Reverend Henry Rahn, Pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Infinite and Eternal God, Thou who art the ruler of this universe, hast set us in positions of responsibility. Thou hast made us beneficiaries of a great past, stewards of a great present and guardians of a great future.

"Thy thoughts and Thy ways are always higher and holier than ours. Show us to what nobler qualities and loftier heights our human life may rise in character and service when we follow Thy leading. Keep us from drifting into the valley of mediocrity. Help us to go forward with a confidence in each other and a faith in Thee, and grant that something good and lasting may be fashioned out of the materials of this day.

"May Thy strength and wisdom come in abundant measure to each of us in our endeavors of this day.

"Through Christ our Lord. Amen."

On motion of Senator Riley, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS

The Secretary read:

#### SENATE RESOLUTION

By Senators Rasmussen and Bargreen:

WHEREAS, The agricultural industry of Washington includes many crops which require a great deal of labor; and

WHEREAS, The need for agricultural laborers has for some years increased and now exceeds the supply available from the use of permanent residents of the state; and

WHEREAS, The attraction of migrant workers to the state has thus become essential to the continuation of present trends in our agricultural industry; and

WHEREAS, The production and processing of these crops contributes significantly to our state's total economy in the amount of many millions of dollars, and involves even larger investments in land, buildings and equipment; and

WHEREAS, It is essential to the prosperity and continued growth of our agricultural industry that adequate information be gathered and plans made with regard to the problem of assuring the industry an adequate and dependable supply of labor; and

WHEREAS, The health, welfare, productivity, income, education, recreation, community acceptance and general well-being of migrant workers bears a direct relationship to our ability to attract them here for work in our agricultural industry; and

WHEREAS, These considerations are also of interest to the people of the state from the standpoint of their influence upon the health, welfare, productivity, income, education, recreation, community relations and general well-being of the permanent resident of the state; and

WHEREAS, There is at present inadequate information gathered by impartial and objective means on these subjects;

*Now, Therefore, Be It Resolved*, by the Senate of the state of Washington that the Legislative Council create a subcommittee concerned with problems of migratory agricultural workers in the State of Washington;

*Be It Further Resolved*, That this subcommittee make a study and written report concerning such areas as housing, job sanitation, general health conditions, educational opportunities, job recruitment, wages and earnings, and community concern, and that this report shall be presented to the thirty-eighth Legislature and shall include such comment, conclusions and recommendations as the subcommittee itself may make upon the study and report with respect to such legislation, if any, which would be required to carry out the recommendations of the report.

Senator Rasmussen moved that the resolution be adopted.

Senator Foster moved that further consideration of the resolution be delayed until printed or mimeographed copies be provided to each Senator.

The motion carried.

#### SENATE RESOLUTION

By Senators Rasmussen and Hess:

WHEREAS, Automobile accidents take an ever increasing toll on our highways; and

WHEREAS, The financial consequences of automobile accidents to those involved, to their dependents, and to society at large are serious, far-reaching and long-lasting; and

WHEREAS, There is no satisfactory recourse for those unfortunate victims who are injured by the insolvent, uninsured motorist; nor can it help the victims of the hit-and-run driver; and

WHEREAS, The Province of Saskatchewan has had, since 1946, an Automobile Accident Insurance Act which is an automatic accident-compensation scheme designed to provide reasonable compensation for losses arising from motor vehicle accidents regardless of fault, and that concept has received wide acclaim; and

WHEREAS, Such an accident compensation scheme would alleviate many of the inadequacies of our present system;

*Now, Therefore, Be It Resolved*, By the Senate that the Legislative Council undertake a thorough study of the Saskatchewan Automobile Accident Insurance Act, its operation, and its effect; and that the Legislative Council prepare a report of its study to be submitted to the thirty-eighth session of the Legislature together with a draft of a bill which would adopt a similar system for the state of Washington.

On motion of Senator Hess, the resolution was adopted.

#### SECOND READING OF BILLS

**Engrossed House Bill No. 261**, by Representatives Wang, Conner and Testu: Relating to real estate brokers.

On motion of Senator Greive, Engrossed House Bill No. 261 was placed at the end of the second reading calendar for today.

**Substitute House Bill No. 559**, by Committee on Judiciary-Civil: Increasing judicial council.

On motion of Senator Woodall, Substitute House Bill No. 559 was ordered to be considered after Engrossed House Bill No. 662.

Senator Grieve demanded a Call of the Senate, which was sustained by Senators Angevine and Nunamaker.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber and was instructed to guard the elevators and not to permit anyone to leave or enter.

On motion of Senator Greive, the Call of the Senate was dispensed with.

**House Bill No. 377**, by Representatives Litchman, Jr., Testu and Metcalf: Authorizing establishment of pedestrian malls.

On motion of Senator Hess, House Bill No. 377 was ordered to retain its place on the second reading calendar immediately following House Bill No. 207.

**House Concurrent Resolution No. 22**, by Representatives King, Wedekind and Hawley:

Establishing a Fisheries Interim Committee.

On motion of Senator Greive, House Concurrent Resolution No. 22 was ordered to take its place at the head of the second reading calendar for this afternoon.

**Engrossed House Bill No. 662**, by Representatives Garrett, Taylor and McCormick:

Allowing auditing of municipal corporation accounts by independent accountants.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 662 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 662, and the bill failed to pass the Senate by the following vote: Yeas, 21; nays, 21; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, DeGarmo, Foley, Freise, Gissberg, Greive, Hallauer, Hanna, Knoblauch, Kupka, Martin, Moriarty, Jr., Neill, Papajani, Petrich, Raugust, Thompson, Jr., Woodall—21.

Those voting nay were: Senators Chytil, Cooney, Cowen, Donohue, Durkan, Gallagher, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, McCutcheon, McMillan, Nunamaker, Rasmussen, Riley, Ryder, Shannon, Talley, Washington—21.

Those absent or not voting were: Senators Dore, Elway, Jr., Foster, Lennart, McCormack, Morgan, Sandison—7.

Engrossed House Bill No. 662, having failed to receive the constitutional majority, was declared lost.

**Substitute House Bill No. 559**, by Committee on Judiciary-Civil:

Increasing judicial council.

On motion of Senator Woodall, Substitute House Bill No. 559 was ordered to be considered after House Bill No. 492.

**Engrossed House Bill No. 491**, by Representatives Shropshire, Beierlein and Wedekind:

Creating "floater" license plates for certain owners eligible for proportional registration and licensing.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 491 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 491, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Donohue, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack,

McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Cooney, Dore, Durkan, Elway, Jr., Foley, Foster, Gissberg, Herrmann, Lennart, Morgan—10.

Engrossed House Bill No. 491, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 492**, by Representatives Beierlein, Evans and Huntley:

Providing for temporary permits for certain interstate operation of motor vehicles.

The bill was read the second time by sections.

On motion of Senator Riley, the rules were suspended, House Bill No. 492 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 492, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Angevine, Donohue, Dore, Durkan, Elway, Jr., Foster, Lennart, Morgan, Neill—9.

House Bill No. 492, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Substitute House Bill No. 559**, by Committee on Judiciary-Civil:

Increasing judicial council.

On motion of Senator Hess, Substitute House Bill No. 559 was ordered placed immediately following House Bill No. 424.

**Re-Engrossed House Bill No. 207**, by Representatives Avey, Meyers, Jr. and Henry:

Relating to aeronautics commission.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Re-Engrossed House Bill No. 207 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Re-Engrossed House Bill No. 207, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, McCutcheon, McMillan, Martin, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley—40.

Those voting nay were: Senator Woodall—1.

Those absent or not voting were: Senators Dore, Kupka, Lennart, McCormack, Morgan, Neill, Thompson, Jr., Washington—8.

Re-Engrossed House Bill No. 207, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 377**, by Representatives Litchman, Jr., Testu and Metcalf: Authorizing establishment of pedestrian malls.

The bill was read the second time by sections.

Senator Riley moved that the following amendment be adopted:

In section 1, page 1, line 14, after "public purposes" and before the period, insert: "except that 'right of way' shall not mean for the purpose of this act such portions of land as have been or shall be acquired for public use in condemnation proceeding and paid for by assessments levied and collected in a local improvement district"

Debate ensued.

The President stated the question to be the adoption of the amendment proposed by Senator Riley.

The motion lost, and the amendment was not adopted.

On motion of Senator Greive, the rules were suspended, House Bill No. 377 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 377, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Dore, Foster, Happy, Morgan, Neill, Rasmussen, Shannon—7.

House Bill No. 377, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed Substitute House Bill No. 426**, by Committee on Aviation: Regulating aeronautics.

Senate Chamber,

Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Engrossed Substitute House Bill No. 426, regulating aeronautics, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 2, page 1, line 14 of the engrossed bill, being page 1, line 15 of the printed bill as amended, after "into account" and before the period on line 17, strike the remainder of the section and insert "only those obstacles located at river, lake and canyon crossings and in other low altitude flight paths usually traveled by aircraft."

On page 2 of the engrossed and printed bill, add a new section following section 3 to read as follows:

**NEW SECTION.** Sec. 4. This act shall not apply to structures licensed by the federal government or any agency of the federal government.

FRED H. DORE, *Chairman.*

We concur in this report: Joe Chytil, Frank Connor, David C. Cowen, John L. Cooney, Martin J. Durkan, F. Stuart Foster, H. B. Hanna, James W. Keefe, John T. McCutcheon, John A. Petrich, Edward F. Riley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Dore, the first committee amendment was adopted.

On motion of Senator Hanna, the following amendment to the second committee amendment was adopted:

In line 2 of the committee amendment adding a new section 4, after "structures" strike the remainder of the section and insert "required to be marked by the federal regulations."

#### POINT OF INQUIRY

Senator Henry:

"Will Senator Hanna yield to a question?"

Senator Hanna:

"Yes, I will."

Senator Henry:

"I am curious about this. For instance, the Bonneville Tide Flats near Vancouver, is it your thinking that because they are the property of the federal government that this need not be marked?"

Senator Hanna:

"No, it is my understanding that this requirement would not apply."

Senator Henry:

"It is my feeling that you would be just as dead whether you hit a federal wire or another."

Senator Hanna:

"That is correct, but the federal government takes care of that."

The motion carried, and the amendment to the committee amendment was adopted.

The President stated the question to be the adoption of the second committee amendment as amended.

The motion carried, and the committee amendment as amended was adopted.

On motion of Senator Hanna, the rules were suspended, Engrossed Substitute House Bill No. 426, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 426, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington—41.

Those voting nay were: Senators Elway, Jr., Thompson, Jr.—2.

Those absent or not voting were: Senators Bailey, Dore, Happy, Morgan, Neill, Woodall—6.

Engrossed Substitute House Bill No. 426, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 122**, by Representatives Williams, Marsh and Harris:  
Authorizing business corporations to vote without a meeting.

The bill was read the second time by sections.

On motion of Senator Petrich, the rules were suspended, House Bill No. 122 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 122, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Bargreen, Dore, Morgan, Papajani—4.

House Bill No. 122, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 636**, by Representatives Olsen, Comfort and Campbell:  
Modifying requirement for salary fund in certain counties.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, House Bill No. 636 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 636, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Dore, Keefe, McMillan, Morgan, Papajani—5.

House Bill No. 636, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### NOTICE OF RECONSIDERATION

Senator Gallagher, having voted on the prevailing side, moved that the Senate do now reconsider the vote by which Engrossed House Bill No. 662 failed to pass the Senate.

Debate ensued.

## POINT OF INQUIRY

Senator Hess:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Hess:

"Is there anything in this bill that would prevent any municipal corporation from employing whatever accountant they wish to supplement the state audit?"

Senator Freise:

"No."

The President stated the question to be the reconsideration of the vote by which Engrossed House Bill No. 662 failed to pass the Senate.

A division was requested and the motion carried on a rising vote.

Senators Greive, Connor and Petrich demanded the previous question.

## RECONSIDERATION

The President stated the question to be, shall the main question be now put. The motion carried, and the demand for the previous question was sustained.

The Secretary called the roll on the final passage of Engrossed House Bill No. 662, and the bill passed the Senate by the following vote: Yeas, 27; nays, 19; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Moriarty, Jr., Neill, Papajani, Raugust, Shannon, Thompson, Jr., Woodall—27.

Those voting nay were: Senators Chytil, Cowen, DeGarmo, Donohue, Durkan, Happy, Henry, Hess, Hofmeister, McCutcheon, McMillan, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Washington—19.

Those absent or not voting were: Senators Dore, Foster, Morgan—3.

Engrossed House Bill No. 662, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 445**, by Representatives Mardesich, Litchman, Jr. and England.

Giving sellers of commercial fertilizers, pesticides, and weed killer a crop lien.

Senator Donohue moved that Engrossed House Bill No. 445 be placed immediately after Engrossed House Bill No. 472.

## POINT OF INQUIRY

Senator Durkan:

"Will Senator Donohue yield to a question?"

Senator Donohue:

"Yes, I will."

Senator Durkan:

"Is it necessary to move it down that far?"

Senator Donohue:

"There is some concern, as an amendment is to be proposed. I would like to have it moved down that far."

The motion carried.

#### MOTION

On motion of Senator Greive, all bills passed thus far were ordered immediately transmitted to the House.

**House Bill No. 424**, by Representatives Kirk, Mahaffey and Testu:

Relating to legal descriptions of real property by maps in the county assessors' and the county auditors' offices.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, House Bill No. 424 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 424, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those voting nay were: Senator Chytil—1.

Those absent or not voting were: Senators Foley, Foster, Freise, Hallauer, Kupka, Morgan, Papajani, Petrich—8.

House Bill No. 424, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Substitute House Bill No. 559**, by Committee on Judiciary-Civil:

Increasing judicial council.

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Substitute House Bill No. 559, increasing judicial council, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 1, line 11 after "[one]" and before "one" strike "at least"; also on line 12 after "[,]" strike "," and insert ", to be selected and appointed by the chief justice of the supreme court," also on line 13 after "(2)" and before "judges" strike "At least two" and insert "Two"; also on lines 13 and 14 after "members]" strike "," and insert ", to be selected and appointed by the superior court judges' association,"

In section 1, page 1, lines 15 and 16 after "(3)" strike all of the material down to "[, and]" and insert "Two members of the State Senate, one of whom will be the chairman of the Senate Judiciary Committee and the other to be designated by the chairman; two members of the State House of Representatives to consist of the chairman of the House of Representatives Committee on Judiciary-Civil, and the chairman of the House of Representatives Committee on Judiciary-Criminal"

In section 1, page 1, line 23 after "(6)" strike all of the material down to and including "subsection (2)" on line 16, page 2 and insert "The attorney general"

JOHN A. PETRICH, Chairman.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Karl V. Herrmann, John T. McCutcheon, Marshall A. Neill.

The bill was read the second time by sections.

On motion of Senator Petrich, the first committee amendment was adopted.

Senator Woodall moved that the following amendment to the second committee amendment be adopted:

In section 1, page 1, lines 15 and 16 of the second committee amendment, before "members" strike "Two" and insert "Four"

#### POINT OF INQUIRY

Senator Petrich:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"Yes, I will."

Senator Petrich:

"Do you mean that there will be four members total, or four members from each body, or what?"

Senator Woodall:

"Four from each body; that is the reason for the amendment."

Debate ensued.

On motion of Senator Woodall, the amendment to the second committee amendment was withdrawn.

On motion of Senator Petrich, the second committee amendment was adopted.

On motion of Senator Petrich, the third committee amendment was adopted.

On motion of Senator Petrich, the rules were suspended, Substitute House Bill No. 559, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute House Bill No. 559, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Hess, Knoblauch, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Bailey, Henry, Herrmann, Hofmeister, Keefe, Kupka, Lennart, McMillan, Morgan, Papajani, Talley—11.

Substitute House Bill No. 559, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 606**, by Representatives Conner and McFadden:

Authorizing park and recreation districts in fourth class counties.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, House Bill No. 606 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 606, and the bill passed the Senate by the following vote: Yeas, 40, nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Herrmann, Hess, Hofmeister, Knoblauch, Lennart, McCormack, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Foster, Hallauer, Henry, Keefe, Kupka, McCutcheon, McMillan, Morgan, Papajani—9.

House Bill No. 606, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 309**, by Representatives Brink, Olsen and Anderson (by Departmental request):

Relating to old age assistance.

The bill was read the second time by sections.

On motion of Senator Knoblauch, the rules were suspended, House Bill No. 309 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 309, and the bill passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—42.

Those absent or not voting were: Senators Foster, Henry, McMillan, Martin, Morgan, Petrich, Talley—7.

House Bill No. 309, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 196**, by Representatives Gorton, Ackley and Brink:

Authorizing the creation of new code titles by statute law committee and permitting revolving fund.

The bill was read the second time by sections.

On motion of Senator Moriarty, the rules were suspended, House Bill No. 196 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 196, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, Moriarty, Jr.,

Neill, Nunamaker, Petrich, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Bailey, Foster, Happy, Kupka, McMillan, Martin, Morgan, Papajani, Rasmussen, Shannon—10.

House Bill No. 196, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 14**, by Representatives Gorton, Brink and Ackley:

Relating to intoxicating liquors and making certain corrections in Title 66 RCW to restore to session law language.

On motion of Senator Durkan, House Bill No. 14 was ordered to be considered after Engrossed House Joint Memorial No. 20.

**House Bill No. 402**, by Representatives Day, May and Campbell:

Raising minimum retirement pension to \$960 per year in first class cities. The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, House Bill No. 402 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 402, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Bailey, Donohue, Foster, Hanna, Happy, McCormack, McMillan, Morgan, Papajani, Shannon—10.

House Bill No. 402, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 184**, by Representatives Moos, Wedekind and Garrett:

Authorizing cities and towns to enter into agreements with counties for construction and maintenance of streets.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 184 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 184, and the bill passed the Senate by the following vote: Yeas, 36; nays, 0; absent or not voting, 13.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCutcheon, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—36.

Those absent or not voting were: Senators Angevine, Bailey, Elway, Jr., Foster, Happy, Herrmann, Keefe, McCormack, McMillan, Martin, Morgan, Neill, Shannon—13.

House Bill No. 184, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**House Bill No. 272**, by Representatives Henry, Huntley and Taylor:  
Prohibiting modifying of vehicles so as to lower them.

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred House Bill No. 272, prohibiting modifying of vehicles so as to lower them, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, line 10 after "such" and before "vehicle other" insert "passenger"  
NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Herbert H. Freise, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Frances Haddon Morgan, John A. Petrich, Gordon Sandison.

The bill was read the second time by sections.

On motion of Senator Freise, the committee amendment was adopted.

On motion of Senator Woodall, the following amendments were adopted:

In section 1, page 1, line 6, after "RCW" strike "a new section" and insert "two new sections"

On page 1, following section 1, add a new section reading as follows:

**NEW SECTION. Sec. 2.** It shall be unlawful for any person, while operating or in charge of a vehicle, to park or allow such vehicle to stand upon a public highway or in a public place with its motor running, leaving a minor child or children under the age of sixteen years unattended therein.

Any person violating the provisions of this section shall be guilty of a gross misdemeanor. Upon a second or subsequent conviction for a violation of the provisions of this section, the court shall, in addition to such fine or imprisonment as provided by law, revoke the operator's license of such person.

On motion of Senator Woodall, the following amendment to the title was adopted:

In line 1 of the title, after "vehicles;" strike "adding a new section" and insert "adding two new sections"

On motion of Senator Freise, the rules were suspended, House Bill No. 272, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 272, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Keefe, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Dore, Elway, Jr., Foster, Happy, Hofmeister, Knoblauch, Morgan, Moriarty, Jr., Neill, Sandison—10.

House Bill No. 272, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 445**, by Representatives Mardesich, Litchman, Jr. and England:

Giving sellers of commercial fertilizers, pesticides, and weed killers a crop lien.

On motion of Senator Woodall, Engrossed House Bill No. 445 was ordered to be considered after House Bill No. 260.

**Engrossed House Bill No. 472**, by Representatives Litchman, Jr., Gorton and Schaefer:

Relating to aid to dependent children.

The bill was read the second time by sections.

On motion of Senator Gissberg, the following amendment was adopted:

On page 2 of the engrossed bill, same being page 1 of the printed bill, after section 2, add a new section reading as follows:

**NEW SECTION.** Sec. 3. This act will terminate on June 30, 1963.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 472, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Riley:

"Is it not true that if Congress does enact the legislation that then we could pass this same type of legislation at the next session of the legislature and budget accordingly?"

"My question is, should we not pass it now and should the federal government subsequently pass theirs, then we could pass the same bill next session and then at that time, participate in the federal funds?"

Senator Gissberg:

"Yes, you could, but at the same time, you would be losing \$7,000,000 in federal funds."

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Riley:

"Is it not true that in our subcommittee hearing held with the department that on direct questioning, the director said that within one year this A.D.C. program will be the highest priced program in that department?"

Senator Hallauer:

"That is correct."

## PERSONAL PRIVILEGE

Senator Hallauer:

"I spoke a short time ago against this particular measure. While the debate has been going on, I received additional information. This is the information I requested at 8:30 this morning. It has just now arrived. I now intend to vote for this measure."

The Secretary called the roll on the final passage of Engrossed House Bill No. 472, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those voting nay were: Senator McMillan—1.

Those absent or not voting were: Senators Bailey, Cowen, Foster, Gallagher—4.

Engrossed House Bill No. 472, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 260**, by Representatives Klein, Litchman, Jr. and England:

Relating to disability insurance policies and to payment of licensed chiropodists and podiatrists.

The bill was read the second time by sections.

On motion of Senator Sandison, Engrossed House Bill No. 260 was ordered placed after Engrossed House Bill No. 445.

**Engrossed House Bill No. 445**, by Representatives Mardesich, Litchman, Jr. and England:

Giving sellers of commercial fertilizers, pesticides and weed killer a crop lien.

The bill was read the second time by sections.

On motion of Senator Neill, the following amendments were adopted:

In section 1, page 1, line 11 of the engrossed bill, same being line 12 of the printed bill, after "obtained" and before the period, insert the following: "Provided further, That such lien shall be subordinate to any crop lien or crop mortgage which has been filed for record prior to the furnishing of such materials or products"

In section 2, page 1, line 25 of the engrossed bill, same being page 1, line 27 of the printed bill, after "the", strike all of the material down to and including "applied" on page 2, line 1 of the engrossed and printed bill and insert "commencement of delivery of such materials and products"

In section 3, page 2, line 8 of the engrossed and printed bill, after "within" and before "calendar" strike "eight" and insert "twelve"

On motion of Senator Gallagher, the rules were suspended, Engrossed House Bill No. 445, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 445, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 27; nays, 16; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bargreen, Connor, Cooney, DeGarmo, Durkan, Elway, Jr., Foley, Freise, Gallagher, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Morgan, Papajani, Petrich, Ryder, Sandison, Talley, Thompson, Jr., Woodall—27.

Those voting nay were: Senators Chytil, Donohue, Gissberg, Hanna, Happy, Lennart, McCormack, McCutcheon, Martin, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Shannon, Washington—16.

Those absent or not voting were: Senators Bailey, Cowen, Dore, Foster, McMillan, Nunamaker—6.

Engrossed House Bill No. 445, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 260**, by Representatives Klein, Litchman, Jr. and England:

Relating to disability insurance policies and to payment of licensed chiropodists and podiatrists.

The bill was read the second time by sections.

Senator Sandison moved that the following amendment be adopted:

In section 1, page 1, line 8 after "shall" insert "by express provision or by construction"

Debate ensued.

#### POINT OF ORDER

Senator McCormack:

"Senator Happy is not speaking on the points of the amendment."

#### RULING OF THE PRESIDENT

The President:

"Senator Happy will confine his remarks to the motion to adopt the amendment."

Senator Knoblauch moved that the amendment by Senator Sandison be laid on the table.

A division was requested and the motion carried. The amendment was laid on the table.

Senator Sandison moved that the following amendment be adopted:

In section 2, page 1, line 17 after "shall" insert "by express provision or by construction"

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Sandison yield to a question?"

Senator Sandison:

"Yes, I will."

Senator Riley:

"Is it true that you are in the insurance business? Then would I assume that you would have some knowledge of this type of legislation?"

Senator Sandison:

"I would have some knowledge, but I am not in the health field."

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Sandison yield to a question?"

Senator Sandison:

"Yes, I will."

Senator Rasmussen:

"As I understand it, this bill with your amendment will not prevent the various health insurance companies to agree to cover this. Is that correct?"

Senator Sandison:

"That is correct. It would just be optional. They could do this at any time they wanted to, by agreement."

Senator Rasmussen:

"All that you are doing is clearing up the fact that they do not want to have this written into the insurance?"

Senator Sandison:

"That is correct."

#### POINT OF INQUIRY

Senator Dore:

"I wonder if Senator Happy would yield to a question?"

Senator Happy:

"No."

The President:

"Senator Happy does not yield."

Senator Knoblauch moved that the amendment be laid on the table.

A roll call was demanded by Senator Sandison, which was sustained by Senators Hess, Riley, Keefe, Happy, Lennart, McCutcheon, Moriarty, Jr., Chytil, Thompson, Jr. and Elway.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator Sandison be laid on the table.

The Secretary started to call the roll.

Senators Thompson, Sandison and Morgan demanded a Call of the Senate.

A division was requested.

#### POINT OF ORDER

Senator Rasmussen:

"I believe the President declared that the demand was sustained."

#### RULING OF THE PRESIDENT

The President:

"The President did not strike the gavel."

A division was ordered.

#### POINT OF INQUIRY

Senator Sandison:

"Mr. President, what time is it?"

The President:

"The President has twenty seconds to . . . (Interrupted)"

#### POINT OF ORDER

Senator Riley:

"Mr. President."

The President:

"The President will recognize you, Senator Riley, immediately after deciding this question."

**RULING OF THE PRESIDENT**

The President:

"The demand for the Call of the Senate has not been sustained."

The Secretary continued to call the roll and the amendment by Senator Sandison was laid on the table by the following vote: Yeas, 22; nays, 19; absent or not voting, 8.

Those voting yea were: Senators Bargreen, Connor, Cooney, DeGarmo, Dore, Foley, Freise, Gallagher, Greive, Hanna, Henry, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Morgan, Nunamaker, Papajani, Petrich, Washington—22.

Those voting nay were: Senators Chytil, Donohue, Elway, Jr., Hallauer, Happy, Herrmann, Hess, Lennart, McCutcheon, Martin, Moriarty, Jr., Neill, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr.—19.

Those absent or not voting were: Senators Angevine, Bailey, Cowen, Durkan, Foster, Gissberg, Raugust, Woodall—8.

**MOTION**

At 12:05 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

**POINT OF ORDER**

Senator Riley:

"I just want to direct your attention to the fact that it is now past 12:00 o'clock noon and according to the rules, we have finished considering House bills."

The President:

"Thank you, Senator Riley."

**AFTERNOON SESSION**

At 2:00 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Morgan.

The President declared the Senate to be at ease subject to the call of the President.

At 2:45 o'clock p. m., the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Connor, Elway, Freise, Happy and Nunamaker.

**MOTION**

Senator Gissberg moved that the Senate do now consider the conference report on House Joint Resolution No. 6.

The motion carried.

The Secretary read:

## REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred House Joint Resolution No. 6, authorizing certain judges to perform temporary judicial duties, have had the same under consideration, and we recommend that all of the underscored matter in the Resolution and the Senate amendment thereto be stricken and the following substituted:

*"Section 2(a). When necessary for the prompt and orderly administration of justice a majority of the Supreme Court is empowered to authorize judges or retired judges of courts of record of this state, to perform, temporarily, judicial duties in the Supreme Court, and to authorize any superior court judge to perform judicial duties in any superior court of this state."*

## Senate Members:

JOHN A. PETRICH,  
JOE CHYTIL,  
WILLIAM A. GISSBERG.

## House Members:

SLADE GORTON,  
J. BRUCE BURNS,  
SHIRLEY R. MARSH.

Senator Thompson moved that the Senate adopt the report of the Free Conference Committee on House Joint Resolution No. 6.

## POINT OF INQUIRY

Senator Greive:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Greive:

"Does this mean that we are going to be stuck with superior court judges?"

Senator Petrich:

"You are referring to judicial duties in the superior court?"

Senator Greive:

"Yes."

Senator Petrich:

"No, it would not authorize anyone who is not now a judge. With reference to the superior court level, there is nothing in the proposed amendment which would permit the supreme court to perform any duties at the superior court level."

## POINT OF INQUIRY

Senator Hess:

"Will Senator Petrich yield to a question?"

Senator Petrich:

"Yes, I will."

Senator Hess:

"Can a court have more than one judge sitting at one time?"

Senator Petrich:

"Not to my knowledge. There can be no more than one superior court judge at the trial level in the superior court."

The President stated the question to be, it has been moved that the Senate adopt the report of the Free Conference Committee on House Joint Resolution No. 6.

The motion carried and the report of the Free Conference Committee was adopted.

The Secretary called the roll on the final passage of House Joint Resolution No. 6, as amended by the Free Conference Committee, and the resolution passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Connor, Elway, Jr., Happy, Nunamaker—4.

House Joint Resolution No. 6, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

#### MOTION

Senator Dore moved that the Senate consider the Report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 111.

#### POINT OF INQUIRY

Senator Dore:

"Has the bill been printed yet?"

The President:

"There are printed copies in the House, but they have not arrived in the Senate as yet. They will arrive in about ten minutes."

Senator Dore withdrew his motion with the permission of the Senate.

#### MOTION

Senator Washington moved that the Senate do now consider the message from the House relating to Senate Bill No. 489.

The motion carried.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Senate Bill No. 489, and has passed the bill as amended by the Free Conference Committee. The report of the Free Conference Committee and the bill are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

#### REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Senate Bill No. 489, permitting irrigation districts to become irrigation and rehabilitation districts, have had the same under consideration, and we recommend that the Senate concur in the amendment adopted by the House and that the bill be further amended by adding a new section to read as follows:

**NEW SECTION.** Sec. 8. The directors shall be empowered to specially assess land located in the district for benefits thereto taking as a basis the last equalized assessment for county purposes: *Provided*, That such assessment shall not exceed one mill upon such assessed valuation without securing authorization by vote of the electors of the district at an election called for that purpose.

The board shall give notice of such an election, for the time and in the manner and form provided for irrigation district elections. The manner of conducting and voting at such an election, opening and closing polls, canvassing the votes, certifying the returns, and declaring the result shall be nearly as practicable the same as in irrigation district elections.

The special assessment provided for herein shall be due and payable at such times and in such amounts as designated by the district directors, which designation shall be made to the county auditor in writing, and the amount so designated shall be added to the general taxes, and entered upon the assessment rolls in his office, and collected therewith.

**Senate Members:**

NAT WASHINGTON,  
HERBERT H. FREISE,  
H. B. HANNA.

**House Members:**

H. MAURICE AHLQUIST,  
WILLIAM S. DAY,  
PAUL HOLMES.

On motion of Senator Washington, the Senate adopted the report of the Free Conference Committee on Senate Bill No. 489.

The Secretary called the roll on the final passage of Senate Bill No. 489, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Durkan, Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Angevine, Bailey, Connor, Dore, Elway, Jr., Gissberg, Happy, Lennart, Morgan, Papajani—10.

Senate Bill No. 489, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTION**

On motion of Senator Hess, the Senate considered the message from the House on Senate Bill No. 444.

**HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 444 with the following amendments:

On page 1, section 1, line 19, strike the period following "district" and insert "when the total of such improvements or repair do not exceed the sum of two thousand five hundred dollars."

Beginning on page 1, line 24, after the period following "cause" strike all of the matter down to and including the period following "of this district" on page 2 line 1

On page 2, section 1, line 7, after "or contract" and before the period, insert "": *Provided*, That an 'emergency', for the purposes of this section, means a condition likely to result in immediate physical injury to persons or to property of the school district in the absence of prompt remedial action", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Hess, the Senate concurred in the first House amendment to Senate Bill No. 444.

Senator Hess moved that the Senate do not concur in the second House amendment to Senate Bill No. 444, and asked that the House recede therefrom.

The President stated the question to be, it has been moved that the Senate do not concur in the second House amendment to Senate Bill No. 444.

The motion carried, and the Senate did not concur in the second House amendment to Senate Bill No. 444, and asked that the House recede therefrom.

On motion of Senator Hess, the Senate concurred in the third House amendment to Senate Bill No. 444.

Senator Thompson moved that the Secretary forward this message to the House immediately.

The President:

"The Secretary has already forwarded this message, Senator Thompson."

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 238 with the following amendments:

On page 5, section 10, subsection (3), line 27 of the engrossed bill, being page 5, line 29 of the printed bill, after "act the" and before "shall be" strike "policy" and insert "terms of the policy as they apply to persons newly insured thereafter".

On page 5, section 10, following subsection (3) add a new subsection as follows:

"(4) This section does not apply as to certificates of insurance issued under group policies which policies are not delivered or issued for delivery in this state.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Sandison, the Senate concurred in the House amendments to Engrossed Senate Bill No. 238.

The President stated the question before the Senate was the final passage of Engrossed Senate Bill No. 238, as amended by the House.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 238, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators Bailey, Connor, Cowen, Durkan, Freise, Happy, Henry, McCormack, Martin, Morgan, Moriarty, Jr., Shannon—12.

Engrossed Senate Bill No. 238, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 58 with the following amendment:

On page 1, section 2, line 10, after "necessary assistance" and before "for parolees" insert "other than assistance which is authorized to be provided by the state division of vocational rehabilitation, the state department of public assistance, the employment security department or other state agency," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### POINT OF INQUIRY

Senator Petrich:

"Will Senator Bargreen yield to a question?"

Senator Bargreen:

"Yes, I will."

Senator Petrich:

"Do you believe the House amendment in any way precludes the Board from giving aid in addition to aid from the Division of Vocational Rehabilitation, Public Assistance and other sources?"

Senator Bargreen:

"No. The House amendment simply clarifies the point that the Board provides this aid from the special fund only and that such aid is independent of any other assistance."

On motion of Senator Bargreen, the Senate concurred in the House amendment to Engrossed Senate Bill No. 58.

The President stated the question before the Senate was the final passage of Engrossed Senate Bill No. 58, as amended by the House.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 58, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Angevine, Bailey, Connor, Elway, Jr., Foster, Happy, McCormack, Martin, Papajani—9.

Engrossed Senate Bill No. 58, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Riley:

"The candy now being distributed is through the courtesy of the Washington State Employees' Association in appreciation of the passage of House Bill No. 458."

#### MOTION

On motion of Senator Hallauer, the Senate advanced to the seventh order of business to consider Engrossed Substitute House Bill No. 576.

#### SECOND READING OF BILLS

**Engrossed Substitute House Bill No. 576**, by Representatives Backstrom, Mardesich and Wedekind:

An Act relating to revenue and taxation.

Senate Chamber,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Engrossed Substitute House Bill No. 576, modifying and extending certain excise taxes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 10, in section 7, line 7, of the engrossed and printed bill, after "*Sales of*" and before "*for*" strike "*poultry*" and insert "*baby chicks and turkey poulters*"

On page 15, section 10, line 11 of the engrossed and printed bill, after "*use of*" and before "*in*" strike "*poultry*" and insert "*baby chicks and turkey poulters*"

On page 15, section 10, line 20, of the engrossed and printed bill, strike the period following "program" and insert a semicolon

On page 15, section 10, add a new subsection following subsection (13) as follows:  
 "(14) *In respect to the use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental and testing activities conducted by the user, provided the acquisition or use of such articles by the bailor was not subject to the taxes imposed by chapter 82.08 RCW or chapter 82.12 RCW.*"

On page 20, following section 14, add two sections as follows:

Sec. 15. Section 82.12.010, chapter 15, Laws of 1961 and RCW 82.12.010 are each amended to read as follows:

For the purposes of this chapter:

(1) "Value of the article used" shall mean the consideration, whether money, credit, rights, or other property, expressed in terms of money, paid or given or contracted to be paid or given by the purchaser to the seller for the article of tangible personal property, the use of which is taxable under this chapter. The term includes, in addition to the consideration paid or given or contracted to be paid or given, the amount of any tariff or duty paid with respect to the importation of the article used. In case the article used is acquired by lease or by gift or is extracted, produced, or manufactured by the person using the same or is sold under conditions wherein the purchase price does not represent the true value thereof, the value of the article used shall be determined as nearly as possible according to the retail selling price at place of use of similar products of like quality and character under such rules and regulations as the tax commission may prescribe.

*In case the articles used are acquired by bailment, the value of the use of the articles so used shall be in an amount representing a reasonable rental for the use of the articles so bailed, determined as nearly as possible according to the value of such use at the places of use of similar products of like quality and character under such rules and regulations as the tax commission may prescribe;*

(2) "Use," "used," "using," or "put to use" shall have their ordinary meaning, and shall mean the first act within this state by which the taxpayer takes or assumes dominion or control over the article of tangible personal property (as a consumer), and include installation, storage, withdrawal from storage, or any other act preparatory to subsequent actual use or consumption within this state;

(3) "Taxpayer" and "purchaser" include all persons included within the meaning of the word "buyer" and the word "consumer" as defined in chapters 82.04 and 82.08;

(4) "Retailer" means every person engaged in the business of selling tangible personal property at retail and every person required to collect from purchasers the tax imposed under this chapter;

(5) The meaning ascribed to words and phrases in chapters 82.04 and 82.08, insofar as applicable, shall have full force and effect with respect to taxes imposed under the provisions of this chapter. "Consumer", in addition to the meaning ascribed to it in chapters 82.04 and 82.08 insofar as applicable, shall also mean any person who distributes or displays, or causes to be distributed or displayed, any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services.

Sec. 16. Section 82.12.060, chapter 15, Laws of 1961 and RCW 82.12.060 are each amended to read as follows:

In the case of installment sales and leases of personal property, the commission, by regulation, may provide for the collection of taxes upon the installments of the purchase price, or amount of rental, as of the time the same fall due.

*In the case of property acquired by bailment, the commission, by regulation, may provide for payment of the tax due in installments based on the reasonable rental for the property as determined under RCW 82.12.010(1).*

In line 17 of the title of the engrossed and printed bill, after "82.16.070" and before the period insert "; amending section 82.12.010, chapter 15, Laws of 1961 and RCW 82.12.010; amending section 82.12.060, chapter 15, Laws of 1961, and RCW 82.12.060"

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, Dewey C. Donohue, Michael J. Gallagher, William A.

Gissberg, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendments were adopted.

Senator Henry moved that the following amendment be adopted:

In section 3, page 4, lines 7 through 14, restore the deleted material down through line 14.

Debate ensued.

There being no objection, on motion of Senator Henry, the amendment was withdrawn.

On motion of Senator Durkan, the committee amendment to the title was not adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed Substitute House Bill No. 576, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 576, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 1; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hanna, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Thompson, Jr., Washington—39.

Those voting nay were: Senator Hallauer—1.

Those absent or not voting were: Senators Gissberg, Happy, Henry, Hofmeister, McCormack, Raugust, Shannon, Talley, Woodall—9.

Engrossed Substitute House Bill No. 576, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the second order of business for the purpose of receiving reports of standing committees.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred: Engrossed Senate Bill No. 16, have compared same with the engrossed bill and find it correctly re-engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred: Senate Bill No. 16; also

Senate Bill No. 57; also

Senate Bill No. 94; also

Senate Bill No. 153; also

Senate Bill No. 164; also  
 Senate Bill No. 203; also  
 Senate Bill No. 303; also  
 Senate Bill No. 336; also  
 Senate Bill No. 366; also  
 Senate Bill No. 394; also  
 Senate Bill No. 408; also  
 Senate Bill No. 411; also  
 Senate Bill No. 422; also  
 Senate Bill No. 475; also  
 Senate Bill No. 486; also  
 Senate Bill No. 494; also  
 Senate Bill No. 503; also  
 Substitute Senate Bill No. 526; also  
 Senate Bill No. 548; also  
 Senate Bill No. 552; also

Senate Bill No. 557, have compared same with the original, engrossed and re-engrossed bills and find them correctly enrolled. MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
 Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred: Senate Bill No. 13; also

Senate Bill No. 46; also  
 Senate Bill No. 86; also  
 Senate Bill No. 223; also  
 Senate Bill No. 229; also  
 Senate Bill No. 259; also  
 Senate Bill No. 296; also

Senate Bill No. 371, have compared same with the original and engrossed bills and find them correctly enrolled. MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
 Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred: Senate Bill No. 401; also

Substitute Senate Bill No. 427; also  
 Senate Bill No. 430; also  
 Substitute Senate Bill No. 431; also  
 Senate Bill No. 456; also  
 Senate Bill No. 464; also

Senate Joint Resolution No. 25, have compared same with the original and engrossed bills and resolution and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
 Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred: Senate Joint Memorial No. 13; also

Senate Joint Memorial No. 16, have compared same with the original memorials and find them correctly enrolled. MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"It has been the privilege of the President on numerous occasions to present prominent, respected and successful citizens of the state of Washington, but today tops all! The President takes great pride, happiness and pleasure to present Master Randall Wayne Fulcher, grandson of Secretary Ward Bowden."

(Applause.)

## SECOND READING OF BILLS

**House Bill No. 556**, by Representatives Backstrom, Taylor and Chatalas:  
An Act relating to inheritance taxes.

The bill was read the second time by sections.

On motion of Senator Neill, the following amendment was adopted:

On page 9, after section 12, insert a new section reading as follows:

**NEW SECTION.** Sec. 13. Any person who may feel aggrieved by the determination of the tax commisison as provided for in RCW 83.24.010 may file a petition with the superior court of the county wherein the decedent resided, which petition shall contain the name and date of the death of decedent, the description and estimated value of all property involved, the names and places of residence of all persons interested in the same, and such other facts as are necessary to give the court jurisdiction. The court shall thereupon set a day for hearing said petition and a copy thereof, together with a notice of the time and place of such hearing, shall be served by the petitioner or his attorney upon the supervisor of the inheritance tax division and on each person interested in said property at least twenty days before the date of hearing, if served personally, and if served by publication the service shall be the same as the service of summons by publication in civil action. The court shall hear said matter upon the relation of the parties, the testimony of witnesses and evidence produced in open court, and, if it shall be found that the property is not subject to any tax, the court shall make and enter an order determining that fact, but, if it shall appear that the whole or any part of said property is subject to a tax, the same shall be appraised and the tax levied and collected as in other cases. An adjudication by the superior court, as herein provided, shall be conclusive as to the lien of said tax, subject to the right of appeal to the supreme court allowed by the laws of the state.

Renumber the remaining sections consecutively.

On motion of Senator Durkan, the rules were suspended, House Bill No. 556, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 556, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McMillan, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators Cooney, DeGarmo, Hallauer, Happy, Herrmann, Lennart, McCormack, McCutcheon, Martin, Nunamaker, Raugust, Shannon—12.

House Bill No. 556, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Engrossed House Bill No. 519**, by Representatives Gleason, O'Connell, Testu, Brink, Smith, Beierlein, Chatalas, Epton, Hurley, May, Nicholson, McFadden, King and Anderson (Eric O.), (by Executive request):

An Act relating to the distribution of federal surplus food.

Senate Chamber,  
Olympia, Wash., March 6, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Engrossed House Bill No. 519, relating to surplus commodities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, line 12, after the period and before "The" insert "The director is authorized to enter into such agreements as may be necessary with the federal government in order to participate in any program of distribution of surplus food commodities including but not limited to a food stamp program."

WAYNE G. ANGEVINE, *Chairman.*

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Don L. Talley.

Senate Chamber,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Engrossed House Bill No. 519, relating to surplus commodities, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 1, line 7, of the engrossed and printed bill, before "The director" insert "Until June 30, 1963"

On page 1, line 10 of the engrossed and printed bill, after "surplus" insert "food"

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman.*  
Committee on Taxation and Reveune.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, William A. Gissberg, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, A. L. Rasmussen, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

#### MOTIONS

On motion of Senator Grieve, the rules were suspended, and the Senate did not resolve itself into the Committee of the Whole for the purpose of considering Engrossed House Bill No. 519.

On motion of Senator Foley, the amendment by the Committee on Social Security was adopted.

On motion of Senator Foley, the amendments by the Committee on Ways and Means were adopted.

Senator Bargreen moved that the following amendment be adopted:

Insert a new section following section 1 reading as follows:

Sec. 2. The director of the state department of public assistance may implement the provisions of section one of this act through existing wholesalers and retailers: *Provided*, That the cost of handling such surplus commodities is no greater than the cost of doing business, not exceeding six percent of the wholesaler's cost for the wholesaler and not exceeding ten and one-half percent of the wholesale price for the retailer to be determined pursuant to regulations promulgated by the director and using the wholesale price of such commodities shown by the San Francisco index of food products. The cost of doing business includes but is not limited to the cost of labor, the cost of trucking, administrative expenses and the cost of rental of warehouse or retail store space devoted to such surplus commodities. The director is authorized to enter into contracts with wholesalers, retailers or any combination thereof to carry out the provisions of this act and each such contract shall be cancellable on ten day's notice by the director.

Re-number remaining sections consecutively.

#### POINT OF INQUIRY

Senator Ryder:

"Will Senator Bargreen yield to a question?"

Senator Bargreen:

"Yes, I will."

Senator Ryder:

"I notice you have in your amendment that there is a handling charge of six percent of the wholesale price of food. As I remember, the director estimated it would cost about four percent under the plan which the department processes here, and the appropriation for the distribution is based approximately on that provision. How do you feel the director would handle this if he had to go over the four percent?"

Senator Bargreen:

"In answer, I included in my amendment that the cost could not go over six percent, and the figure is one that was arrived at by the distributors in this area. It is estimated that the cost is six percent. It might be that in this case the state can do it for four percent. They certainly shouldn't pay any more than four percent if they can, but in no way should it be higher than six percent, so there will be no profit made on this type of arrangement.

"The average markup is twenty-one percent in this type of a store, but the cost of doing business is ten and one-half percent, which would be a total of sixteen and one-half percent. It would cover both the wholesale and the retail because the state would be in the business."

Senator Ryder:

"Then you feel that the four percent figure by Mr. Hodde is too low, and that distribution cannot be made for that price. This is giving them an out on which they can dispute the account and use their own equipment?"

Senator Bargreen:

"Indeed not. I think the state should handle it if they can do this. That is certainly to their advantage. In my own mind, I feel that it would cost the state more to do this than the people who are already established in this business. If the state feels that it will cost more than they can have it done for, the important thing is the cost of doing business. They can make no profit whatsoever. It will be an accommodation to the state if they decide to go into this business. This gives a vehicle for the state to use if they so desire."

Debate ensued.

Senator DeGarmo moved that the amendment proposed by Senator Bargreen be laid on the table.

The motion carried, and the amendment was laid on the table.

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended, Engrossed House Bill No. 519, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 519, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 7; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Thompson, Jr., Washington—39.

Those voting nay were: Senators Chytil, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Woodall—7.

Those absent or not voting were: Senators Foster, Happy, Henry—3.

Engrossed House Bill No. 519, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 13; also**

**Senate Bill No. 16; also**

**Senate Bill No. 46; also**

**Senate Bill No. 57; also**

**Senate Bill No. 86; also**

**Senate Bill No. 94; also**

**Senate Bill No. 153; also**

**Senate Bill No. 164; also**

**Senate Bill No. 203; also**

**Senate Bill No. 223; also**

**Senate Bill No. 229; also**

**Senate Bill No. 259; also**

**Senate Bill No. 296; also**

**Senate Bill No. 303; also**

**Senate Bill No. 336; also**

**Senate Bill No. 366; also**

**Senate Bill No. 371; also**

**Senate Bill No. 394; also**

**Senate Bill No. 401; also**

**Senate Bill No. 408; also**

**Senate Bill No. 411; also**

**Senate Bill No. 422; also**

**Substitute Senate Bill No. 427; also**

**Senate Bill No. 430; also**

**Substitute Senate Bill No. 431; also**

**Senate Bill No. 456; also**

**Senate Bill No. 464; also**

**Senate Bill No. 475; also**

**Senate Bill No. 486; also**

**Senate Bill No. 494; also**

**Senate Bill No. 503; also**

**Substitute Senate Bill No. 526; also**

**Senate Bill No. 548; also**

**Senate Bill No. 552; also**

**Senate Bill No. 557; also**

**Senate Joint Memorial No. 13; also**

**Senate Joint Memorial No. 16; also**

**Senate Joint Resolution No. 25.**

**House Concurrent Resolution No. 13,** by Representatives Marsh, Witherbee and Huntley:

Relating to a study on unemployment compensation.

The resolution was read the second time in full.

On motion of Senator Riley, the rules were suspended, House Concurrent Resolution No. 13 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of House Concurrent Resolution No. 13, and the resolution passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster,

Freise, Gallagher, Gissberg, Greive, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Foley, Hallauer, Hanna, Happy, Kupka, Morgan, Papajani, Talley—8.

House Concurrent Resolution No. 13, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Dore, the Senate considered the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 111.

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 111, and has passed the bill as amended by the Free Conference Committee. The report of the Free Conference Committee and the bill are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF FREE CONFERENCE COMMITTEE

MR. PRESIDENT:

Olympia, Wash., March 9, 1961.

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Substitute Senate Bill No. 111, reorganizing the justice court system, have had the same under consideration, and we recommend that the attached bill be substituted therefor, and that it do pass:

An Act relating to the judiciary; and to justices of the peace and other inferior courts.

*Be It Enacted by the Legislature of the State of Washington:*

#### Chapter 1

#### JUSTICE COURT

**NEW SECTION.** Section 1. *Definitions.* As used herein:

"City" means an incorporated city or town.

"Department" means the designation of an administrative unit of a justice court established for the orderly and efficient administration of justice court business and may include, without being limited in scope thereby, a unit or units for determining one or more of the following: Traffic cases, violations of city ordinances, violations of state law, criminal cases, civil cases, or jury cases.

"Population" means the latest population of the judicial district of each county as estimated by the Washington state census board and certified to the board of county commissioners on or before May 1, 1962 and on or before May 1st each four years thereafter. The Washington state census board, on or before May 1, 1962 and on or before May 1st each four years thereafter, shall estimate and certify to the board of county commissioners the population of each judicial district of each county.

**NEW SECTION.** Sec. 2. *Application of Act.* The provisions of this act shall apply to class AA and class A counties: *Provided*, That any city having a population of more than five hundred thousand may by resolution of its legislative body elect to continue to operate a municipal court pursuant to the provisions of chapter 35.20 RCW, as if this act had never been enacted: *Provided further*, That if a city elects to continue its municipal court pursuant to this section, the number of justices of the peace allocated to the county in section 10 of this act shall be reduced by two and the number of full time justices of the peace allocated by section 11 to the district in which the city is situated shall also be reduced by two. The provisions of this act may be made applicable to any county of the first, second, third, fourth, fifth, sixth, seventh, eighth, or ninth class upon a majority vote of its board of county commissioners.

**NEW SECTION.** Sec. 3. *Justice Court Judges.* The judges of the justice court of each justice court district shall be the justices of the peace of the district elected or appointed as provided in this act.

**NEW SECTION. Sec. 4. Sessions.** The justice courts shall be open except on non-judicial days. Sessions of the court shall be held at such places as shall be provided by the justice court districting plan. The court shall sit as often as business requires in each city of the justice court district which provides suitable courtroom facilities, to hear causes in which such city is the plaintiff.

**NEW SECTION. Sec. 5. Departments.** Each justice is authorized to organize his court not inconsistent with departments created by the districting plan.

**NEW SECTION. Sec. 6. Adjournments.** Adjournments from day to day, or from time to time, are to be construed as recesses in the sessions, and shall not prevent the court from sitting at any time.

**NEW SECTION. Sec. 7. Records.** Each justice court shall keep uniform records of each case filed and the proceedings had therein including an accounting for all funds received and disbursed. Financial reporting shall be in such form as may be prescribed by the office of the state auditor, division of municipal corporations. The form of other records may be prescribed by the supreme court.

**NEW SECTION. Sec. 8. Rules.** The supreme court may adopt rules of procedure for justice courts: *Provided*, That the justice courts may adopt rules of procedure not inconsistent with state law or with the rules adopted by the supreme court. If the rules of the supreme court herein authorized shall be adopted, all procedural laws in conflict therewith shall thenceforth be of no effect.

**NEW SECTION. Sec. 9. Violations Bureau.** A violations bureau may be established by any city or justice of the peace having jurisdiction of traffic cases to assist in processing traffic cases. As designated by written order of the justice having jurisdiction of traffic cases, specific offenses under city ordinance, county resolution, or state law may be processed by such bureau. Such bureau may be authorized to receive the posting of bail for such specified offenses, and, as authorized by the court order, to accept forfeiture of bail. The court order shall specify the amount of bail to be posted and shall also specify the circumstances or conditions which will require an appearance before the court. Such bureau, upon accepting the prescribed bail, shall issue a receipt to the alleged violator, which receipt shall bear a legend informing him of the legal consequences of bail forfeiture. The bureau shall transfer daily to the clerk of the proper department of the court all bail posted for offenses where forfeiture is not authorized by the court order, as well as copies of all receipts. All forfeitures paid to a violations bureau for violations of municipal ordinances shall be placed in the city general fund or such other fund as may be prescribed by ordinance. All forfeitures paid to a violations bureau for violations of state laws or county resolutions shall be remitted at least monthly to the county treasurer for deposit in the current expense fund. Employees of violations bureaus of a city shall be city employees under any applicable municipal civil service system.

## Chapter 2

### JUSTICES OF THE PEACE

**NEW SECTION. Sec. 10. Justices of the Peace—Number for Each County.** The number of justices of the peace to be elected in each county shall be: Adams, three; Asotin, one; Benton, four; Chelan, four; Clallam, one; Clark, four; Columbia, one; Cowlitz, five; Douglas, three; Ferry, two; Franklin, one; Garfield, one; Grant, five; Grays Harbor, four; Island, three; Jefferson, one; King, twenty; Kitsap, four; Kittitas, three; Klickitat, two; Lewis, four; Lincoln, four; Mason, one; Okanogan, two; Pacific, three; Pend Oreille, two; Pierce, eight; San Juan, one; Skagit, three; Skamania, two; Snohomish, six; Spokane, seven; Stevens, two; Thurston, one; Wahkiakum, one; Walla Walla, three; Whatcom, two; Whitman, three; Yakima, seven.

**NEW SECTION. Sec. 11. Justices of the Peace—Number of Full Time.** In each justice court district having a population of forty thousand or more but less than sixty thousand, there shall be elected one full time justice of the peace; in each justice court district having a population of sixty thousand but less than one hundred twenty-five thousand, there shall be elected two full time justices; in each justice court district having a population of one hundred twenty-five thousand but less than two hundred thousand, there shall be elected three full time justices; and in each justice court district having a population of two hundred thousand or more there shall be elected one additional full time justice for each additional one hundred thousand persons or fraction thereof: *Provided*, That if a justice court district having one or more full time justices should change in population, for reasons other than change in district boundaries, sufficiently to require a change in the number of judges previously authorized to it, the change shall be made by the county commissioners without regard to

section 10 as now or hereafter amended and shall become effective on the second Monday of January of the year following: *Provided further*, That upon any redistricting of the county thereafter section 10, as now or hereafter amended, shall again designate the number of justices in the county.

**NEW SECTION. Sec. 12. Reallocation of Number of Justices.** Notwithstanding the limitations of sections 10 and 11 of this act in any district having more than one justice of the peace, if any city or town elects to select under the provisions of chapter 6 a person other than a justice of the peace to serve as municipal judge, the board of county commissioners shall reduce the number of justices of the peace required for the county and district by one for each one hundred and fifty thousand persons or fraction thereof residing in all such municipalities, electing to select a municipal judge who is not also a justice of the peace: *Provided*, That in no case shall the number of justices of the peace in any county be less than one for each one hundred thousand persons or major fraction thereof in such county, nor shall the number of justices of the peace in any district be less than one for each one hundred and fifty thousand persons or major fraction thereof.

**NEW SECTION. Sec. 13. Justices of the Peace—Full Time and Part Time.** Justices of the peace serving districts having a population of forty thousand or more persons, and justices receiving a salary equal to or greater than eight thousand dollars for serving as a justice, shall be deemed full time justices and shall devote all of their time to the office and shall not engage in the practice of law. Other justices shall devote sufficient time to the office to properly fulfill the duties thereof and may engage in other occupations but such justice shall not use the office or supplies furnished by the judicial district for his private business but shall maintain a separate office for his private business nor shall he use the services of any clerk or secretary paid for by the county for his private business.

**NEW SECTION. Sec. 14. Justices of the Peace—Election.** At the general election in November, 1962 and quadrennially thereafter, there shall be elected by the voters of each justice court district the number of justices of the peace authorized for such district by the justice court districting plan. Justices of the peace shall be elected for each district by the qualified electors of the justice court district in the same manner as judges of courts of record are elected. Not less than ten days before the time for filing declarations of candidacy for the election of justices of the peace for justice court districts entitled to more than one justice of the peace, the county auditor shall designate each such office of justice of the peace to be filled by a number, commencing with the number one and numbering the remaining offices consecutively. Each candidate at the time of the filing of his declaration of candidacy shall designate by number which one, and only one, of the numbered offices for which he is a candidate and the name of such candidate shall appear on the ballot for only the numbered office for which the candidate filed his declaration of candidacy.

In all elections for justices of the peace, if any candidate in the primary receives a majority of all of the votes cast for the position, only the name of the person receiving the highest vote shall be printed on the general election ballot under the designation for that position, followed by a space for the writing in of any other name by a voter.

**NEW SECTION. Sec. 15. Justices of the Peace—Eligibility and Qualifications.** To be eligible to file a declaration of candidacy for and to serve as a justice of the peace, a person must:

- (1) Be a registered voter of the justice court district; and
- (2) Be either:
  - (a) A lawyer admitted to practice law in the state of Washington; or
  - (b) A person who has been elected and has served as a justice of the peace, municipal judge or police judge in Washington; or
  - (c) In those districts having a population of less than ten thousand persons, a person who has taken and passed such qualifying examination for the office of justice of the peace as shall be provided by rule of the supreme court.

**NEW SECTION. Sec. 16. Justices of the Peace—Term of Office.** Every justice of the peace shall hold office for a term of four years from and after the second Monday in January next succeeding his election and continuing until his successor is elected and qualified.

**NEW SECTION. Sec. 17. Oath.** Each justice of the peace, justice of the peace pro tempore and justice court commissioner shall, before entering upon the duties of such office, take an oath to support the Constitution of the United States and the Constitution and laws of the state of Washington, and to perform the duties of the office faithfully and impartially and to the best of his ability.

**NEW SECTION. Sec. 18. Bond.** The county commissioners shall provide for the

bonding of each justice of the peace, justice of the peace pro tempore, justice court commissioner, and court employee, at the expense of the county, in such amount as the county commissioners shall prescribe, conditioned that each such person will pay over according to law all moneys which shall come into his hands in causes filed in his court. Such bond shall not be less than the maximum amount of money liable to be under the control, at any one time, of each such person in the performance of his duties. Such bond may be a blanket bond.

**NEW SECTION.** Sec. 19. *Vacancies.* If any justice dies, resigns, is convicted of a felony, or ceases to reside in the district or fails to serve for any reason except temporary disability, or if his term of office is terminated in any other manner, the office shall be deemed vacant. The board of county commissioners shall fill all vacancies by appointment and the justice thus appointed shall hold office until the next general election and until his successor is elected and qualified. Justice of peace shall be granted sick leave in the same manner as other county employees.

**NEW SECTION.** Sec. 20. *Justices of the Peace—Disqualification.* A justice of the peace shall not act as judge in any of the following cases:

(1) In an action to which he is a party, or in which he is directly interested, or in which he has been an attorney for a party.

(2) When he or one of the parties believes that the parties cannot have an impartial trial before him: *Provided*, That only one change of judges shall be allowed each party under this subsection.

When a justice is disqualified under this section, the case shall be heard before another justice or justice pro tempore of the same county.

**NEW SECTION.** Sec. 21. *Justices of the Peace—Disqualification of Partners.* If a justice of the peace be a lawyer, his partner and associates shall not practice law before him.

**NEW SECTION.** Sec. 22. *Justices of the Peace Pro Tempore.* Each justice court shall designate one or more justices of the peace pro tempore who shall serve during the temporary absence, disqualification, or incapacity of a justice of the peace of the district. The qualifications of a justice of the peace pro tempore shall be the same as for a justice of the district: *Provided*, That if no qualified person is available, then the court shall appoint a registered voter of the county in which the justice court district or portion thereof is located. A justice of the peace pro tempore may sit in any district of the county for which he is appointed. A justice of the peace pro tempore shall be paid for each day he holds a session one-two hundred fiftieth of the annual salary of a full time justice of the district. For each day that a justice of the peace pro tempore serves in excess of thirty days during any calendar year, the annual salary of the justice of the peace in whose place he serves shall be reduced by an amount equal to one-two hundred fiftieth of such salary.

**NEW SECTION.** Sec. 23. *Exchange of Justices.* Any justice of the peace may hold a session in any justice court district in the state, at the request of the justice or majority of justices in such district if the visiting justice of the peace determines that the state of justice court business in his district will permit him to be absent: *Provided*, That the board of county commissioners of the county in which such justice court is located shall first approve such temporary absence and no justice of the peace pro tempore shall be required to serve during his absence. A visiting justice shall be entitled to his actual traveling and living expenses while so acting, to be paid by the visited district: *Provided*, That no such traveling or living expenses shall be paid to the visiting justice unless the county commissioners of the county in which the visited district is located shall have consented and approved thereto prior to such visit.

**NEW SECTION.** Sec. 24. *Presiding Judge.* Where a justice court district has more than one justice, the supreme court may by rule provide for the manner of selection of one of the justices to serve as presiding judge and prescribe his duties.

### Chapter 3

#### JUSTICE COURT DISTRICT

**NEW SECTION.** Sec. 25. *Justice Court Districting Committee—Membership.* There is established in each county a justice court districting committee composed of the following:

- (1) The judge of the superior court, or, if there be more than one such judge, then one of the judges selected by that court;
- (2) The prosecuting attorney, or a deputy selected by him;
- (3) A practicing lawyer of the county selected by the president of the largest local bar association, if there be one, and if not, then by the county commissioners;

(4) A judge of an inferior court of the county selected by the president of the Washington State Magistrates' Association; and

(5) The mayor, or his representative, of each first, second, and third class city of the county;

(6) One person to represent the fourth class cities of the county, if any, to be designated by the president of the Association of Washington Cities: *Provided*, That if there should be neither a first class nor a second class city within the county, the mayor, or his representative, of each fourth class city shall be a member;

(7) The chairman of the board of county commissioners; and

(8) The county auditor.

**NEW SECTION. Sec. 26. Justice Court Districting Committee—Duties.** On or before December 1, 1961, each justice court districting committee shall meet at the call of the prosecuting attorney to prepare a plan for the districting of the county into one or more justice court districts in accordance with the provisions of this act, which plan shall include the following:

(1) The boundaries of each justice court district proposed to be established;

(2) The number of justices to be elected in each justice court district;

(3) The location of the central office, courtrooms and records of each court;

(4) The other places in the justice court district, if any, where the court shall sit;

(5) The number and location of justice court commissioners to be authorized, if any;

(6) The departments, if any, into which each justice court shall be initially organized, including municipal departments provided for in chapter 5 of this act;

(7) The name of each justice court district; and

(8) The allocation of the time and allocation of salary of each justice who will serve part time in a municipal department.

Not later than March 15, 1962, the plan shall be transmitted to the county commissioners.

**NEW SECTION. Sec. 27. Justice Court Districting Plan—Adoption.** Upon receipt of the justice court districting plan, the county commissioners shall hold a public hearing, pursuant to the provisions of RCW 36.32.120(7), as now or hereafter amended. At the hearing, anyone interested in the plan may attend and be heard as to the convenience which will be afforded to the public by the plan, and as to any other matters pertaining thereto. Upon the conclusion of the hearing, and not later May 1, 1962, the county commissioners shall adopt a justice court districting plan for the county. If the commissioners find that the plan proposed by the districting committee conforms to the standards set forth in this act and is conducive to the best interests and welfare of the county, as a whole it may adopt such plan. If the commissioners find that such plan does not conform to the standards as provided in this act, they may modify, revise or amend the plan and adopt such amended or revised plan as the county's justice court districting plan.

**NEW SECTION. Sec. 28. Amendment.** The districting committee may meet for the purpose of amending the districting plan at any time on call of the county commissioners, the chairman of the committee or a majority of its members. Amendments to the plan shall be submitted to the county commissioners not later than March 15th of each year for adoption by the commissioners following the same procedure as with the original districting plan. Amendments shall be adopted not later than May 1st following submission by the districting committee. Any such amendment shall not be effective until the next regular general election for justice of the peace.

**NEW SECTION. Sec. 29. Justice Court Districts—Standards.** Justice court districts shall be established in accordance with the following standards:

(1) Every part of the county shall be in some justice court district.

(2) The whole county may constitute one justice court district.

(3) There shall not be more justice court districts than there are justices of the peace authorized for the county.

(4) No justice court district boundary shall intersect the boundary of an election precinct.

(5) No city shall lie in more than one justice court district.

(6) Whenever a county is divided into more than one justice court district, each district shall be so established as best to serve the convenience of the people of such district, considering the distances which must be traveled by parties and witnesses in going to and from the court and any natural barriers which may obstruct such travel.

**NEW SECTION. Sec. 30. Joint Justice Court Districts.** Joint justice court districts may be established containing all or part of two or more counties. The county containing the largest portion of the population of such joint district shall be known as the "principal county" and each joint justice court district shall be deemed to lie within

the principal county for the purpose of this act. A joint justice court district may be established by resolution of one county concurred in by a resolution of each other county: *Provided*, That the county commissioners of a county containing the largest portion of the population of a city may include the portions of such city lying outside the county in a joint justice court district without concurrence of the other counties.

Elections of justices in joint justice court districts shall be conducted and canvassed in the same manner as elections of superior court judges in joint judicial districts.

#### Chapter 4

##### JUSTICE COURT COMMISSIONERS

**NEW SECTION. Sec. 31. Justice Court Commissioners—Appointment—Qualifications—Term of Office.** When so authorized by the justice court districting plan, one or more justice court commissioners may be appointed in any justice court district by the justices of the peace of such district. Each commissioner shall be a registered voter of the county in which the justice court district or a portion thereof is located, and shall hold office during the pleasure of the justices of the peace appointing him.

**NEW SECTION. Sec. 32. Powers of Commissioners.** Each justice court commissioner shall have such power, authority and jurisdiction in criminal matters as the justices of the peace who appointed him possess and shall prescribe. Justice court commissioners shall not have power to hear and determine civil matters.

**NEW SECTION. Sec. 33. Transfer of Cases to Justice of the Peace.** Any party may have a case transferred from a justice court commissioner to a justice of the peace of the same district for hearing, by filing a motion for transfer. The commissioner shall forthwith transfer the case to such justice.

**NEW SECTION. Sec. 34. Compensation.** Justice court commissioners shall receive such compensation as the county commissioners shall provide.

#### Chapter 5

##### MUNICIPAL DEPARTMENTS

**NEW SECTION. Sec. 35. Municipal Department Authorized.** Any city may secure the establishment of a municipal department of the justice court, to be designated "The Municipal Department of (city)." Such department may also be designated "The Municipal Court of (city)."

**NEW SECTION. Sec. 36. Judges.** Each judge of a municipal department shall be a justice of the peace of the district in which the municipal department is situated. Such judge may be alternately designated as a municipal judge or police judge.

**NEW SECTION. Sec. 37. Jurisdiction.** A municipal department shall have exclusive jurisdiction of matters arising from ordinances of the city, and no jurisdiction of other matters.

**NEW SECTION. Sec. 38. Petition.** Establishment of a municipal department shall be initiated by a petition from the legislative body of the city to the board of county commissioners. Such petition shall be filed with the commissioners not less than thirty days prior to February 1, 1962, or any subsequent year, and shall set forth: (1) The number of full time and part time judges required for the municipal department; (2) The amount of time for which a part time judge will be required for the municipal department; and (3) Whether the full time judge or judges will be elected or appointed. In a petition filed subsequent to 1962 provision shall be made for temporary appointment of a municipal judge to fill each elective position until the next election for justices of the peace. The petition shall be forthwith transmitted to the districting committee. The organization of the municipal department shall be incorporated into the districting plan. The districting committee in its plan shall designate the proportion of the salary of each justice serving as a part time municipal judge to be paid by the city, which shall be proportionate to the time of such judge allotted to the municipal department by the districting plan. A city may withdraw its petition any time prior to adoption of the districting plan by the board of county commissioners, and thereupon the municipal department pursuant to this chapter shall not be established.

**NEW SECTION. Sec. 39. Selection of Full Time Judges.** Each city may select its full time municipal judge or judges by election, or by appointment in such manner as the city legislative body determines: *Provided*, That in cities having a population in excess of five hundred thousand, the municipal judges shall be elected.

**NEW SECTION. Sec. 40. Selection of Part Time Judge.** In justice court districts having more than one justice of the peace, appointment of part time municipal judges shall be made from the justices of the peace of the district by the mayor in such manner as the city legislative body shall determine.

**NEW SECTION. Sec. 41. Election.** In each justice court district where an election is held for the position of municipal judge, the county auditor, prior to the date for filing declarations for the office of justice of the peace, shall designate the proper number of municipal judge positions, commencing with number one, and if there is more than one municipal judge in any municipal department, one or more positions may, at the request of the legislative body of the city, be further designated as municipal traffic judge positions. Only voters of the city shall vote for municipal judges.

**NEW SECTION. Sec. 42. Term and Removal.** A municipal judge shall serve in such capacity for his term as justice of the peace, and may be removed from so serving in the same manner and for the same reasons as he may be removed from the office of justice of the peace.

**NEW SECTION. Sec. 43. Salary—City Cost.** The salary of a full time municipal judge shall be paid wholly by the city. The salary of a justice of the peace serving a municipal department part time shall be paid jointly by the county and the city in the same proportion as the time of the justice has been allocated to each.

**NEW SECTION. Sec. 44. Vacancy.** A vacancy in a position of full time municipal judge shall be filled for the unexpired term by appointment in such manner as the city may determine. In districts having more than one justice of the peace a vacancy in a position of part time municipal judge shall be filled for the unexpired term by appointment in such manner as the city shall determine from the justices of the district, including any justice appointed by the county commissioners to fill an unexpired term.

**NEW SECTION. Sec. 45. Night Sessions.** A city may authorize its municipal department to hold night sessions.

**NEW SECTION. Sec. 46. Revenue.** All revenue received by a municipal department including penalties, fines, bail forfeitures, fees and costs shall be paid to the city treasurer for the use of the city.

**NEW SECTION. Sec. 47. Facilities.** All courtrooms, offices, facilities and supplies for the operation of a municipal department shall be furnished by the city.

**NEW SECTION. Sec. 48. Personnel.** All personnel of a municipal department shall be appointed by the city. All such personnel shall be deemed employees of the city, shall be compensated wholly by the city, and shall be appointed under and subject to any applicable civil service laws and regulations.

**NEW SECTION. Sec. 49. Abolition of Municipal Department.** Any city, having established a municipal department as provided in this chapter may, by written notice to the board of county commissioners not less than thirty days prior to February 1st of any year require the abolition of the municipal department created pursuant to this chapter.

## Chapter 6

### MUNICIPAL DEPARTMENTS—ALTERNATE PROVISION

**NEW SECTION. Sec. 50.** Any city or town with a population of 20,000 or less may by ordinance provide for an inferior court to be known and designated as a municipal court, which shall be entitled "The Municipal Court of ..... (insert name of city or town)", hereinafter designated and referred to as "municipal court", which court shall have jurisdiction and shall exercise all powers by this chapter declared to be vested in the municipal court, together with such other powers and jurisdiction as generally conferred in this state by either common law or by express statute upon said court.

**NEW SECTION. Sec. 51.** The municipal court shall have exclusive original criminal jurisdiction of all violations of city ordinances duly adopted by the city in which the municipal court is located and shall have original jurisdiction of all other actions brought to enforce or recover license penalties or forfeitures declared or given by such ordinances or by state statutes. The municipal court is empowered to forfeit cash bail or bail bonds and issue execution thereon; to hear and determine all causes, civil or criminal, arising under such ordinances and to pronounce judgment in accordance therewith.

**NEW SECTION. Sec. 52.** Every city or town may establish and operate under the supervision of the municipal court a violations bureau to assist the court in processing traffic cases. Each municipal court shall designate the specific traffic offenses under the city or town ordinance which may be processed by the violations bureau. A violations bureau may be authorized to receive the posting of bail for specified offenses and, to the extent authorized by court order, permitted to accept forfeiture of bail. Any violations bureau, upon accepting the prescribed bail, shall issue a receipt therefor

to the alleged violator, acknowledging the posting thereof and informing the accused of the legal consequences of bail forfeiture. Any person charged with any traffic offense within the authority of the violations bureau may, upon signing a written appearance, a written plea of guilty and a written waiver of trial, pay to the violations bureau the fine established for the offense charged and costs and this shall have the same effect as a court conviction. All penalties and forfeitures paid to a violations bureau for the violation of a municipal ordinance shall be placed in the city or town general fund or such other fund as may be prescribed by ordinance of the city or town or laws of the state of Washington. Any employees of an existing violations bureau of any city shall continue as a city employee.

**NEW SECTION.** Sec. 53. Within thirty days after the effective date of the ordinance, the mayor of each city or town shall, with the approval of the legislative body thereof, appoint a municipal judge or judges of the municipal court for a term of four years, commencing January 15, 1962. Succeeding appointments shall be made in like manner by the fifteenth day of December preceding the end of every four year term.

The person appointed as municipal judge shall be a citizen of the United States of America and of the state of Washington; and an attorney duly admitted to practice law before the courts of record of the state of Washington and practicing law in the municipality or residing in the municipality where the department is located: *Provided*, That in a municipality having a population less than five thousand persons, a person other than an attorney may be the judge. Any city or town shall have authority to appoint a duly elected justice of the peace as its municipal judge when the municipal judge is not required to serve full time. In the event of the appointment of a justice of the peace, the city or town shall pay a pro rata share of his salary.

**NEW SECTION.** Sec. 54. The legislative authority of each city or town may, by ordinance, provide that the position of municipal judge within the city or town shall be an elective position. The ordinance shall provide for the qualifications of the municipal judge which shall be the same as the qualifications necessary for the appointment thereof; and further, shall provide that the municipal judge shall be elected in the same manner as other elective city officials are elected to office, and that the term of the municipal judge shall be concurrent with other city officials of the city or town.

**NEW SECTION.** Sec. 55. A city or town electing to establish a municipal court pursuant to this chapter may terminate such court by ordinance adopted on or before January 2, 1966 or not more than ten days before January 2nd of any fourth year thereafter.

On and after January 2, 1966, a city or town electing to establish a municipal court pursuant to this chapter shall do so by resolution adopted not more than ten days before January 2, 1966 or any fourth year thereafter.

**NEW SECTION.** Sec. 56. Additional full or part time judges may be appointed by the mayor, subject to the approval of the legislative body of the city or town in the same manner as set forth in section 53, when public interest and the administration of justice makes necessary the appointment of an additional judge or judges.

**NEW SECTION.** Sec. 57. The salary of the municipal court judge or judges, together with all costs of operating the municipal court, shall be paid wholly out of the funds of the city or town and the compensation of the municipal court judge and all employees of the municipal court shall, for all purposes, be deemed employees of the city or town.

**NEW SECTION.** Sec. 58. The mayor shall, in writing, appoint judges pro tem who shall act in the absence or disability of the regular judge of a municipal court. The judges pro tem shall be qualified to hold the position of judge of the municipal court as provided herein. The municipal court judges pro tem shall receive such compensation as shall be fixed by the ordinances of the legislative body of the city or town wherein the municipal court is located.

**NEW SECTION.** Sec. 59. All fees, costs, fines, forfeitures and other moneys imposed or collected by any municipal court for the violation of any municipal or town ordinances, together with any other revenues received by the court, shall be deposited with the city or town treasurer as a part of the general fund of the city or town, or deposited in such other fund of the city or town, or deposited in such other funds as may be designated by the laws of the state of Washington.

**NEW SECTION.** Sec. 60. The municipal court shall be open and shall hold such regular and special sessions as may be prescribed by the legislative body of the city or town: *Provided*, That such municipal court shall not be open on nonjudicial days.

**NEW SECTION.** Sec. 61. Each criminal prosecution in a municipal court shall be instituted by a complaint. The complaint shall contain and shall be sufficient if it contains a plain, concise and definite statement of the essential facts constituting the specific offense or offenses with which the defendant is charged.

**NEW SECTION.** Sec. 62. The complaint shall be sworn to before the municipal court judge and shall be filed by him when, from his examination of the complainant and other witnesses, if any, he has reasonable grounds to believe that an offense of which he has jurisdiction has been committed and that the defendant committed it. No objection to a complaint on grounds that it was not signed or sworn to as herein required may be made after a plea to the merits has been entered.

**NEW SECTION.** Sec. 63. No oath shall be required when the complaint is made by a county or municipal prosecutor or city attorney and if it contains or be verified by a written declaration that it is made under the penalties of perjury.

Any other person who wilfully certifies falsely to any matter set forth in any such complaint shall be guilty of a gross misdemeanor.

**NEW SECTION.** Sec. 64. The court may permit a complaint to be amended at any time before judgment if no additional or different offense is charged, and if substantial rights of the defendant are not thereby prejudiced.

**NEW SECTION.** Sec. 65. If, from the examination of the complainant and other witnesses, if any, the court has reasonable ground to believe that an offense has been committed and that the defendant has committed it, a warrant shall issue for the arrest of the defendant.

**NEW SECTION.** Sec. 66. The warrant shall be in writing and in the name of the state, shall be signed by the municipal court judge with the title of his office, and shall state the date when issued and the municipality where issued. It shall specify the name of the defendant or, if his name is unknown, any name or description by which he can be identified with reasonable certainty. It shall describe the offense charged against the defendant. It shall command that the defendant be arrested and brought before the court at a stated place, without unnecessary delay, unless he deposits bail as stated in the warrant and is released for appearance in court on a date certain stated therein.

**NEW SECTION.** Sec. 67. The warrant shall be directed to all peace officers in the state and shall be executed only by a peace officer. It shall be executed by the arrest of the defendant and may be executed in any county or municipality of the state by any peace officer in the state. The officer need not have the warrant in his possession at the time of arrest, but in that case he shall then inform the defendant of the offense charged and of the fact that a warrant has been issued; and, upon request, shall show the warrant to the defendant as soon as possible.

**NEW SECTION.** Sec. 68. The officer executing a warrant shall forthwith make return thereof to the court issuing it. Any unexecuted warrants shall be returned to the municipal court by whom issued and may be cancelled by him. While a complaint is pending, a warrant returned unexecuted and not cancelled, or a duplicate thereof, may be delivered by the municipal court to a peace officer for execution or service.

**NEW SECTION.** Sec. 69. An officer making an arrest under a warrant shall take the arrested person without unnecessary delay and, in any event, within twenty-four hours, exclusive of nonjudicial days, before the municipal court or admit him to bail as commanded in the warrant. Any person making an arrest without a warrant shall take the arrested person without unnecessary delay and, in any event within forty-eight hours, exclusive of nonjudicial days, before the municipal court in the municipality in which the arrest is made. When a person is arrested without a warrant and brought before the municipal court, a complaint shall be filed forthwith.

**NEW SECTION.** Sec. 70. Judges of the municipal court may accept money as bail for the appearance of persons charged withailable offenses. The amount of bail or recognizance in each case shall be determined by the court in its discretion and may, from time to time, be increased or decreased as circumstances may justify.

**NEW SECTION.** Sec. 71. A person required or permitted to give bail may execute a bond conditioned upon his appearance at all stages of the proceedings until final determination of the cause, unless otherwise ordered by the court. One or more sureties may be required; cash may be accepted; and, in proper cases, no security need be required. Bail given on appeal shall be deposited with the clerk of the court from which the appeal is taken.

**NEW SECTION.** Sec. 72. Every surety, except an approved corporate surety, shall justify by affidavit and shall describe in the affidavit the property which he proposes to justify and the encumbrances thereon; the numbered amount of bonds and undertakings for bail entered into by him and remaining undischarged and all of his other liabilities: *Provided*, That persons engaged in the bail bond business shall justify annually. No bond shall be approved unless the surety thereon shall be financially responsible. The municipal court judge shall approve all bonds.

**NEW SECTION.** Sec. 73. When a person arrested either under warrant or without a warrant is brought before the court, he shall then be informed of the charge against him, advised of his constitutional rights and he shall be arraigned then or within a reasonable time set by the court. The arraignment shall be conducted in open court and shall consist of stating to him the substance of the charge and calling on him to plead thereto. The defendant shall be given a copy of the complaint if he requests the same. Defendants who are jointly charged may be arraigned separately or together in the discretion of the court.

**NEW SECTION.** Sec. 74. The defendant may plead guilty; not guilty, and a former conviction or acquittal of the offense charged, which may be pleaded with or without a plea of not guilty. The court may refuse to accept a plea of guilty, and shall not accept a plea without first determining that the plea is made voluntarily with understanding of the nature of the charge. If a defendant refuses to plead, or if the court refuses to accept a plea of guilty, the court shall enter a plea of not guilty. The court may strike out a plea of guilty and enter a plea of not guilty, if it deems such action necessary in the interest of justice.

**NEW SECTION.** Sec. 75. The municipal court may, in its discretion grant continuances for good cause shown. If a continuance is granted, the cost thereof shall abide the event of the prosecution in all cases. If a continuance is granted, the court may recognize the defendant and the witnesses to appear from time to time, in the same manner as is provided in other criminal examinations.

**NEW SECTION.** Sec. 76. If the complaint is for a crime within the jurisdiction of the court, and the defendant pleads guilty, the court shall sentence him upon a proper showing of a prima facie case against him.

If the defendant pleads not guilty or pleads a former conviction or acquittal of the offense charged, the court shall hear and determine the cause, and either acquit or convict and punish.

**NEW SECTION.** Sec. 77. In all trials for offenses in municipal court, a jury trial shall be allowed only in offenses involving the revocation or suspension of a driver's license or other gross misdemeanor. No change of venue shall be taken from the municipal court, and the defendant shall not be entitled to file an affidavit of prejudice against any judge of the municipal court.

**NEW SECTION.** Sec. 78. Sentence shall be imposed by the court without unreasonable delay. Pending sentence, the court may commit the defendant or may allow the defendant to post bail anew.

**NEW SECTION.** Sec. 79. In all cases of conviction, unless otherwise provided in this act, where a jail sentence is given to the defendant, execution shall issue accordingly and where the judgment of the court is that the defendant pay a fine and costs, he may be committed to jail to be placed at hard labor until the judgment is paid in full, but the defendant shall not be imprisoned for a longer aggregate time than one day for each six dollars of fine and costs.

A defendant who has been committed shall be discharged upon the payment for such part of the fine and costs as remains unpaid after deducting from the whole amount any previous payment, and six dollars for every day he has been imprisoned upon commitment.

**NEW SECTION.** Sec. 80. If a corporation is convicted of any offense, the court may give judgment thereon and may cause the judgment to be enforced in the same manner as a judgment in a civil action.

**NEW SECTION.** Sec. 81. After a conviction, the court may defer sentencing the defendant and place him on probation and prescribe the conditions thereof, but in no case shall it extend for more than one year from the date of conviction. During the time of deferral, the court may, for good cause shown, permit a defendant to withdraw his plea of guilty, permit him to enter a plea of not guilty, and dismiss the charges against him.

**NEW SECTION.** Sec. 82. For a period not to exceed one year after imposition of sentence, the court shall have continuing jurisdiction and authority to suspend the execution of all or any part of its sentence upon stated terms, including installment payment of fines.

**NEW SECTION.** Sec. 83. Deferral of sentence and suspension of execution of sentence may be revoked if the defendant violates or fails to carry out any of the conditions of the deferral or suspension. Upon the revocation of the deferral or suspension, the court shall impose the sentence previously suspended or any unexecuted portion thereof. In no case shall the court impose a sentence greater than the original sentence, with credit given for time served and money paid on fine and costs.

**NEW SECTION.** Sec. 84. Clerical mistakes in judgments, orders or other parts of the record, and errors in the record arising from oversight or omission may be corrected by the court at any time and after such notice, if any, as the court may order.

If an appeal has been taken, such mistakes may be so corrected until the record has been filed in the appellate court and thereafter, while the appeal is pending, may be so corrected with leave of the appellate court.

**NEW SECTION.** Sec. 85. The defendant shall be present in person or by counsel at the arraignment and shall be present at every later stage of the trial. A corporation may appear by counsel for all purposes.

**NEW SECTION.** Sec. 86. All criminal proceedings before the municipal court, and judgments rendered therein, shall be subject to review in superior court of the county wherein the municipal court is located by appeal as provided in section 87, or by a writ of review.

The writ of review shall be sought by the city only in those instances wherein the municipal court dismisses an action solely for reasons of law, and shall not be available after a trial on the merits. The procedure thereby used in seeking a writ of review shall be substantially the same as that provided for in appeal.

**NEW SECTION.** Sec. 87. The appeal shall be to the superior court of the county in which the municipal court is located. The appeal shall be taken by serving a copy of a written notice of appeal upon the attorney for the plaintiff and filing the original thereof with an acknowledgment of service or affidavit of service with the municipal court within ten days after entry of judgment.

After notice of appeal is given, as herein required, the appellant shall diligently prosecute his appeal and, within thirty days from the date of entry of judgment, the municipal judge or his clerk shall file with the clerk of the superior court a transcript duly certified by the municipal court judge and furnished by the municipal court free of charge containing a copy of all written pleadings and docket entries of the police court. The municipal court judge shall notify the defendant or his attorney of such filing.

Within ten days after notice is given that the transcript is filed, the appellant shall note the case for trial. The case shall be set for trial at the earliest open date thereafter and the clerk of the superior court shall, in writing, notify the respondent's counsel of the date thereof.

**NEW SECTION.** Sec. 88. If the appellant fails to proceed with the appeal within the time and manner provided in section 87, then the superior court shall, upon motion of the respondent, dismiss the appeal if the transcript has been there filed. Upon dismissal of the appeal for failure of the appellant to proceed diligently with the appeal and as herein required, or for any other cause, the judgment of the lower court shall be enforced by the municipal judge. If, at the time of the dismissal, cash deposit or appeal bond as hereinafter required has been furnished and is in the custody of the superior court, the same shall be returned to the lower court after any deduction therefrom for costs allowed by law. Upon voluntary dismissal by the city or verdict of not guilty cash bail shall be returned to the party posting the same. The municipal court shall have power to forfeit the cash bail or appeal bond and issue execution thereon for breach of any condition under which it is furnished.

**NEW SECTION.** Sec. 89. The appellant shall be committed to the city jail until he shall recognize or give bond to the city in such reasonable sum with such sureties as said municipal court may require that he will diligently prosecute the appeal and that he will within ten days after he has received notice from said municipal court judge or his clerk that the judgment in the lower or municipal court has been filed with the clerk of the superior court, together with the transcript duly certified by the lower court judge containing a copy of all records and proceedings in the lower court; that he will cause the case to be set for trial at the earliest open date; that he will appear at the court appealed to and comply with any sentence of the superior court and will, if the appeal is dismissed for any reason, comply with the sentence of the lower court.

Whenever the transcript is filed in the superior court and any cash bail or bail bond has been filed with the lower court, the judge thereof shall transfer the same to the superior court in which the appeal is pending, there to be held pending disposition of the appeal; and shall also deliver to the court any exhibits introduced into evidence in the trial before the lower court, which exhibits, subject to the proper rulings of the appellant court, may be offered in evidence if the trial is had in the superior court; otherwise, to be returned to the custody of the lower court judge.

**NEW SECTION. Sec. 90.** In the superior court the trial shall be de novo, subject to the right of the respondent to file an amended complaint therein. The defendant in the superior court may have a trial by jury. If the defendant be convicted in the superior court, he shall be sentenced anew by the superior court judge with a fine of not to exceed five hundred dollars or imprisonment in the city jail not to exceed ninety days, or by both such fine and imprisonment. Appeals shall lie to the supreme court of the state of Washington as in other criminal cases in the superior court.

**NEW SECTION. Sec. 91.** Upon conclusion of the case in the superior court, the clerk thereof shall forthwith mail a true and correct copy of the judgment to the municipal court appealed from.

**NEW SECTION. Sec. 92.** All prosecutions for the violation of any city ordinance shall be conducted in the name of the city and may be upon the complaint of any person.

**NEW SECTION. Sec. 93.** Every person convicted by the municipal court of a violation of the criminal provisions of an ordinance for which no punishment is specifically prescribed in the ordinance shall be punished by a fine of not more than five hundred dollars or imprisonment in the city jail for a period not to exceed ninety days, or both such fine and imprisonment.

**NEW SECTION. Sec. 94.** Pleadings, practice and procedure in cases not governed by statutes or rules specifically applicable to municipal courts shall, insofar as applicable, be governed by the statutes and rules now existing or hereafter adopted governing pleadings, practice and procedure applicable to justice courts.

**NEW SECTION. Sec. 95.** All cases, proceedings and matters pending before justices of the peace who immediately before January 15, 1962, were acting as municipal or police judges, shall on January 15, 1962, be transferred to the municipal courts established by this chapter, together with all files, records and proceedings relating to such cases, and shall be disposed of therein in due course of law.

This chapter shall not affect any appeal from any police justice or municipal judge, commenced and pending prior to January 15, 1962, but such appeal shall be conducted and concluded as if this chapter had not been enacted, except that if remanded from the superior court, the municipal court shall have authority and power to enforce the judgment of the lower court.

All furniture and equipment belonging to the city or town in which the court is located, now under the care and custody of the justice of the peace and/or municipal judge, shall be transferred to the municipal court established by this chapter on or before January 15, 1962, for use in the operation and maintenance of the municipal court.

**NEW SECTION. Sec. 96.** Although self-executing, the provisions of this chapter shall be cumulative and, notwithstanding any provision hereof, any city or town may elect to continue under any existing statutes relating to police courts, municipal courts, or laws relating to justices of the peace.

## Chapter 7

### CLERKS AND DEPUTY CLERKS

**NEW SECTION. Sec. 97. Appointment and Term.** The county commissioners may appoint a clerk and such deputy clerks as are necessary for the administration of the court.

**NEW SECTION. Sec. 98. Compensation.** The clerk and deputy clerks shall receive such compensation as shall be provided by the county commissioners.

**NEW SECTION. Sec. 99. Powers and Duties.** The justice court shall prescribe the duties of the clerk and deputy clerks. Such duties may include the power to:

- (1) Accept and enter pleas;
- (2) Receive bail as set by the court;
- (3) Set cases for trial;
- (4) Administer oaths;

## Chapter 8

### SALARIES AND EXPENSES

**NEW SECTION. Sec. 100.** The annual salary of each full time justice of the peace shall be eight thousand dollars: *Provided*, That the city or county which pays the salary of such justice may increase such salary to an amount not to exceed thirteen thousand five hundred dollars: *Provided further*, That in cities having a population in excess of five hundred thousand, the city which pays the salary may increase such salary of its municipal judges to an amount not more than the salary paid the superior court judges in the county in which the court is located.

**NEW SECTION.** Sec. 101. *Salaries of Part Time Justices of the Peace.* The annual salaries of part time justices of the peace shall be as follows:

(1) In justice court districts having a population under two thousand five hundred persons, four hundred dollars;

(2) In justice court districts having a population of two thousand five hundred persons or more, but less than five thousand, a minimum of four hundred dollars and a maximum of two thousand four hundred dollars;

(3) In justice court districts having a population of five thousand persons or more, but less than seven thousand five hundred, a minimum of four hundred dollars and a maximum of three thousand dollars;

(4) In justice court districts having a population of seven thousand five hundred persons or more, but less than ten thousand, a minimum of four hundred dollars and a maximum of four thousand two hundred dollars;

(5) In justice court districts having a population of ten thousand persons or more, but less than twenty thousand, a minimum of one thousand dollars and a maximum of five thousand four hundred dollars;

(6) In justice court districts having a population of twenty thousand persons or more, but less than thirty thousand, a minimum of two thousand dollars and a maximum of six thousand six hundred dollars;

(7) In justice court districts having a population of thirty thousand persons or more, but less than forty thousand, a minimum of three thousand dollars and a maximum of seven thousand eight hundred dollars; and

(8) That all salaries of part time justices of the peace shall be set by the county commissioners in each county, in accordance with the minimum and maximum salaries as provided in this section.

**NEW SECTION.** Sec. 102. *Payment of Salaries.* The compensation of justices of the peace, clerks, judges pro tempore, deputy clerks, and court commissioners payable by the county shall be paid monthly out of the county treasury from the same funds out of which other salaried county officers are paid.

**NEW SECTION.** Sec. 103. *Travel Expenses.* Justices of the peace, justices of the peace pro tempore, court commissioners and justice court employees shall receive their reasonable traveling expenses when engaged in the business of the court as provided by RCW 36.17.030 as now or hereafter amended.

**NEW SECTION.** Sec. 104. *Other Court Expenses.* The county commissioners shall furnish all necessary facilities for the justice courts, including suitable courtrooms, furniture, books, stationery, postage, office equipment, heat, light and telephone: *Provided,* That the county commissioners shall not be required to furnish courtroom space in any place other than as provided in the districting plan.

## Chapter 9

### INCOME OF COURT

**NEW SECTION.** Sec. 105. *Non-suspension of Costs.* The court may at the time of sentencing or at any time thereafter suspend a portion or all of a fine or penalty except that costs of the action shall not be suspended: *Provided,* That the court may suspend costs in the case of juvenile or indigent defendants. "Costs" for the purpose of this section, does not include jury fees, witness fees or sheriff's fees.

**NEW SECTION.** Sec. 106. *Fees, Fines, Forfeitures and Penalties Except City Cases.* All fees, fines, forfeitures and penalties assessed and collected by justice courts, except fines, forfeitures and penalties assessed and collected because of the violation of city ordinances, shall be remitted by the justice court to the county treasurer at least monthly, together with a financial statement as required by the division of municipal corporations, noting the information necessary for crediting of such funds as required by law.

**NEW SECTION.** Sec. 107. *Disposition of Fees.* Except as provided in chapter 5 of this act, all amounts collected by a justice court as fees shall be remitted as provided in section 106 to be credited to the county current expense fund.

**NEW SECTION.** Sec. 108. *Costs, Fines, Forfeitures and Penalties From City Cases.* All costs, fines, forfeitures and penalties assessed and collected by justice courts because of violations of city ordinances shall be remitted at least monthly directly to the treasurer of the city wherein the violation occurred.

**NEW SECTION.** Sec. 109. *Quarterly Disbursements.* Quarterly, the county treasurer shall determine the difference between the amount deposited to the current expense or salary fund by each justice court and the total expenditures of each justice court: *Provided,* That the cost of providing courtroom or other space shall not be included

in such total expenditures for the purposes of this section. The treasurer shall then charge each governmental unit fund entitled to share in the receipts of the court its proportionate share of such unreimbursed difference of expenditures incurred during the quarter and make the appropriate treasurer's remittance to the current expense or salary fund. The proportionate share charged against each fund shall be determined by the relationship between the unreimbursed expenditures and the total credits of the court to each fund as required by section 106. Balances remaining in governmental funds shall then be remitted as provided by law.

**NEW SECTION.** Sec. 110. *Filing Fees in Civil Cases.* In any civil action commenced before or transferred to a justice court, the plaintiff shall, at the time of such commencement or transfer, pay to such court the sum of four dollars, which sum shall be all the fees and charges which any party to such action shall be compelled to pay to the court up to and including the rendition of judgment in such action: *Provided*, That if process in replevin, attachment, or garnishment shall issue therein, the party procuring such process shall pay to such court an additional sum of one dollar for each such process as the fees and charges of the court incident to the proceedings.

**NEW SECTION.** Sec. 111. *Filing Fees in Criminal Cases.* Except in traffic cases wherein bail is forfeited to a violations bureau, and except in cases filed in municipal departments established pursuant to chapter 5 of this act, in every criminal action filed by a city for an ordinance violation the city shall be charged a four dollar filing fee. In all other criminal actions, no filing fee shall be assessed or collected: *Provided*, That in such cases, for the purposes of section 105, four dollars of each fine or penalty shall be deemed filing costs.

#### Chapter 10

#### JURISDICTION AND VENUE

**NEW SECTION.** Sec. 112. *General Powers of Justice Court.* The justices of the peace elected in accordance with this act are authorized to hold court as judges of the justice court for the trial of all actions enumerated in this act or assigned to the justice court by law; to hear, try and determine the same according to the law, and for that purpose where no special provision is otherwise made by law, such court shall be vested with all the necessary powers which are possessed by courts of record in this state; and all laws of a general nature shall apply to such justice court as far as the same may be applicable and not inconsistent with the provisions of this act. The justice court shall, upon the demand of either party, impanel a jury to try any civil or criminal case in accordance with the provisions of chapter 12.12 RCW: *Provided*, That in the trial of actions brought for violating any city ordinance, a jury trial shall be allowed only for offenses involving the revocation or suspension of a driver's license or other gross misdemeanor.

**NEW SECTION.** Sec. 113. *Civil Jurisdiction.* The justice court shall have jurisdiction and cognizance of the following civil actions and proceedings:

- (1) Of an action arising on contract for the recovery of money only in which the sum claimed does not exceed five hundred dollars;
- (2) Of an action for damages for injuries to the person, or for taking or detaining personal property, or for injuring personal property, or for an injury to real property when no issue raised by the answer involves the plaintiff's title to or possession of the same, when the amount of damages claimed does not exceed five hundred dollars; also of actions to recover the possession of personal property when the value of such property as alleged in the complaint, does not exceed five hundred dollars;
- (3) Of an action for a penalty not exceeding five hundred dollars;
- (4) Of an action upon a bond conditioned for the payment of money, when the amount claimed does not exceed five hundred dollars, though the penalty of the bond exceeds that sum, the judgment to be given for the sum actually due, not exceeding the amount claimed in the complaint;
- (5) Of an action on an undertaking or surety bond taken by him or his predecessor in office, when the amount claimed does not exceed five hundred dollars;
- (6) Of an action for damages for fraud in the sale, purchase, or exchange of personal property, when the damages claimed do not exceed five hundred dollars;
- (7) To take and enter judgment on confession of a defendant, when the amount of the judgment confessed does not exceed five hundred dollars;
- (8) To issue writs of attachment, garnishment and replevin upon goods, chattels, moneys, and effects, when the amount does not exceed five hundred dollars; and

(9) Of all other actions and proceedings of which jurisdiction is specially conferred by statute, when the amount involved does not exceed five hundred dollars and the title to, or right of possession of, or a lien upon real property is not involved.

The amounts of money referred to in subparagraphs (1) through (9) shall be exclusive of interest, costs and attorney's fees.

**NEW SECTION.** Sec. 114. *Restrictions on Civil Jurisdiction.* The jurisdiction covered by section 113 shall not extend to the following civil actions:

- (1) Actions involving title to real property;
- (2) Actions for the foreclosure of a mortgage or enforcement of a lien on real estate;
- (3) Actions for false imprisonment, libel, slander, malicious prosecution, criminal conversation, or seduction; and
- (4) Actions against an executor or administrator as such.

**NEW SECTION.** Sec. 115. *Venue—Civil Action.* (1) An action arising under section 113, subsections (1), (2) except for the recovery of possession of personal property, (4), (6), (7), and (9) may be brought in any justice court district in which the defendant, or, if there be more than one defendant, where some one of the defendants, resides at the time the complaint is filed or in which the defendant, or if there be more than one defendant, where some one of the defendants may be served with the notice and complaint in which latter case, however, the justice court district where the defendant or defendants is or are served must be within the county in which the said defendant or defendants reside.

(2) An action arising under section 113, subsection (2) for the recovery of possession of personal property and subsection (8) shall be brought in the district in which the subject matter of the action or some part thereof is situated.

(3) An action arising under section 113, subsection (3) and (5) shall be brought in the district in which the cause of action, or some part thereof arose.

(4) An action arising under section 113, subsection (2), for the recovery of damages for injuries to the person or for injury to personal property arising from a motor vehicle accident may be brought, at the plaintiff's option, either in the district in which the cause of action, or some part thereof, arose, or in the district in which the defendant, or, if there be more than one defendant, where some one of the defendants, resides at the time the complaint is filed.

(5) An action against a nonresident of this state may be brought in any district where service of process may be had, or in which the cause of action or some part thereof arose, or in which the plaintiff or one of them resides.

(6) For the purposes of this act, the residence of a corporation defendant shall be deemed to be in any district where the corporation transacts business or has an office for the transaction of business or transacted business at the time the cause of action arose or where any person resides upon whom process may be served upon the corporation, unless herein otherwise provided.

**NEW SECTION.** Sec. 116. *Transfer of Proceedings.* If a civil action is brought in the wrong justice court district, the action may nevertheless be tried therein unless the defendant, at the time he appears, requests a transfer of the action to the proper district. Upon such demand an order shall be entered transferring the action to the proper district and awarding the defendant a reasonable attorney's fee to be paid by the plaintiff.

**NEW SECTION.** Sec. 117. *Criminal Jurisdiction.* The justice court shall have jurisdiction: (1) Concurrent with the superior court of all misdemeanors and gross misdemeanors committed in their respective counties and of all violations of city ordinances: *Provided*, That it shall in no event impose a greater punishment than a fine of five hundred dollars, or imprisonment for six months in the county or city jail as the case may be, or both such fine and imprisonment, unless otherwise expressly provided by statute; and it may suspend and revoke vehicle operator's licenses in the cases provided by law; (2) to sit as committing magistrates and conduct preliminary hearings in cases provided by law; (3) concurrent with the superior court of a proceeding to keep the peace in their respective counties.

**NEW SECTION.** Sec. 118. *Venue—Criminal Actions.* All criminal actions shall be brought in the justice court district where the alleged violation occurred: *Provided*, That (1) the prosecuting attorney may file felony cases in the district in which the county seat is located and (2) with the consent of the defendant criminal actions other than those arising out of violations of city ordinances may be brought in or transferred to the district in which the county seat is located.

**NEW SECTION.** Sec. 119. *Criminal Venue Corrected.* If a criminal action is commenced in an improper district under section 118, the justice court of the district

may of its own volition or at the request of either party order the case removed for trial to a proper district.

**NEW SECTION. Sec. 120. *Change of Venue.*** A change of venue, except for violation of city ordinances, to another district may be allowed upon motion:

(1) Where there is reason to believe that an impartial trial cannot be had in the district in which the action was commenced; or

(2) Where the convenience of witnesses or the ends of justice would be forwarded by the change.

When such change is ordered, it shall be to the justice court of another district in the same county, if any, otherwise to the justice court of an adjacent district in another county. The court to which a case is removed on change of venue under this section shall have the same jurisdiction, either civil or criminal to hear and determine the case as the court from which the case was removed.

**NEW SECTION. Sec. 121. *Territorial Jurisdiction—Process.*** Every justice having authority to hear a particular case may issue civil process in and to any place in the county or counties in which his district is located, and criminal process in and to any place in the state.

**NEW SECTION. Sec. 122.** It shall be a breach of judicial ethics for any justice of the peace to advertise in any manner that he is authorized to solemnize marriages. Any violation of this section shall be grounds for forfeiture of office.

## Chapter 11

### MAGISTRATES' ASSOCIATION

**NEW SECTION. Sec. 123. *Magistrates' Association Established.*** There is established in the state an association, to be known as the Washington State Magistrates' Association, membership in which shall include all duly elected or appointed and qualified inferior court judges, including but not limited to justices of the peace, police court judges and municipal court judges.

**NEW SECTION. Sec. 124. *Meetings.*** The first meeting of the Washington State Magistrates' Association shall be held at the next regular meeting of the present organization after the effective date of this act to be held during the month of August or September, 1961, at which meeting those inferior court judges, as provided in section 123, of this act, attending shall temporarily organize themselves for the purpose of adopting a Constitution and bylaws and may either adopt or amend the present Constitution and bylaws of the Washington State Magistrates' Association or provide for bylaws only, electing officers as provided therein and doing all things necessary and proper to formally establish a permanent Washington State Magistrates' Association, after which meeting the association may meet each year during the month of August or September, beginning in 1962. Meetings shall be held in the state of Washington.

**NEW SECTION. Sec. 125. *Expenses of Members.*** For attendance at the annual meetings of the association, beginning in 1962 and thereafter, an inferior court judge shall be entitled to receive from the county or city responsible for the operating cost of the court over which he presides twenty dollars per day or major portion thereof; while attending meetings of the association, plus first class transportation or mileage allowance at the rate of ten cents per mile: *Provided*, That the per diem and transportation or mileage allowance authorized by this section shall not be paid to any judge for more than five days in any one calendar year.

**NEW SECTION. Sec. 126. *Powers and Duties.*** The Washington State Magistrates' Association shall:

(1) Continuously survey and study the operation of the courts served by its membership, the volume and condition of business of such courts, the methods of procedure therein, the work accomplished, and the character of the results;

(2) Promulgate suggested rules for the administration of the justice courts not inconsistent with the law or rules of the supreme court relating to such courts.

## Chapter 12

### MISCELLANEOUS

**NEW SECTION. Sec. 127. *Transfer of Proceedings.*** All cases, proceedings and matters pending before justice courts, police courts, municipal courts and night courts shall be transferred to the appropriate court established by this act, together with all files, records and proceedings relating to such cases. This act shall not affect any appeal from any municipal court, police court, justice court or night court, but such appeal shall be conducted and concluded as if this act had not been enacted, except that if

remanded from the superior court the superseding court shall have the authority and power to forfeit bail or bond or impose sentence thereon.

**NEW SECTION.** Sec. 128. *Saving.* The enactment of this act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall be in existence at the date this act becomes effective; nor shall the transfer of cases, proceedings and matters under the provisions of section 127, have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall be in existence at the date of such transfer.

**NEW SECTION.** Sec. 129. All justice courts and inferior courts in counties effected by this act on the effective date of this act shall continue to function until the second Monday in January, 1963 as if this act had not been enacted: *Provided,* That no elections for justice of the peace shall be held in such counties in 1962 except as provided in this act: *Provided further,* That in such counties the terms of office of all justices of the peace, municipal judges and police court judges whose terms commenced prior to the second Monday in January, 1963 shall, except as otherwise provided in this act, expire on the second Monday in January, 1963.

**NEW SECTION.** Sec. 130. All justice court judges under this act shall remain members of the state retirement system.

**NEW SECTION.** Sec. 131. The full time judges of the justice court shall be ineligible to any other office, or public employment than a judicial office or employment during the term for which they shall have been elected.

**NEW SECTION.** Sec. 132. *Severability.* If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

*Senate Members*

FRED H. DORE  
PERRY B. WOODALL  
JOHN T. McCUTCHEON

*House Members*

KEITH H. CAMPBELL  
J. BRUCE BURNS  
ELMER E. JOHNSTON

On motion of Senator Dore, the Senate adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 111.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 111, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 45; nays, 0; absent or not voting, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Talley, Thompson, Jr., Washington, Woodall—45.

Those absent or not voting were: Senators Hallauer, Happy, Sandison, Shannon—4.

Engrossed Substitute Senate Bill No. 111, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTION**

On motion of Senator Petrich, the Senate considered the message from the House concerning Senate Bill No. 55.

The Secretary read:

**MESSAGE FROM THE HOUSE**  
**HOUSE AMENDMENT TO SENATE BILL**

Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 55 with the following amendment:

Beginning on page 2, line 9 of the engrossed bill, being page 2, line 11 of the printed bill, strike the balance of the bill and substitute the following:

**NEW SECTION.** Sec. 6. It shall be unlawful for any corporation to acquire, directly or indirectly, the whole or any part of the stock or assets of another corporation where the effect of such acquisition may be to substantially lessen competition or tend to create a monopoly in any line of commerce.

This section shall not apply to corporations purchasing such stock solely for investment and not using the same by voting or otherwise to bring about, or in attempting to bring about, the substantial lessening of competition. Nor shall anything contained in this section prevent a corporation from causing the formation of subsidiary corporations for the actual carrying on of their immediate lawful business, or the natural and legitimate branches or extensions thereof, or from owning and holding all or a part of the stock of such subsidiary corporations, when the effect of such formation is not to substantially lessen competition.

In addition to any other remedy provided by this act, the superior court may order any corporation to divest itself of the stock or assets held contrary to this section, in the manner and within the time fixed by said order.

**NEW SECTION.** Sec. 7. The labor of a human being is not a commodity or article of commerce. Nothing contained in this act shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof.

**NEW SECTION.** Sec. 8. The attorney general may bring an action in the name of the state against any person to restrain and prevent the doing of any act herein prohibited or declared to be unlawful.

**NEW SECTION.** Sec. 9. Any person who is injured in his business or property by a violation of sections 3, 4, 5, or 6 of this act, or any person so injured because he refuses to accede to a proposal for an arrangement which, if consummated, would be in violation of sections 3, 4, 5, or 6 of this act, may bring a civil action in the superior court to enjoin further violations, to recover the actual damages sustained by him together with the costs of the suit, including a reasonable attorney's fee, and the court may in its discretion, increase the award of damages to an amount not to exceed three times the actual damages sustained. For the purpose of this section "person" shall include the counties, municipalities, and all political subdivisions of this state.

Whenever the state of Washington is injured by reason of a violation of sections 3, 4, 5, or 6 of this act, it may sue therefor in the superior court to recover the actual damages sustained by it and to recover the costs of the suit including a reasonable attorney's fee.

**NEW SECTION.** Sec. 10. In the enforcement of this act, the attorney general may accept an assurance of discontinuance of any act or practice deemed in violation of this act, from any person engaging in, or who has engaged in, such act or practice. Any such assurance shall be in writing and be filed with and subject to the approval of the superior court of the county in which the alleged violator resides or has his principal place of business, or in Thurston County.

Such assurance of discontinuance shall not be considered an admission of a violation for any purpose.

**NEW SECTION.** Sec. 11. (1) Whenever the attorney general believes that any person may be in possession, custody, or control of any original or copy of any book, record, report, memorandum, paper, communication, tabulation, map, chart, photograph, mechanical transcription, or other tangible document or recording, wherever situated, which he believes to be relevant to the subject matter of an investigation of a possible violation of sections 3, 4, 5, or 6 of this act, he may, prior to the institution of a civil proceeding thereon, execute in writing and cause to be served upon such a person, a civil investigative demand requiring such person to produce such documentary material and permit inspection and copying: *Provided*, That this section shall not be applicable to criminal prosecutions.

(2) Each such demand shall:

(a) State the statute and section or sections thereof, the alleged violation of which is under investigation, and the general subject matter of the investigation;

(b) Describe the class or classes of documentary material to be produced thereunder with reasonable specificity so as fairly to indicate the material demanded;

(c) Prescribe a return date within which the documentary material is to be produced; and

(d) Identify the members of the attorney general's staff to whom such documentary material is to be made available for inspection and copying.

(3) No such demand shall:

(a) Contain any requirement which would be unreasonable or improper if contained in a subpoena duces tecum issued by a court of this state; or

(b) Require the disclosure of any documentary material which would be privileged, or which for any other reason would not be required by a subpoena duces tecum issued by a court of this state.

(4) Service of any such demand may be made by:

(a) Delivering a duly executed copy thereof to the person to be served, or, if such person is not a natural person, to any officer of the person to be served; or

(b) Delivering a duly executed copy thereof to the principal place of business in this state of the person to be served; or

(c) Mailing by registered or certified mail a duly executed copy thereof addressed to the person to be served at the principal place of business in this state, or, if said person has no place of business in this state, to his principal office or place of business.

(5) Documentary material demanded pursuant to the provisions of this section shall be produced for inspection and copying during normal business hours at the principal office or place of business of the person served, or at such other times and places as may be agreed upon by the person served and the attorney general.

(6) No documentary material produced pursuant to a demand, or copies thereof, shall, unless otherwise ordered by a superior court for good cause shown, be produced for inspection or copying by, nor shall the contents thereof be disclosed to, other than an authorized employee of the attorney general, without the consent of the person who produced such material: *Provided*, That, under such reasonable terms and conditions as the attorney general shall prescribe, the copies of such documentary material shall be available for inspection and copying by the person who produced such material or any duly authorized representative of such person. The attorney general or any assistant attorney general may use such copies of documentary material as he determines necessary in the enforcement of this act, including presentation before any court: *Provided*, That any such material which contains trade secrets shall not be presented except with the approval of the court in which action is pending after adequate notice to the person furnishing such material.

(7) At any time before the return date specified in the demand, or within twenty days after the demand has been served, whichever period is shorter, a petition to extend the return date for, or to modify or set aside a demand issued pursuant to subsection (1), stating good cause, may be filed in the superior court for Thurston County, or in such other county where the parties reside. A petition, by the person on whom the demand is served, stating good cause, to require the attorney general or any person to perform any duty imposed by the provisions of this section, and all other petitions in connection with a demand, may be filed in the superior court for Thurston County, or in the county where the parties reside.

(8) A person upon whom a demand is served pursuant to the provisions of this section shall comply with the terms thereof unless otherwise provided by order of court issued under subsection (7) hereof. Any person who, with intent to avoid, evade, or prevent compliance, in whole or in part, with any civil investigative demand under this section, removes from any place, conceals, withholds, or destroys, mutilates, alters, or by any other means falsifies any documentary material in the possession, custody, or control of any person which is the subject of any demand duly served upon any person shall be guilty of an offense against the state, and shall be subject, upon conviction, to a fine not to exceed five thousand dollars or to imprisonment for a term of not more than one year, or both.

**NEW SECTION. Sec. 12.** Any action to enforce a claim for damages under section 9, shall be forever barred unless commenced within four years after the cause of action accrues: *Provided*, That whenever any action is brought by the attorney general for a violation of sections 3, 4, 5, or 6, except actions for the recovery of a civil penalty for violation of an injunction or actions under section 9, the running of the foregoing

statute of limitations, with respect to every private right of action for damages under section 9 which is based in whole or part on any matter complained of in said action by the attorney general, shall be suspended during the pendency thereof.

**NEW SECTION.** Sec. 13. A final judgment or decree rendered in any action brought under section 8 by the state of Washington to the effect that a defendant has violated sections 3, 4, 5, or 6 shall be prima facie evidence against such defendant in any action brought by any party against such defendant under section 9 of this act as to all matters which said judgment or decree would be an estoppel as between the parties thereto: *Provided*, That this section shall not apply to consent judgments or decrees where the court makes no finding of illegality.

**NEW SECTION.** Sec. 14. Every person who shall violate sections 3 or 4 of this act or the terms of any injunction issued as in this act provided, shall forfeit and pay a civil penalty of not more than twenty-five thousand dollars.

For the purpose of this section the superior court issuing any injunction shall retain jurisdiction, and the cause shall be continued, and in such cases the attorney general acting in the name of the state may petition for the recovery of civil penalties.

With respect to violations of sections 3 and 4, the attorney general, acting in the name of the state, may seek recovery of such penalties in a civil action.

**NEW SECTION.** Sec. 15. Upon petition by the attorney general, the court may, in its discretion, order the dissolution, or suspension or forfeiture of franchise, of any corporation which shall violate sections 3 or 4 of this act or the terms of any injunction issued as in this act provided.

**NEW SECTION.** Sec. 16. Personal service of any process in an action under this act may be made upon any person outside the state if such person has engaged in conduct in violation of this act which has had the impact in this state which this act reprehends. Such persons shall be deemed to have thereby submitted themselves to the jurisdiction of the courts of this state within the meaning of RCW 4.28.180 and 4.28.185.

**NEW SECTION.** Sec. 17. Nothing in this act shall apply to actions or transactions otherwise permitted, prohibited or regulated under laws administered by the insurance commissioner of this state, the Washington public service commission, the federal power commission or any other regulatory body or officer acting under statutory authority of this state or the United States.

RCW 9.01.090 shall not be applicable to the terms of this act and no penalty or remedy shall result from a violation of this act except as expressly provided herein.

**NEW SECTION.** Sec. 18. If any provision of this act is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby.

**NEW SECTION.** Sec. 19. This act shall be known and designated as the "Consumer Protection Act."

**NEW SECTION.** Sec. 20. The legislature hereby declares that the purpose of this act is to complement the body of federal law governing restraints of trade, unfair competition and unfair, deceptive, and fraudulent acts or practices in order to protect the public and foster fair and honest competition. It is the intent of the legislature that, in construing this act, the courts be guided by the interpretation given by the federal courts to the various federal statutes dealing with the same or similar matters and that in deciding whether conduct restrains or monopolizes trade or commerce or may substantially lessen competition, determination of the relevant market or effective area of competition shall not be limited by the boundaries of the state of Washington. To this end this act shall be liberally construed that its beneficial purposes may be served.

It is, however, the intent of the legislature that this act shall not be construed to prohibit acts or practices which are reasonable in relation to the development and preservation of business or which are not injurious to the public interest, nor shall this act be construed to repeal by implication the Fair Trade Act contained in chapter 19.98 RCW., and the same is herewith transmitted. S. R. HOLCOMB, Chief Clerk.

On motion of Senator Petrich, the Senate concurred in the House amendment to Engrossed Senate Bill No. 55.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 55, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 37; nays, 0; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Conner, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hanna, Henry, Hess, Hofmeister, Knoblauch, Kupka, McCormack, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—37.

Those absent or not voting were: Senators Cowen, Dore, Gallagher, Hallauer, Happy, Herrmann, Keefe, Lennart, McCutcheon, McMillan, Moriarty, Jr., Shannon—12.

Engrossed Senate Bill No. 55, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Woodall, the Senate considered the message from the House regarding House Bill No. 272.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to House Bill No. 272 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Woodall, the Senate refused to recede from its amendments to House Bill No. 272, and asked the House for a conference thereon.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on House Bill No. 272, and the Senate amendments thereto, Senators Henry, Woodall and Papajani.

#### CONFIRMATION OF COMMITTEE APPOINTMENTS

On motion of Senator Greive, the Conference Committee appointments on House Bill No. 272, and the Senate amendments thereto, were confirmed.

#### MOTION

On motion of Senator Bailey, the Senate considered House Concurrent Resolution No. 22 on the second reading calendar.

#### SECOND READING OF BILLS

**House Concurrent Resolution No. 22**, by Representatives King, Wedekind and Hawley:

Establishing a fisheries interim committee.

The resolution was read the second time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 22 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of House Concurrent Resolution No. 22, and the resolution passed the Senate by the following vote: Yeas, 42; nays, 0; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Conner, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster,

Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington—42.

Those absent or not voting were: Senators Foley, Hallauer, Happy, Lennart, Neill, Shannon, Woodall—7.

House Concurrent Resolution No. 22, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Senator Martin, the Senate reverted to the fifth order of business and considered the message from the House regarding Substitute House Bill No. 389.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Substitute House Bill No. 389, except the following amendment:

In section 40, page 25, line 17, after "director" and before "shall" insert "with the advice and consent of the board"; also in line 22, after "director" and before "shall" insert "with the advice and consent of the board", and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Freise, the Senate receded from its amendment to section 40 of Substitute House Bill No. 389.

The Secretary called the roll on the final passage of Substitute House Bill No. 389, without the Senate amendment to section 40, and the bill passed the Senate by the following vote: Yeas, 35; nays, 2; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foster, Gallagher, Greive, Hanna, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—35.

Those voting nay were: Senators Freise, Ryder—2.

Those absent or not voting were: Senators Bailey, Durkan, Foley, Gissberg, Hallauer, Happy, Henry, Herrmann, Hess, Lennart, Neill, Woodall—12.

Substitute House Bill No. 389, without the Senate amendment to section 40, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on House Bill No. 272 and the Senate amendments thereto and the Speaker has appointed as members of the conference committee thereon: Representatives Henry, Taylor and Huntley.

S. R. HOLCOMB, *Chief Clerk.*

#### MOTION

On motion of Senator Petrich, the Senate considered the message from the House concerning Engrossed Senate Bill No. 25.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:  
The House has adopted the report of the conference committee on Engrossed Senate Bill No. 25, and has granted said committee the powers of free conference, and the report of the conference committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 25, relating to probation officers and services, have had the same under consideration, and we are unable to agree and request the power of a free conference.

Senate Members:

AL HENRY,  
DON L. TALLEY,  
JOE CHYTIL.

House Members:

KATHRYN EPTON,  
DON ELBRIDGE,  
PAT NICHOLSON.

On motion of Senator Riley, the report of the conference committee on Engrossed Senate Bill No. 25, was adopted, and the committee was granted the powers of free conference.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:  
The House has passed: Senate Bill No. 175 with the following amendment:  
On page 2, section 1, line 2, after "fees" strike "therefore" and insert "therefor", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Petrich, the Senate concurred in the House amendment to Senate Bill No. 175.

The Secretary called the roll on the final passage of Senate Bill No. 175, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Bailey, Dore, Durkan, Happy, Henry, McMillan, Martin, Neill, Nunamaker—9.

Senate Bill No. 175, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:  
The House has passed: Engrossed Senate Bill No. 354, with the following amendments:

On page 1, strike the Senate committee amendment to the title, thus restoring the original title to the bill.

Strike the Senate amendment by the Committee on Banks and Financial Institutions on page 5, which struck sections 6 and 7, thus restoring sections 6 and 7 to the bill and restoring the original section number to section 8, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**MOTIONS**

On motion of Senator Herrmann, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 354, and asked the House to recede therefrom.

On motion of Senator Herrmann, the message was ordered immediately transmitted to the House.

At 5:25 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m. this evening.

**EVENING SESSION**

At 8:00 o'clock p. m. the Senate was called to order by President Cherberg. The Senate advanced to the fifth order of business.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 81; also Senate Bill No. 131; also Substitute Senate Bill No. 147; also Senate Bill No. 213; also Senate Bill No. 246; also Substitute Senate Bill No. 247; also Senate Bill No. 250; also Senate Bill No. 288; also Senate Bill No. 312; also Senate Bill No. 314; also Senate Bill No. 321; also Senate Bill No. 331; also Senate Bill No. 338; also Senate Bill No. 419; also Senate Bill No. 436; also Senate Joint Resolution No. 9, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 643, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on House Joint Resolution No. 6, and has passed the resolution as amended by the Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia Wash., March 9, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 19, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendment to Engrossed House Bill No. 129,  
 and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendments to House Bill No. 171, and has  
 passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendments to Engrossed House Bill No. 242,  
 and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendment to Engrossed House Bill No. 333,  
 and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendment to House Bill No. 394, and has  
 passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendments to House Bill No. 415, and has  
 passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendments to Engrossed Substitute House  
 Bill No. 426, and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendments to Engrossed House Bill No. 445,  
 and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendments to Engrossed House Bill No. 458,  
 and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendment to Engrossed House Bill No. 472,  
 and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendments to Engrossed House Bill No. 516,  
 and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendments to House Bill No. 527, and has  
 passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*
- MR. PRESIDENT: House of Representatives,  
 Olympia, Wash., March 9, 1961.  
 The House has concurred in the Senate amendments to Substitute House Bill No. 559,  
 and has passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Concurrent Resolution No. 23, and has passed the resolution as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

The Senate reverted to the fourth order of business for the purpose of receiving messages from the Governor.

The Secretary read:

**MESSAGES FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, March 8, 1961.

*To the Honorable,  
The Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

**Senate Bill No. 38:**

An Act relating to the compilation, codification, and revision of city and town ordinances; amending section 7, chapter 97, Laws of 1957 and RCW 35.21.560.

**Senate Bill No. 68:**

An Act relating to courses of instruction at state universities; amending sections 2 and 5, chapter 10, Laws of 1917 and RCW 28.76.060; and amending sections 4 and 8, chapter 10, Laws of 1917 and RCW 28.76.080.

**Senate Bill No. 84:**

An Act relating to control of forest insects and forest diseases authorizing the creation of insect control districts; providing for methods of notice; amending section 5, chapter 233, Laws of 1951, and RCW 76.06.050; and declaring an emergency.

**Senate Bill No. 105:**

An Act relating to public lands; providing for the administration and sale of land and valuable materials; providing for the regulation, administration, and granting of rights of way; authorizing the leasing of beds under navigable tidal waters and of agricultural and grant lands for designated purposes; providing for certain conditions in mining contracts; authorizing by contract the sale of stone on certain public lands and providing for conditions of said sale; permitting grants of property rights; amending section 33, chapter 255, Laws of 1927 as last amended by section 13, chapter 257, Laws of 1959, and RCW 79.01.340; amending section 42, chapter 255, Laws of 1927 as last amended by section 17, chapter 257, Laws of 1959, and RCW 79.01.168; amending section 50, chapter 255, Laws of 1927 as last amended by section 21, chapter 257, Laws of 1959, and RCW 79.01.200; amending section 51, chapter 255, Laws of 1927 as last amended by section 22, chapter 257, Laws of 1959, and RCW 79.01.204; amending section 85, chapter 255, Laws of 1927 as last amended by section 1, chapter 145, Laws of 1945, and RCW 79.01-340; amending section 96, chapter 255, Laws of 1927 as last amended by section 1, chapter 147, Laws of 1945, and RCW 79.01.384; amending section 97, chapter 255, Laws of 1927 as last amended by section 35, chapter 257, Laws of 1959, and RCW 79.01.388; amending section 98, chapter 255, Laws of 1927 as last amended by section 36, chapter 257, Laws of 1959, and RCW 79.01.392; amending section 142, chapter 255, Laws of 1927 as last amended by section 39, chapter 271, Laws of 1951, and RCW 79.01.568; amending section 162, chapter 255, Laws of 1927 as last amended by section 38, chapter 257, Laws of 1959, and RCW 79.01.644; amending section 1, chapter 203, Laws of 1949, and RCW 79.12.570; and adding two new sections to chapter 79.01 RCW.

**Senate Bill No. 114:**

An Act relating to aeronautics; amending section 3, chapter 182, Laws of 1945 and RCW 14.08.020; and section 1, chapter 14, Laws of 1957 as amended by section 2, chapter 231, Laws of 1959, and RCW 14.08.120.

**Senate Bill No. 119:**

An Act relating to game and game fish; defining crimes; and amending section 77.16.040, chapter 36, Laws of 1955 and RCW 77.16.040.

**Senate Bill No. 143:**

An Act relating to public lands; and authorizing the exchange and lease of certain real properties by the board of regents of Washington State University.

**Senate Bill No. 157:**

An Act relating to the exchange of lands; amending section 1, chapter 77, Laws of 1937 and RCW 76.12.050; amending section 2, chapter 77, Laws of 1937 and RCW 76.12.060; adding a new section to chapter 77, Laws of 1937 and to chapter 76.12 RCW; and amending section 1, chapter 290, Laws of 1957 and RCW 79.08.180.

**Senate Bill No. 170:**

An Act relating to elections; and adding two new sections to chapter 41, Laws of 1933 extraordinary session and to chapter 29.36 RCW.

**Senate Bill No. 179:**

An Act relating to county officers' travel expenses; raising mileage allowances; and amending section 1, chapter ....., Laws of 1961 (House Bill No. 162) and RCW 36.17.030.

**Senate Bill No. 206:**

An Act relating to mutual savings banks; amending section 32.12.010, chapter 13, Laws of 1955 as amended by section 2, chapter 41, Laws of 1959, and RCW 32.12.010; amending section 32.12.020, chapter 13, Laws of 1955 as amended by section 3, chapter 41, Laws of 1959, and RCW 32.12.020; amending section 32.12.090, chapter 13, Laws of 1955 as amended by section 5, chapter 80, Laws of 1957, and RCW 32.12.090; amending section 32.20.250, chapter 13, Laws of 1955, as last amended by section 4, chapter 41, Laws of 1959, and RCW 32.20.250; amending section 32.20.260, chapter 13, Laws of 1955, and RCW 32.20.260; amending section 32.20.270, chapter 13, Laws of 1955 as amended by section 5, chapter 41, Laws of 1959, and RCW 32.20.270; and amending section 32.20.275, chapter 13, Laws of 1955, and RCW 32.20.275.

**Senate Bill No. 210:**

An Act relating to third class cities; and amending section 5, chapter 55, Laws of 1955, section 2, chapter 365, Laws of 1955 and RCW 35.24.020.

**Senate Bill No. 218:**

An Act relating to intercounty rural library districts and amending section 2, chapter 75, Laws of 1947, and RCW 27.12.100 and section 4, chapter 75, Laws of 1947, and RCW 27.12.120.

**Senate Bill No. 244:**

An Act relating to the improvement and certification of planting stock used for propagation purposes; and providing penalties.

**Senate Bill No. 262:**

An Act relating to state and local participation in flood control; and amending section 4, chapter 240, Laws of 1951 and RCW 86.26.020.

**Senate Bill No. 280:**

An Act authorizing public officials to supplement certain legal notices by radio and television broadcast; and amending sections 1, 2 and 3, chapter 119, Laws of 1951 and RCW 65.16.130, 65.16.140 and 65.16.150.

**Senate Bill No. 285:**

An Act relating to liens for contributions to employee benefit plans.

**Senate Bill No. 305:**

An Act establishing the state wheat commission; providing for an assessment to be laid upon wheat; prescribing penalties; specifying circumstances of taking effect; and declaring an emergency.

**Senate Bill No. 457:**

An Act relating to judgments; removing time limitation as to when a judgment entered by consent or stipulation and obtained by fraud or certain other grounds may be vacated or modified; amending section 4, chapter 27, Laws of 1891 and RCW 4.72.080; and declaring an emergency.

Very truly yours,

WARREN A. BISHOP,

Assistant to the Governor.

State of Washington, Executive Department.

Olympia, March 8, 1961.

To the Honorable,  
The Senate of the State of Washington.

LADIES AND GENTLEMEN:

I am returning herewith without my approval Senate Bill No. 14 entitled:

An Act relating to state government; establishing within the department of institutions a division of probation and parole and providing for the transfer of powers and duties thereto; amending section 72.01.030, chapter 28, Laws of 1959 and RCW 72.01.030; amending section 3, chapter 114, Laws of 1935 and RCW 9.95.170; amending section 7, chapter 114, Laws of 1935 and RCW 9.95.260; amending section 3, chapter 227,

Laws of 1957 and RCW 9.95.200; amending section 4, chapter 227, Laws of 1957 and RCW 9.95.210; amending section 8, chapter 227, Laws of 1957 and RCW 9.95.250; adding a new chapter to Title 72 RCW; and providing an effective date.

I am fully aware of the fact that Senate Bill No. 14 has been prepared by the Legislative Council, but I feel that at the present time the supervision of probation and parole should remain subject to the control of the Board of Prison Terms and Paroles.

Under the provisions of Senate Bill No. 14 the Board of Prison Terms and Paroles would be making work assignments to the Division of Probation and Parole without having any authority whatsoever over the personnel responsible for carrying out the assignments made by the Board. It is my deep and abiding conviction that divided authority over the parole of prisoners between the Department of Institutions and the Board of Prison Terms and Paroles would not be in the best interests of the state of Washington and would cause difficulties in the program of rehabilitation of prisoners.

I am fully cognizant of the fact that because under the law each of the five members of the Board of Prison Terms and Paroles has equal power, that in the past the results of divided authority have caused on occasions, conflicting directives to be issued by different members of the board. To obviate this condition, I will in the near future issue an executive order placing full and complete authority, jurisdiction, and responsibility over the operation of the administration of the parole and probation program and personnel in the chairman of the board.

In addition, I am convinced that the transfer of the parole officers to the Department of Institutions would result in increased expenditures. The financial condition of our General Fund is such that we cannot afford at this time increased expenditures by hiring additional parole supervision personnel.

I should point out that in a meeting on September 20, 1960, the Board of Prison Terms and Paroles unanimously recommended that the probation and parole personnel should remain to be supervised by the board. At that time, Dr. John D. Lillywhite, a nationally recognized authority in the field of parole supervision, was still a member of the board.

Furthermore, I believe that Sections 4 and 5 of Senate Bill 14, attempting to shift the chief parole and probation officer of the Board of Prison Terms and Paroles to supervisor of probation and parole in the Department of Institutions constitutes a legislative interference with a prerogative of the executive. Ours is a government of divided powers, and I will do all in my power to see to it that it shall remain so.

For the reasons indicated, Senate Bill No. 14 is vetoed.

Respectfully submitted,  
ALBERT D. ROSELLINI,  
Governor.

#### MOTION

Senator Greive moved that the Governor's Veto Message and Senate Bill No. 14 be referred to the Committee on Rules and Joint Rules.

The President stated the question to be, it has been moved that the Governor's Veto Message and Senate Bill No. 14 be referred to the Committee on Rules and Joint Rules.

A division was requested.

The motion carried on a rising vote, and Senate Bill No. 14 and the Governor's Veto Message were referred to the Committee on Rules and Joint Rules.

The Secretary read:

#### MESSAGES FROM THE HOUSE

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 9, 1961.

The House has concurred in the Senate amendments to Substitute House Bill No. 146, except the following amendment:

In section 7, renumbered section 6, page 5, line 32, after "records" strike "anywhere in the state" and insert "in the county wherein the person licensed under this act resides."

and asks the Senate to recede therefrom, and said bill, together with the Senate amendments thereto, are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Moriarty, the Senate receded from its amendment to section 7 of Substitute House Bill No. 146.

The Secretary called the roll on the final passage of Substitute House Bill No. 146, without the Senate amendment to section 7, and the bill passed the Senate by the following vote: Yeas, 41; nays, 0; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—41.

Those absent or not voting were: Senators Cowen, DeGarmo, Hallauer, Kupka, McCutcheon, Martin, Papajani, Petrich—8.

Substitute House Bill No. 146, without the Senate amendment to section 7, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 319 with the following amendment:

In section 1, line 6, after "guilty of a" strike "gross" and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Cooney, the Senate concurred in the House amendment to Senate Bill No. 319.

The Secretary called the roll on the final passage of Senate Bill No. 319, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators DeGarmo, Foley, Hallauer, Kupka, McCutcheon, Martin, Papajani, Petrich, Talley—9.

Senate Bill No. 319, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Lennart:

"There is a small matter here from Andy Hess regarding the poor workings of the committees in the Senate. I think he has made a very fine suggestion. I really do think that. I have the feeling that the committee system has broken down this session, and I think that we could improve it. I think a committee should be appointed to try to correct this."

#### PERSONAL PRIVILEGE

Senator Bailey:

"I would like to tell Senator Lennart that I agree with him. Some of our committees have been meeting informally on this very matter. We would like to have

smaller committees and come up with some solution whereby each Senator's committee assignments could be reduced to four or five, and the schedules could be arranged so we wouldn't have all this over-lapping. The situation that we now have is just impossible."

**Editor's note:** Since this document was referred to under personal privilege above, it is inserted in the Journal of the Senate parenthetically.

#### REVISION OF INTERIM PROCEDURE

A major reduction in the number of standing committees, with House and Senate committees identical.

Each member to serve on no more than three committees.

Each committee to employ a full time research clerk.

Membership and staff of each committee to continue to function as an interim committee between legislative sessions.

Abolish all other interim legislative committees except the legislative council which shall provide a secretarial pool for interim committee work, a coordinating and accounting staff for all committee activities.

#### LEGISLATIVE SESSION PROCEDURAL CHANGES

A five-day weekend conference of legislators, at least a week preceding each session.

Each member to receive per diem and travel.

Conferences and caucuses: (1) To set up party and committee organization, (2) Employee staff decisions, (3) Preliminary committee conferences with interested groups directed toward the preparation of bills for introduction.

A shorter time period for the introduction of legislation.

The development of a system leading to pre-publishing lists of bills introduced together with committee assignments, permitting any member by objection to cause any bill assignment to be made before the entire body. Otherwise, the introduction report to be adopted by the body by a single motion.

The development of a consent calendar system providing that any committee may by unanimous action request that a bill having its approval be placed on a weekly consent calendar. Such calendar lists to close three days prior to calendar date, provided that any measure may be stricken by the objection of a single legislator. The bill then taking normal routing procedure. Revised rules would then permit the most rapid adoption of such calendar as might be legally and mechanically devised.

The Secretary read:

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 425 with the following amendments:

On page 2, section 2, line 23, after "shall not include" and before "any charitable" insert "those engaged primarily in the retail trade industry and who employ less than twelve full-time employees, nor"

On page 2, section 2, line 24 of the engrossed bill, after "responsibilities" and before the period, insert "engaged primarily in the development of character or citizenship or promoting health or physical fitness or providing or sponsoring recreational opportunities or facilities for young people or members of the armed forces of the United States"

On page 3, section 2, subsection (5), strike all of subdivision "(f)" and substitute the following:

"(f) employees of weekly newspapers and vendors and carriers of any newspaper;"

On page 5, section 2, line 4 of the engrossed bill, after "of law in this state" and before "or" insert a semicolon and strike the balance of the subdivision.

On page 6, section 4, line 20 of the engrossed bill after "sugar" and before "or" strike "(but not refined sugar)"

On page 7, section 4, line 18 of the engrossed bill after "employer to" and before "a trustee" insert "employees pursuant to a union contract or to"; and in line 20 after "accident," and before "health" strike "or"; and after "health insurance" and before "or similar" insert ", vacation,"

On page 8, section 4, subsection 3(g), line 6, after the period following "workweek" insert a new subsection to read as follows:

"(4) Commissions, bonuses and similar incentives earned where an employee is partially compensated on such a basis with a guarantee of a minimum wage or salary on a daily, weekly or monthly basis under a bona fide plan and in such case the regular rate shall only include the guaranteed minimum wage or salary."

Renumber the remaining subsections consecutively.

On page 10, section 6, subsection 2(a), line 24, after "duty" and before "consists" insert "(generally fifty percent or more of his time)"

On page 10, section 6, subsection 2(b), line 33, after "duty" and before "consists" insert "(generally fifty percent or more of his time)"

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Woodall moved that the Senate do concur with the House amendments to Engrossed Senate Bill No. 425.

A division was requested and the motion lost on a rising vote.

On motion of Senator Henry, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 425, and asked the House to recede therefrom.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 274 with the following amendments:

Add a new section immediately following section 1 to read as follows:

"Sec. 2. Section 1, chapter 173, Laws of 1941 as last amended by section 1, chapter 3, Laws of 1957, and RCW 44.04.080 are each amended to read as follows:

Members of the legislature shall be paid not to exceed [twenty-five] *thirty-five* dollars per day in lieu of subsistence and lodging during and while attending any legislative session: *PROVIDED, That this section shall take effect on January 14, 1963.*"

In line 2 of the title, after the semicolon following "employees" strike "and"; and in line 4 of the title, after "43.03.050" and before the period insert "; and amending section 1, chapter 173, Laws of 1941 as last amended by section 1, chapter 3, Laws of 1957, and RCW 44.04.080 and providing an effective date"

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Woodall moved that the Senate do not concur in the House amendments to Senate Bill No. 274, and request that the House recede therefrom.

Senator Bailey moved that the Senate do concur in the House amendments to Senate Bill No. 274.

Extensive debate ensued.

The President stated the question to be, it has been moved that the Senate do concur in the House amendments to Senate Bill No. 274.

Senator Woodall demanded a roll call, which was sustained by Senators Shannon, Raugust, Elway, Jr., Thompson, Jr., Neill, Chytil, Moriarty, Jr., Petrich and Ryder.

The Secretary called the roll, and the motion that the Senate do concur in the House amendments to Senate Bill No. 274, was lost by the following vote: Yeas, 13; nays, 34; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, DeGarmo, Gallagher, Greive, Herrmann, Kupka, McCormack, Morgan, Papajani, Sandison—13.

Those voting nay were: Senators Bargreen, Chytil, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foster, Freise, Gissberg, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—34.

Those absent or not voting were: Senators Foley, Martin—2.

The Senate declined to concur in the House amendments to Senate Bill No. 274, and asked the House to recede therefrom.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is with supreme pleasure that the President notes the presence in the south gallery of two long-time and dear friends, Mr. and Mrs. Frank Pritchard, the fine parents of Representative Joel Pritchard of the thirty-sixth district. Their lives have been dedicated to each other, the family, friends, being good citizens and performance of many kind deeds. It seems that every place they have been is a little brighter as a result, and I am sure that the Senate Chamber will be no exception. Would they please stand in order that they may be properly welcomed to the Senate Chamber."

(Applause.)

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on House Bill No. 272, and has granted said committee the powers of Free Conference.

House of Representatives,  
Olympia, Wash., March 9, 1961.

S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred House Bill No. 272, prohibiting modifying of vehicles so as to lower them, have had the same under consideration, are unable to agree and request the powers of free conference.

#### Senate Members

PERRY B. WOODALL  
JOHN PAPAJANI  
AL HENRY

#### House Members

MILDRED E. HENRY  
RICHARD TAYLOR  
ELMER C. HUNTLEY

On motion of Senator Henry, the report of the Conference Committee on House Bill No. 272 was adopted, and the committee was granted the powers of Free Conference.

#### MOTION

On motion of Senator Washington, the three members of the Conference Committee, Senators Henry, Woodall and Papajani, were excused to confer with the House Committee.

#### HOUSE AMENDMENT TO SENATE BILL

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 359 with the following amendment: On line 16 of the engrossed bill, being page 1, line 19 of the printed bill, after "such withdrawal" and before the period insert ": *Provided further*, That such action shall be taken by the governing authority of the incorporated municipality, and only if it includes all of such uniformed personnel of the incorporated municipality" and the same is herewith transmitted.

House of Representatives,  
Olympia, Wash., March 8, 1961.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Elway, the Senate concurred in the House amendment to Engrossed Senate Bill No. 359.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 359, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 1; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foster,

Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington—39.

Those voting nay were: Senator Ryder—1.

Those absent or not voting were: Senators Foley, Hallauer, Henry, Herrmann, McMillan, Martin, Morgan, Papajani, Woodall—9.

Engrossed Senate Bill No. 359, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 8, 1961.

The House refuses to recede from its amendment beginning on page 1, line 24 of Senate Bill No. 444 and asks the Senate for a conference thereon, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Thompson, the request of the House for a conference on Senate Bill No. 444 and the House amendment thereto, was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Senate Bill No. 444 and the House amendment thereto, Senators Sandison, Thompson, Jr. and Hess.

#### CONFIRMATION OF COMMITTEE APPOINTMENTS

On motion of Senator Hess, the Conference Committee appointments on Senate Bill No. 444 and the House amendment thereto, were confirmed.

#### HOUSE AMENDMENTS TO SENATE BILL

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 9, 1961.

The House has passed: Senate Bill No. 458 with the following amendments:

On page 2, section 2, line 5 after "writing" strike the comma and all matter down to and including the comma after "voter" on line 7.

On page 2, section 2, line 27, after "valid" and before the period insert "*and should the challenger be unable to appear in person he may file a statement by means of affidavit stating therein under oath the reasons he believes the registration to be invalid*"

On page 2, section 2, line 30 after "officer." insert "*In the event both the challenger and the challenged voter file affidavits instead of appearing in person, an evaluation of such affidavits by the registration officer shall constitute a hearing for the purposes of the section.*"

On page 3, section 2, line 1, after "meeting" and before the comma insert "*or fails to file an affidavit*"

and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Durkan, the Senate concurred in the House amendments to Senate Bill No. 458.

The Secretary called the roll on the final passage of Senate Bill No. 458, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—38.

Those absent or not voting were: Senators Angevine, Hallauer, Henry, Herrmann, Hess, Martin, Morgan, Neill Papajani, Raugust, Woodall—11.

Senate Bill No. 458, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President declared the Senate would be at ease for approximately five minutes.

The President called the Senate to order.

The Secretary read:

#### MESSAGES FROM THE HOUSE

##### HOUSE AMENDMENTS TO SENATE BILL

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 9, 1961.

The House has passed: Engrossed Senate Bill No. 148 with the following amendments: In lines 1 and 2 of the title, after "9.68.010" strike " "; and repealing section 2, chapter 260, Laws of 1959 and RCW 9.68.015"

On page 2, strike all of section 2 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Dore, the Senate concurred in the House amendments to Engrossed Senate Bill No. 148.

#### POINT OF INQUIRY

Senator Hallauer:

"Will Senator Dore yield to a question?"

Senator Dore:

"Yes, I will."

Senator Hallauer:

"The House adopted an amendment which I believe excluded libraries. Are you telling us that the House receded from that amendment?"

Senator Dore:

"No, I am not. I just moved that the Senate concur in the House amendment."

#### POINT OF INQUIRY

Senator Ryder:

"Will Senator Dore yield to a question?"

Senator Dore:

"Yes, I will."

Senator Ryder:

"The amendment striking all of section 2, which is the repealer in the original bill, in what way does this apply to libraries?"

Senator Dore:

"It strikes the old language on the basis that we set the scale for knowledgeable material. They had not considered that, but now, rather than taking a chance on its being unconstitutional, they have taken it out."

Senator Ryder:

"This would leave the law the way it was?"

Senator Dore:

"Yes. There is some question about it being constitutional, but it might save the bill."

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 148, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 1; absent or not voting, 10.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lenart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those voting nay were: Senator Hallauer—1.

Those absent or not voting were: Senators Angevine, Connor, Durkan, Foley, Herrmann, Keefe, McCormack, Martin, Nunamaker, Petrich—10.

Engrossed Senate Bill No. 148, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the conference committee on Senate Bill No. 444 and the House amendment thereto, Representatives Brouillet, Cope-land, Eldridge.

S. R. HOLCOMB, *Chief Clerk.*

#### SECOND READING OF BILLS

**Engrossed House Joint Memorial No. 20**, by Representatives Olsen, Garrett and Wedekind:

Requesting Congress to enact legislation recognizing Federal Employees Unions.

The memorial was read the second time in full.

#### MOTION

On motion of Senator Woodall, the Senate recessed for fifteen minutes for the purpose of a caucus.

At 9:50 o'clock p. m., the Senate was called to order by President Cherberg.

On motion of Senator Woodall, the following amendment was adopted:

On page 1, beginning with line 14 of the engrossed memorial, same being line 15 of the printed memorial, strike all of the material down to and including "and" on line 17 of the engrossed memorial, same being line 18 of the printed memorial.

On motion of Senator Moriarty, the following amendment was adopted:

On page 1, line 21 of the engrossed memorial, same being line 22 of the printed memorial, after "this" strike "legislation in"

On motion of Senator Freise, the following amendment was adopted:

On page 1, on lines 21 and 22 of the engrossed memorial, same being lines 22 and 23 of the printed memorial, after "indorsed by" strike "a standing committee of the American Bar Association,"

On motion of Senator Foster, the following amendment was adopted:

On page 1, line 23 of the engrossed memorial, same being line 24 of the printed memorial, after "Commission," strike "clergymen,"

Debate ensued.

#### PERSONAL PRIVILEGE

Senator Henry:

"I think my integrity has been impugned! Did you to refer to me as a lawyer?"

## POINT OF INQUIRY

Senator Moriarty:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Moriarty:

"Senator Greive, I have to confess that I do not know what recognition in the employees' union means. Is it a legal attachment? Does it mean that the federal government would have to bargain collectively with the federal employees? Just what does official recognition mean?"

Senator Greive:

"Federal recognition of a federal employees' union I assume would mean recognition the same as in any other organization. In a word it is a matter of negotiations of personnel relations."

On motion of Senator Greive, the rules were suspended, House Joint Memorial No. 20, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

The Secretary called the roll on the final passage of House Joint Memorial No. 20, as amended by the Senate, and the memorial passed the Senate by the following vote: Yeas, 26; nays, 12; absent or not voting, 11.

Those voting yea were: Senators Bargreen, Connor, Cooney, DeGarmo, Durkan, Elway, Jr., Greive, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Nunamaker, Papajani, Rasmussen, Riley, Sandison, Talley, Thompson, Jr., Washington—26.

Those voting nay were: Senators Chytil, Donohue, Foster, Freise, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Woodall—12.

Those absent or not voting were: Senators Angevine, Bailey, Cowen, Dore, Foley, Gallagher, Gissberg, Hallauer, Herrmann, Martin, Petrich—11.

House Joint Memorial No. 20, as amended by the Senate, having received the constitutional majority, was declared passed.

**House Concurrent Resolution No. 21**, by Representatives Witherbee, Leibold and May:

An Act relating to industrial insurance.

The resolution was read the second time in full.

On motion of Senator Ryder, the rules were suspended, and the Senate did not resolve itself into the Committee of the Whole for the purpose of considering House Concurrent Resolution No. 21.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 21 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of House Concurrent Resolution No. 21, and the resolution passed the Senate by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Elway, Jr., Foster, Freise, Greive, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Cowen, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Hallauer, Herrmann, McCutcheon, Martin—11.

House Concurrent Resolution No. 21, having received the constitutional majority, was declared passed.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 25, and has passed the bill as amended by the Free Conference Committee. The report of the Free Conference Committee and the bill are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 25, relating to state aid to county probation services, making an appropriation, and increasing emergency percentage payable by the state, have had the same under consideration, and we recommend as follows:

Strike the amendment to section 3, line 21 of the engrossed bill, and insert in lieu thereof the following amendment:

On page 1, section 3, line 21 of the engrossed bill, being page 1, line 24, of the printed bill, after "sum of" strike "twenty-five" and insert "thirty-five"

*Senate Members*

DON L. TALLEY

AL HENRY

JOE CHYTIL

*House Members*

PAT NICHOLSON

DON ELDRIDGE

KATHRYN EPTON

**POINT OF INQUIRY**

Senator Ryder:

"Will Senator Talley yield to a question?"

Senator Talley:

"Yes, I will."

Senator Ryder:

"As I understand the amendment (interrupted)."

Senator Talley:

"Senator Ryder, the original bill called for one hundred and twenty-five; the Senate cut it to twenty-five, and the House refused to concur. Then Senator Hallauer said thirty-five and that's where we stand."

**POINT OF INQUIRY**

Senator Riley:

"I wonder if the Secretary would read the whole sentence so we could get the impact."

The Secretary read the amendment.

On motion of Senator Henry, the Senate adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 25.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 25, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 36; nays, 0; absent or not voting, 13.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Durkan, Elway, Jr., Freise, Gissberg, Greive, Hanna, Henry,

Herrmann, Hess, Hofmeister, Keefe, Knoblauch, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—36.

Those absent or not voting were: Senators Bargreen, Donohue, Dore, Foley, Foster, Gallagher, Hallauer, Happy, Kupka, Lennart, McCutcheon, Martin, Thompson, Jr.—13.

Engrossed Senate Bill No. 25, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred House Bill No. 272, prohibiting modifying of vehicles so as to lower them, have had the same under consideration, and we recommend striking the second Senate Amendment by Senator Woodall and inserting in lieu thereof the following:

"On page 1 following section 1, add a new section reading as follows:

"*NEW SECTION.* Sec. 2. It shall be unlawful for any person, while operating or in charge of a vehicle, to park or willfully allow such vehicle to stand upon a public highway or in a public place with its motor running, leaving a minor child or children under the age of sixteen years unattended therein.

Any person violating the provisions of this section shall be guilty of a misdemeanor. Upon a second or subsequent conviction for a violation of the provisions of this section, the court shall, in addition to such fine or imprisonment as provided by law, revoke the operator's license of such person."

#### *Senate Members*

PERRY B. WOODALL  
JOHN PAPAJANI  
AL HENRY

#### *House Members*

MILDRED E. HENRY  
RICHARD TAYLOR  
ELMER C. HUNTLEY

On motion of Senator Henry, the Senate adopted the report of the Free Conference Committee on House Bill No. 272.

The Secretary called the roll on the final passage of House Bill No. 272, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 31; nays, 0; absent or not voting, 18.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Hess, Knoblauch, McCormack, Morgan, Moriarty, Jr., Neill, Nunamaker, Rasmussen, Raugust, Riley, Sandison, Shannon, Woodall—31.

Those absent or not voting were: Senators Dore, Foley, Foster, Hallauer, Herrmann, Hofmeister, Keefe, Kupka, Lennart, McCutcheon, McMillan, Martin, Papajani, Petrich, Ryder, Talley, Thompson, Jr., Washington—18.

House Bill No. 272, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has refused to recede from its amendments to Engrossed Senate Bill No. 425 and asks the Senate for a conference thereon. S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Durkan, the request of the House for a conference on Engrossed Senate Bill No. 425 and the House amendments thereto was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 425 and the House amendments thereto, Senators Henry, Durkan and Elway, Jr.

#### CONFIRMATION OF COMMITTEE APPOINTMENTS

On motion of Senator Greive, the Conference Committee appointments on Engrossed Senate Bill No. 425 and the House amendments thereto, were confirmed.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

Senate Chamber,  
Olympia, Wash., March 5, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred the appointment of Harry E. Morgan, of Ocean Park, by the governor to the State Highway Commission for the term ending July 1, 1965, succeeding himself, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, Don L. Talley.

#### APPOINTMENT OF HARRY E. MORGAN

Senator Bailey moved that the report of the committee be adopted and that the appointment of Harry E. Morgan to the State Highway Commission be confirmed.

The Secretary called the roll and the appointment of Harry E. Morgan to the State Highway Commission was confirmed by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Neill, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Angevine, Dore, Foley, Hallauer, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Rasmussen—11.

Having received the approval of the Senate, the appointment of Harry E. Morgan to the State Highway Commission was confirmed.

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., February 27, 1961.

We, a majority of your Committee on Highways, to whom was referred the appointment of George D. Zahn, of Methow, by the governor to the State Highway Commission for the term ending July 1, 1966, succeeding Oscar E. Stone, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, F. Stuart Foster, Herbert H. Freise, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Edward F. Riley, Gordon Sandison, Don L. Talley.

#### APPOINTMENT OF GEORGE D. ZAHN

Senator Washington moved that the report of the committee be adopted and that the appointment of George D. Zahn to the State Highway Commission be confirmed.

The Secretary called the roll and the appointment of George D. Zahn to the State Highway Commission was confirmed by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—39.

Those absent or not voting were: Senators Dore, Durkan, Elway, Jr., Happy, Henry, Lennart, McMillan, Martin, Rasmussen, Raugust—10.

Having received the approval of the Senate, the appointment of George D. Zahn to the State Highway Commission was confirmed.

#### CONFIRMATION OF STATE HIGHWAY COMMISSION APPOINTMENTS

MR. PRESIDENT:

Senate Chamber,  
Olympia, Wash., March 5, 1961.

We, a majority of your Committee on Highways, to whom was referred the appointment of Howard J. Thompson, of Seattle, by the State Highway Commission, to the Highway Personnel Board, for the term ending December 21, 1966, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, John A. Petrich, Edward F. Riley, Gordon Sandison, Don L. Talley.

#### APPOINTMENT OF HOWARD J. THOMPSON

Senator Gallagher moved that the report of the committee be adopted and that the appointment of Howard J. Thompson to the Highway Personnel Board be confirmed.

The Secretary called the roll and the appointment of Howard J. Thompson to the Highway Personnel Board was confirmed by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Cowen, Dore, Durkan, Hanna, Happy, Lennart, McMillan, Martin, Rasmussen—9.

Having received the approval of the Senate, the appointment of Howard J. Thompson to the Highway Personnel Board was confirmed.

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred the appointment of Thomas J. Richardson, of Spokane, by the State Highway Commission, to the Highway Personnel Board for the term ending December 21, 1964, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., Frank W. Foley, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, John A. Petrich, Gordon Sandison, Don L. Talley.

#### APPOINTMENT OF THOMAS J. RICHARDSON

Senator Greive moved that the report of the committee be adopted and that the appointment of Thomas J. Richardson as a member of the Highway Personnel Board be confirmed.

The Secretary called the roll and the appointment of Thomas J. Richardson as a member of the Highway Personnel Board was confirmed by the following vote: Yeas, 33; nays, 0; absent or not voting, 16.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Nunamaker, Papajani, Ryder, Sandison, Shannon, Talley, Thompson, Jr.—33.

Those absent or not voting were: Senators Cowen, Dore, Durkan, Hallauer, Hanna, Happy, Lennart, McMillan, Martin, Neill, Petrich, Rasmussen, Raugust, Riley, Washington, Woodall—16.

Having received the approval of the Senate, the appointment of Thomas J. Richardson to the Highway Personnel Board was confirmed.

Senate Chamber,  
Olympia, Wash., February 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred the appointment of E. G. Jones, of Sedro Woolley, by the State Highway Commission, to the Highway Personnel Board for the term ending December 21, 1962, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Martin J. Durkan, Harry

Elway, Jr., Frank W. Foley, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, John A. Petrich, Gordon Sandison, Don L. Talley.

#### APPOINTMENT OF E. G. JONES

Senator Gallagher moved that the report of the committee be adopted and that the appointment of E. G. Jones as a member of the Highway Personnel Board be confirmed.

The Secretary called the roll and the appointment of E. G. Jones as a member of the Highway Personnel Board was confirmed by the following vote: Yeas, 34; nays, 0; absent or not voting, 15.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr.—34.

Those absent or not voting were: Senators Dore, Durkan, Elway, Jr., Hallauer, Hanna, Happy, Henry, Herrmann, Lennart, McMillan, Martin, Petrich, Ryder, Washington, Woodall—15.

Having received the approval of the Senate, the appointment of E. G. Jones to the Highway Personnel Board was confirmed.

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

Senate Chamber,  
Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred the Governor's appointment of H. J. Lawrence, Seattle, to the Board of Prison Terms and Paroles, appointed January 26, 1961, effective February 1, 1961, for the term ending April 15, 1965, succeeding John D. Lillywhite, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

FRED J. MARTIN, *Chairman.*

We concur in this report: Joe Chytil, Karl V. Herrmann, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Gordon Sandison, Don L. Talley, Perry B. Woodall.

#### APPOINTMENT OF H. J. LAWRENCE

Senator Sandison moved that the report of the committee be adopted and that the appointment of H. J. Lawrence as a member of the Board of Prison Terms and Paroles be confirmed.

The Secretary called the roll and the appointment of H. J. Lawrence as a member of the Board of Prison Terms and Paroles was confirmed by the following vote: Yeas, 32; nays, 2; absent or not voting, 15.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Foley, Foster, Gallagher, Gissberg, Greive, Hanna, Henry, Hess, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Riley, Ryder, Sandison, Shannon, Talley, Woodall—32.

Those voting nay were: Senators Freise, Keefe—2.

Those absent or not voting were: Senators Angevine, Dore, Elway, Jr., Hallauer, Happy, Herrmann, Hofmeister, Lennart, McMillan, Martin, Petrich, Rasmussen, Raugust, Thompson, Jr., Washington—15.

Having received the approval of the Senate, the appointment of H. J. Lawrence to the Board of Prison Terms and Paroles was confirmed.

Senate Chamber,

Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Institutions, to whom was referred the Governor's appointment of Helen C. Shank, Seattle, to the Board of Prison Terms and Paroles, appointed March 18, 1960, effective March 21, 1960, for the term ending April 15, 1964, succeeding James D. Skaggs, resigned, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

FRED J. MARTIN, *Chairman*.

We concur in this report: Karl V. Herrmann, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, John A. Petrich, Gordon Sandison, Don L. Talley.

Senate Chamber,

Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Public Institutions, to whom was referred the Governor's appointment of Helen C. Shank, Seattle, to the Board of Prison Terms and Paroles, appointed March 18, 1960, effective March 21, 1960, for the term ending April 15, 1964, succeeding James D. Skaggs, resigned, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment not be confirmed.

....., *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, Charles P. Moriarty, Jr., Perry B. Woodall.

**APPOINTMENT OF HELEN C. SHANK**

Senator Greive moved that the majority report of the committee be adopted and that the appointment of Helen C. Shank as a member of the Board of Prison Terms and Paroles be confirmed.

Senators Greive, Connor and Papajani demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber, guarded the elevators, and was instructed not to permit anyone to leave or enter.

**MOTION**

On motion of Senator Greive, the Call of the Senate was dispensed with.

Debate ensued.

**PERSONAL PRIVILEGE**

Senator Morgan:

"Mrs. Shank never was appointed to take care of the school. Mrs. Shank owns a private business and operates a summer camp, which she has owned and operated for a number of years. I don't know when she started, but it has been for several years.

"Mrs. Shank was asked to serve on the Parole Board. She left Maple Lane School and took a salary loss. She has a summer camp which operates for two months of each year. She took two months off last summer without salary, because she told the Governor before she would accept this position on the Parole Board, she would have to do this. She has lost a lot of salary.

"She is well qualified with years of experience in her background for this work."

**POINT OF INQUIRY**

Senator Morgan:

"Will Senator Freise yield to a question?"

Senator Freise:

"Yes, I will."

Senator Morgan:

"Is it true, Senator Freise, that we have a lawyer on the Parole Board?"

Senator Freise:

"I can't say, I don't know."

Senator Morgan:

"I think Mr. John E. Prim is a lawyer.

"Also, is it true that we have a minister on the Parole Board?"

Senator Freise:

"Yes."

Senator Morgan:

"Would he possibly perform a marriage ceremony, or maybe preach a sermon on Sunday once in a while?

"Could it be that the lawyer might possibly sign one legal document a year?"

Senator Freise:

"Yes, I agree."

Senator Morgan:

"Thank you, Senator Freise.

"As a member of the distaff side, I speak for one who is absolutely qualified for this position. I wholeheartedly endorse the appointment of Mrs. Helen Shank."

Debate ensued.

Senators Greive, Herrmann and Hofmeister demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The Secretary called the roll and the appointment of Helen C. Shank as a member of the Board of Prison Terms and Paroles was confirmed by the following vote: Yeas, 28; nays, 18; absent or not voting, 3.

Those voting yea were: Senators Bailey, Bargreen, Cooney, Cowen, DeGarmo, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Knoblauch, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Chytil, Connor, Donohue, Elway, Jr., Foster, Freise, Happy, Keefe, Lennart, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—18.

Those absent or not voting were: Senators Angevine, Kupka, Petrich—3.

Having received the approval of the Senate, the appointment of Helen C. Shank to the Board of Prison Terms and Paroles was confirmed.

#### PERSONAL PRIVILEGE

Senator Woodall:

"I wish to file a protest in this matter, explaining the position of the minority group."

#### PROTEST

The undersigned Senators voted against the confirmation of the appointment of Helen C. Shank to the Board of Prison Terms and Paroles. This in no way reflects on her integrity, ability or competence.

The Statute of the State of Washington provides: "The members of the board of prison terms and paroles and its officers and employees shall not engage in any other business or profession." (Emphasis supplied.)

It is our understanding that she does own and operate a business in the State of Washington, in which business we feel she is engaged and to which she is giving her time, energy and attention.

Therefore, under our interpretation of the statute, Mrs. Shank's expressed intention not to discontinue giving her time, energy and attention to her business makes her ineligible for appointment to the Board of Prison Terms and Paroles.

PERRY B. WOODALL	W. C. RAUGUST
CHARLES P. MORIARTY, JR.	JOHN H. HAPPY
JOHN N. RYDER	HARRY ELWAY, JR.
JOE CHYTIL	ERNEST W. LENNART
MARSHALL A. NEILL	F. STUART FOSTER
HERBERT H. FREISE	ALBERT C. THOMPSON, JR.
WILLIAM D. SHANNON	

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred the Governor's appointment of Marjorie Tanke, Harrington, to the Board of Trustees, Eastern Washington College of Education, appointed August 17, 1960, effective August 17, 1960, for the term ending July 29, 1966, succeeding Hazel Laughbon, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Andy Hess, Mike McCormack, Nat Washington.

#### APPOINTMENT OF MARJORIE TANKE

Senator Raugust moved that the report of the committee be adopted and that the appointment of Marjorie Tanke as a member of the Board of Trustees, Eastern Washington College of Education, be confirmed.

The Secretary called the roll and the appointment of Marjorie Tanke as a member of the Board of Trustees, Eastern Washington College of Education, was confirmed by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Cooney, DeGarmo, Durkan, Gissberg, Herrmann, McMillan—6.

Having received the approval of the Senate, the appointment of Marjorie Tanke to the Board of Trustees, Eastern Washington College of Education, was confirmed.

Senate Chamber,  
Olympia, Wash., February 1, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred the Governor's appointment of Stephen L. Chase, Everett, to the Board of Trustees, Western Washington College of Education, appointed June 15, 1959, effective June 15, 1959, for the term ending June 12, 1965, succeeding Donald D. Eldridge, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Andy Hess, Mike McCormack, Nat Washington.

#### APPOINTMENT OF STEPHEN L. CHASE

Senator Bargreen moved that the report of the committee be adopted and that the appointment of Stephen L. Chase as a member of the Board of Trustees, Western Washington College of Education, be confirmed.

The Secretary called the roll and the appointment of Stephen L. Chase as a member of the Board of Trustees, Western Washington College of Education, was confirmed by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Durkan, Hanna, Happy, McMillan, Petrich—5.

Having received the approval of the Senate, the appointment of Stephen L. Chase to the Board of Trustees, Western Washington College of Education, was confirmed.

Senate Chamber,

Olympia, Wash., March 4, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred the Governor's appointment of Herbert S. Little, Seattle, to the Board of Regents of the University of Washington, appointed March 2, 1960, effective March 2, 1960, for the term ending the second Monday in March, 1965, succeeding Thomas Balmer, deceased, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, John H. Happy, Mike McCormack, Frances Haddon Morgan, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

#### APPOINTMENT OF HERBERT S. LITTLE

Senator Riley moved that the report of the committee be adopted and that the appointment of Herbert S. Little as a member of the Board of Regents of the University of Washington be confirmed.

The Secretary called the roll and the appointment of Herbert S. Little as a member of the Board of Regents of the University of Washington was confirmed by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Papajani, Raugust, Riley, Ryder, Sandison, Shannon, Washington, Woodall—39.

Those absent or not voting were: Senators Angevine, DeGarmo, Durkan, Herrmann, Morgan, Nunamaker, Petrich, Rasmussen, Talley, Thompson, Jr.—10.

Having received the approval of the Senate, the appointment of Herbert S. Little to the Board of Regents of the University of Washington was confirmed.

#### APPOINTMENT OF INTERIM COMMITTEES

The President announced the appointments to the following interim committees:

**Canal Commission** (under the provisions of Chapter 185, Laws of 1961):  
Senators Chytil, DeGarmo and Rasmussen.

On motion of Senator Greive, the appointments to the Canal Commission were confirmed.

**Columbia Interstate Compact Commission** (under the provisions of RCW 43.47.010):

Senators Cooney and Shannon.

On motion of Senator Greive, the appointments to the Columbia Interstate Compact Commission were confirmed.

**Joint Committee on Education** (under the provisions of Chapter 296, Laws of 1961):

Senators Angevine, Happy, McCutcheon, Papajani and Ryder.

On motion of Senator Greive, the appointments to the Joint Committee on Education were confirmed.

**Fisheries Interim Committee** (under the provisions of House Concurrent Resolution No. 22):

Senators Morgan, Nunamaker, Papajani, Petrich and Thompson, Jr.

On motion of Senator Greive, the appointments to the Fisheries Interim Committee were confirmed.

**Game and Game Fish Interim Committee** (under the provisions of House Concurrent Resolution No. 23):

Senators DeGarmo, Donohue, Foster, Herrmann, McMillan and Raugust.

On motion of Senator Greive, the appointments to the Game and Game Fish Interim Committee were confirmed.

**Joint Committee on Governmental Cooperation** (under the provisions of Senate Concurrent Resolution No. 5):

Senators Elway, Jr., Gissberg and Hanna.

On motion of Senator Greive, the appointments to the Joint Committee on Governmental Cooperation were confirmed.

**Industrial Insurance Study Committee** (under the provisions of House Concurrent Resolution No. 21):

Senators Angevine and McCormack.

On motion of Senator Greive, the appointments to the Industrial Insurance Study Committee were confirmed.

**Judicial Council** (under the provisions of Chapter 271, Laws of 1961):

Senators Dore and Petrich.

On motion of Senator Greive, the appointments to the Judicial Council were confirmed.

**Legislative Budget Committee** (under the provisions of RCW 44.28.010):

Senators Durkan, Foley, Lennart, Moriarty, Jr. and Neill.

On motion of Senator Greive, the appointments to the Legislative Budget Committee were confirmed.

**Statute Law Committee** (under the provisions of RCW 1.08.001):

Senators Neill and Petrich.

On motion of Senator Greive, the appointments to the Statute Law Committee were confirmed.

**Joint Committee on Urban Area Government** (under the provisions of chapter 308, Laws of 1961):

Senators Connor, Dore, Hess, Ryder and Thompson, Jr.

On motion of Senator Greive, the appointments to the Joint Committee on Urban Area Government were confirmed.

**World Fair Commission** (under the provisions of Chapter 109, Laws of 1959):

Senators Bargreen, Gallagher, Knoblauch and Woodall.

The President stated that with the permission of the Senate, the name of Senator Woodall would be stricken from the World Fair Commission.

The President appointed Senator Freise to the World Fair Commission.

On motion of Senator Greive, the appointments to the World Fair Commission were confirmed.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the conference committee on Engrossed Senate Bill No. 425 and the House amendments thereto, Representatives Garrett, Taylor, Moos.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Senate Bill No. 444, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Senate Bill No. 444, relating to purchase and repair of school property and supplies and requesting bids, have had the same under consideration, and we recommend that the committee be granted the powers of free conference.

#### *Senate Members*

ANDY HESS  
GORDON SANDISON  
ALBERT C. THOMPSON, JR.

#### *House Members*

FRANK B. BROUILLET  
TOM COPELAND  
DON ELDRIDGE

On motion of Senator Thompson, the report of the Conference Committee on Senate Bill No. 444 was adopted, and the committee was granted the Powers of Free Conference.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has refused to recede from its amendments to Senate Bill No. 274, and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Riley, the request of the House for a conference on Senate Bill No. 274 and the House amendments thereto, was granted.

#### MOTION

On motion of Senator Greive, the rules were suspended, the Senate rescinded its action on the motion by Senator Riley, granting the House its request for a conference, and adhered to its position on Senate Bill No. 274.

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 9, 1961.

The House has refused to recede from its amendment to Senate Bill No. 344, and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Greive the Senate receded from its position on Senate Bill No. 344 and the House amendments thereto.

Senator Greive demanded a Call of the Senate, which was sustained by Senators Nunamaker and Thompson. The motion carried.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary started to call the roll on the Call of the Senate.

On motion of Senator Greive, the Call of the Senate was dispensed with.

The President stated the question before the Senate to be the final passage of Senate Bill No. 344 as amended by the House.

The Secretary commenced calling the roll on the final passage of Senate Bill No. 344.

#### MOTION

Senator Greive moved that the rules be suspended and the roll call be suspended in this matter for five minutes.

#### RULING OF THE PRESIDENT

The President:

"The President doesn't believe that your motion should be put, with regrets, Senator Greive.

"The Secretary will continue to call the roll."

#### RULING OF THE PRESIDENT

The President:

"The members will please take their seats."

The Secretary called the roll on the final passage of Senate Bill No. 344, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; nays, 19; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, DeGarmo, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Rasmussen, Washington—30.

Those voting nay were: Senators Bargreen, Chytil, Cowen, Donohue, Dore, Elway, Jr., Happy, Lennart, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—19.

Senate Bill No. 344, as amended by the House, having received a constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION FOR RECONSIDERATION

Senator McCutcheon, having voted on the prevailing side, moved that the Senate do now reconsider the vote by which Senate Bill No. 344, as amended by the House, passed the Senate.

The President stated the question before the Senate to be, it has been moved that the Senate do now reconsider the vote by which Senate Bill No. 344, as amended by the House, passed the Senate.

A division was requested.

The motion lost on a rising vote, and the Senate declined to reconsider the vote by which Senate Bill No. 344, as amended by the House, passed the Senate.

#### MOTION

On motion of Senator Hess, the Senate considered the message from the House on Senate Bill No. 444.

The Secretary read:

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 9, 1961.

The House has adopted the report of the Free Conference Committee on Senate Bill No. 444, and has passed the bill as amended by the Free Conference Committee. The report of the Free Conference Committee and the bill are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF FREE CONFERENCE COMMITTEE

MR. PRESIDENT:

Olympia, Wash., March 9, 1961.

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Senate Bill No. 444, relating to purchase and repair of school property and supplies and requesting bids, have had the same under consideration, and we recommend that the amendment to page 1, beginning on line 24 be stricken, and the following amendment be substituted therefor:

Beginning on page 1, line 24, after the period following "cause" strike all of the matter down to and including the period following "of this district" on page 2, line 1, and insert "On any work or purchase of more than five hundred dollars, the board shall provide bidding information to any qualified bidder or his agent, requesting it in person, and if more than one supplier is available, it shall seek competitive bidding in such manner as it deems in the best interests of the district.

#### *Senate Members*

ANDY HESS  
GORDON SANDISON  
ALBERT C. THOMPSON, JR.

#### *House Members*

FRANK B. BROUILLET  
TOM COPELAND  
DON ELDRIDGE

On motion of Senator Hess, the Senate adopted the report of the Free Conference Committee on Senate Bill No. 444.

The Secretary called the roll on the final passage of Senate Bill No. 444, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 48; nays, 0; absent or not voting, 1.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—48.

Those absent or not voting were: Senator Bailey—1.

Senate Bill No. 444, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 9, 1961.

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 425, and has granted said committee the powers of Free Conference.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 425, creating a minimum wage and hour act, have had the same under consideration, and we are unable to agree, and request the powers of free conference.

*Senate Members*

MARTIN J. DURKAN  
AL HENRY  
HARRY ELWAY, JR.

*House Members*

AVERY GARRETT  
RICHARD "DICK" TAYLOR  
DONALD W. MOOS

On motion of Senator Durkan, the report of the Conference Committee on Engrossed Senate Bill No. 425 was adopted, and the committee was granted the powers of Free Conference.

**POINT OF INQUIRY**

Senator Riley:

"Mr. President, would you please give me the time on your wrist watch?"

The President:

"Senator Riley, my watch is wrong. My timing has been bad for years!"

**PERSONAL PRIVILEGE**

Senator Riley:

"According to my time, it is exactly midnight on Thursday, March 9, 1961."

The President:

"The President believes you are pretty close."

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 19; also  
House Bill No. 122; also  
House Bill No. 171; also  
House Bill No. 184; also  
House Bill No. 196; also  
House Bill No. 211; also  
House Bill No. 309; also  
House Bill No. 314; also  
House Bill No. 348; also  
House Bill No. 377; also  
House Bill No. 394; also  
House Bill No. 395; also  
House Bill No. 396; also  
House Bill No. 402; also  
House Bill No. 424; also  
House Bill No. 492; also  
House Bill No. 521; also  
House Bill No. 606; also  
House Bill No. 636, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Joint Memorial No. 20 and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on House Bill No. 272 and has passed the bill as amended by the Free Conference Committee.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 13; also  
Senate Bill No. 16; also  
Senate Bill No. 46; also  
Senate Bill No. 57; also  
Senate Bill No. 86; also  
Senate Bill No. 94; also  
Senate Bill No. 153; also  
Senate Bill No. 164; also  
Senate Bill No. 203; also  
Senate Bill No. 223; also  
Senate Bill No. 229; also  
Senate Bill No. 259; also  
Senate Bill No. 296; also  
Senate Bill No. 303; also  
Senate Bill No. 336; also  
Senate Bill No. 366; also  
Senate Bill No. 371; also  
Senate Bill No. 394; also  
Senate Bill No. 401; also  
Senate Bill No. 408; also  
Senate Bill No. 411; also  
Senate Bill No. 422; also  
Substitute Senate Bill No. 427; also  
Senate Bill No. 430; also  
Substitute Senate Bill No. 431, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 456; also  
Senate Bill No. 464; also  
Senate Bill No. 475; also  
Senate Bill No. 486; also  
Senate Bill No. 494; also  
Senate Bill No. 503; also  
Substitute Senate Bill No. 526; also  
Senate Bill No. 548; also  
Senate Bill No. 552; also  
Senate Bill No. 557; also  
Senate Joint Memorial No. 13; also  
Senate Joint Memorial No. 16; also  
Senate Joint Resolution No. 25, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 519 and has passed the bill as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has receded from its amendments to Engrossed Senate Bill No. 354, and has passed the bill without the House amendments, and said bill is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. SPEAKER:

The House has concurred in the Senate amendment to House Bill No. 556 and has passed the bill as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. SPEAKER:

The House has concurred in the Senate amendments to Engrossed Substitute House Bill No. 576, and has passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. SPEAKER:

The House has adopted: House Concurrent Resolution No. 25, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### SIGNED BY THE PRESIDENT

The President has signed: House Bill No. 19; also

House Bill No. 122; also

House Bill No. 171; also

House Bill No. 184; also

House Bill No. 196; also

House Bill No. 211; also

House Bill No. 309; also

House Bill No. 314; also

House Bill No. 348; also

House Bill No. 377; also

House Bill No. 394; also

House Bill No. 395; also

House Bill No. 396; also

House Bill No. 402; also

House Bill No. 424; also

House Bill No. 492; also

House Bill No. 521; also

House Bill No. 606; also

House Bill No. 636.

#### PERSONAL PRIVILEGE

Senator Elway:

"For the record, I wish it to be known that I did sign the Free Conference Report on House Bill No. 425, Minimum Wage and Hour Act."

The Senate reverted to the first order of business.

The Secretary read:

#### SENATE RESOLUTION

By Senators Bargreen and Rasmussen:

WHEREAS, The agricultural industry of Washington includes many crops which require a great deal of labor; and

WHEREAS, The need for agricultural labor has for some years increased and now exceeds the supply available from the use of permanent residents of the state; and

WHEREAS, The attraction of migrant workers to the state has thus become essential to the continuation of present trends in our agricultural industry; and

WHEREAS, The production and processing of these crops contributes significantly to our state's total economy in the amount of many millions of dollars, and involves even larger investment in land, buildings and equipment; and

WHEREAS, It is essential to the prosperity and continued growth of our agricultural industry and adequate information be gathered and plans made with regard to the problem of assuring the industry an adequate and dependable supply of labor; and

WHEREAS, The health, welfare, productivity, income, education, recreation, community acceptance and general well-being of migrant workers bears a direct relationship to our ability to attract them here for work in our agricultural industry; and

WHEREAS, These considerations are also of interest to the people of the state from the standpoint of their influence upon the health, welfare, productivity, income, education, recreation, community relations and general well-being of the permanent residents of the state; and

WHEREAS, There is at present inadequate information gathered by impartial and objective means on these subjects;

Now, *Therefore, Be It Resolved*, By the Senate of the State of Washington that the Legislative Council create a subcommittee concerned with problems of migratory agricultural workers in the State of Washington;

*Be It Further Resolved*, That this subcommittee make a study and written report concerning such areas as housing, job sanitation, general health conditions, educational opportunities, job recruitment, wages and earnings, and community concern, and that this report shall be presented to the thirty-eighth Legislature and shall include such comment, conclusions and recommendations as the subcommittee itself may make upon the study and report with respect to such legislation, if any, which would be required to carry out the recommendations of the report.

Senator Rasmussen moved that the resolution be adopted.

Senator Woodall moved that the following amendment be added:

In paragraph 9, after "Washington that" and before "the" insert "we recommend".

The motion carried, and the amendment was adopted.

The President stated the question to be the adoption of the resolution as amended.

The motion carried, and the resolution as amended was adopted.

#### SENATE RESOLUTION

By Senator Angevine:

WHEREAS, Review of the Federal Hazardous Substances Labeling Act of 1960 may indicate the necessity for additional state legislation regulating such substances not entering the stream of interstate commerce and therefore not within the purview of the federal statute; and

WHEREAS, Senate Bill No. 423, introduced at this session of the Legislature, is comprehensive in its scope and is intended to incorporate the comparable features of the federal legislation which are applicable to commerce within the jurisdiction of this state; and

WHEREAS, The Council of State Governments has indicated in its publication *Suggested State Legislation, 1961* that a number of states are expected to take such supplementary action in 1961, and that there has not been sufficient time for suggested state legislation to be prepared nor for analysis of state legislation that has been offered;

Now, *Therefore, Be It Resolved*, By the Senate of the state of Washington that the Legislative Council be requested during the 1961-1963 interim to ascertain, study and analyze all available facts relating to the need for labeling of hazardous substances and in particular evaluate the desirability of recommending the legislation set forth in Senate Bill No. 423, and in doing so, avail itself of the services of the Council of State Governments and the United States Food and Drug Administration, and report upon its findings together with its recommendations thereon to the Legislature at the next regular session of the Legislature.

Senator Angevine moved that the resolution be adopted.

A division was requested.

Senator DeGarmo demanded a roll call, which was sustained by Senators Hess, Greive, Cowen, Connor, Morgan, Angevine, Herrmann, Gallagher, Martin and Cooney.

The President stated the question before the Senate to be the adoption of the resolution.

## MOTION

Senator Riley:

"In view of the fact that there was so much confusion and I expect that many of the Senators do not know the contents of the resolution, I move that the Secretary again read the resolution."

The Secretary read the resolution.

Debate ensued.

The Secretary called the roll on the adoption of the resolution, and the resolution was adopted by the following vote: Yeas, 29; nays, 10; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Freise, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Knoblauch, Kupka, McCormack, Martin, Morgan, Neill, Petrich, Rasmussen, Riley, Sandison, Talley, Washington—29.

Those voting nay were: Senators Bargreen, Chytil, Cowen, Happy, McMillan, Moriarty, Jr., Raugust, Ryder, Shannon, Woodall—10.

Those absent or not voting were: Senators Dore, Foster, Hallauer, Hofmeister, Keefe, Lennart, McCutcheon, Nunamaker, Papajani, Thompson, Jr.—10.

## SENATE RESOLUTION

By Senator McCormack:

WHEREAS, Mr. Clyde Elledge of Kahlotus, Washington, has for forty-one years, been continuously employed as bus driver by the Kahlotus public school district; and

WHEREAS, Mr. Elledge has, during these forty-one years, driven the several buses of the Kahlotus school district approximately five hundred thousand miles, for a total of more than ten million student passenger miles; and

WHEREAS, Mr. Elledge has never, in all these years of dedicated service, experienced a single traffic accident; and

WHEREAS, Mr. Elledge last year received the thirty year pin, the highest award given by the National Safety Council Safe Driving Association; and

WHEREAS, Mr. Elledge will next month reach sixty-five years of age and will retire at the end of this school year;

Now, Therefore, Be It Resolved, By the Senate of the State of Washington that we do hereby congratulate and honor Mr. Clyde Elledge for his long years of faithful and dedicated service, and for the outstanding record of safety he has established, and that we wish him a happy retirement and a long and healthy life; and

Be It Further Resolved, That copies of this resolution be forwarded to Mr. Clyde Elledge and to the news media of his area of the state.

On motion of Senator McCormack, the resolution was adopted.

## SENATE RESOLUTION

By Senators Greive and Woodall:

WHEREAS, The Thirty-Seventh Regular Session of the Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment;

Now, Therefore, Be It Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to complete the work of the session, to reply to and give necessary attention to correspondence and other details arising therefrom, and to accomplish such purpose that he be allowed additional compensation at his regular per diem rate therefor for a period of sixty days; and

Be It Further Resolved, That the Secretary of the Senate be, and he hereby is, authorized to retain such employees as he may deem necessary and that said employees be allowed their regular per diem rate of pay therefor; and

Be It Further Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to make out and execute with the President, or the President

Pro Tempore, the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn from funds provided therefor for legislative expenses; and

*Be It Further Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to have a copy of the Senate Journal of the Thirty-Seventh Regular Session of the Legislature, together with a suitable index therefor, prepared by the State Printer, and that the Secretary of the Senate be allowed for his work in compiling, editing and indexing the printed journal, the sum of twelve hundred dollars, said amount to be paid from the Senate legislative appropriation or the appropriation for legislative indexing, the State Treasurer being hereby authorized and directed to issue a warrant for one-half of the amount herein allowed when the printer's receipt for copy is filed in his office, and the balance when the printer shall certify that the reading of the proof on the journal index has been completed and the same found to be correct; and

*Be It Further Resolved*, That after the close of the session the Secretary of the Senate, and the President, or the President Pro Tempore of the Senate, be, and they hereby are authorized and directed to prepare and execute the necessary vouchers, upon which warrants shall be drawn for the final payment of all expenses incurred after the adjournment of this Thirty-Seventh Legislative Session in closing the business of such session, in providing for the interim period between the closing of such session and the convening of the next regular or special session of the legislature and in the preparation for such convening; and

*Be It Further Resolved*, That the Sergeant-at-Arms be and hereby is directed to see that the Senate Chambers and adjoining rooms, furniture and equipment are clean and in good order, and for this purpose the Sergeant-at-Arms be allowed, after the closing of the session, for the completion of his work with the Thirty-Seventh Regular Session twenty days at his regular per diem rate therefor; and

*Be It Further Resolved*, That the Secretary of the Senate collect the keys to desks and rooms in and surrounding the Senate Chamber and change, or cause to be changed, the locks on any and all doors and desks and drawers in the interest of security, and that he further take charge of all equipment, files, books and records in all rooms in and adjoining the Senate Chamber, except in the Lieutenant Governor's office; and

*Be It Further Resolved*, That the Senate Chamber, committee rooms, work rooms, lounges, post office, bill room, storage rooms and the Sergeant-at-Arms offices, and all other rooms in and adjacent to the Senate Chamber except the Lieutenant Governor's office, together with the remodeled first floor of the legislative building at the east portion of said floor, be placed in the custody, care and control of the President or President Pro Tempore and the Secretary of the Senate, and where any use of the Senate Chamber is granted requiring the attendance of the Secretary, that in addition to such salary as he may then be drawing he be allowed statutory expenses therefor; and

*Be It Further Resolved*, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers in the event of a bereavement in a Senator's family; and

*Be It Further Resolved*, That the use of the chamber and rooms shall not be granted for other than legislative purposes; and

*Be It Further Resolved*, That such use of the chamber and rooms for a YMCA Youth Legislature is permitted upon such terms as the Secretary shall deem proper; and

*Be It Further Resolved*, That the State Treasurer be, and he is hereby directed to draw his warrants for the payment of salaries and/or per diem of members of the Senate, of the Secretary of the Senate, of the Sergeant-at-Arms and of retained employees each month upon vouchers signed by the members or by the President of the Senate or President Pro Tempore of the Senate and attested by the Secretary of the Senate, and he is authorized to deliver the warrants to the Secretary of the Senate for delivery or mailing to those entitled thereto.

On motion of Senator Greive, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Gallagher and Neill:

WHEREAS, The National Conference of State Legislative Leaders has demonstrated its value in innumerable ways as an effective vehicle for the exchange of experiences, information and ideas among the legislative policy makers in the state capitols; and

WHEREAS, The attendance of the leaders of the Senate at the annual meetings of this conference will inure to the benefit of the Senate;

*Now, Therefore, Be It Resolved,* That the President Pro Tem of the Senate, and the Senate majority floor leader, majority caucus chairman, minority floor leader and minority caucus chairman are each authorized to attend the annual meetings of the National Conference of State Legislative Leaders, and to receive therefor his actual necessary expenses, and such per diem as may be authorized by law, to be paid upon their vouchers out of funds appropriated for legislative expenses.

On motion of Senator Greive, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Foley and Freise:

*Be It Resolved,* By the Senate of the State of Washington in legislative session assembled:

That all bills incurred up to and including this date, covering Senate expenditures made, or obligations incurred, which are payable out of the funds appropriated for the payment of expenses, except legislative printing, of the Thirty-Seventh Legislature of the State of Washington, and which are presented for payment after adjournment of the Thirty-Seventh Regular Session of the Legislature, before payment is authorized, must bear the approval of the President or President Pro Tempore of the Senate, and the Secretary of the Senate.

On motion of Senator Freise, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Greive and Woodall:

WHEREAS, It is desirable that the Secretary of the Senate attend the annual meetings of the National Legislative Conference of the Council of State Governments in order that the benefits of participation therein may inure to the Senate:

*Now, Therefore, Be It Resolved,* That the Secretary of the Senate be, and he is hereby, authorized and directed to attend the sessions of the National Legislative Conference of the Council of State Governments; and

*Be It Further Resolved,* That while in attendance upon such conference the Secretary of the Senate be allowed additional compensation at his regular per diem rate together with actual necessary expenses, to be paid on his voucher out of funds appropriated for legislative expenses.

On motion of Senator Greive, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Bailey and Ryder:

WHEREAS, The Thirty-Seventh Regular Session of the Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the work of the Senate during the interim period between the close of the Thirty-Seventh Regular Session of the Legislature and the commencement of the Thirty-Eighth Regular Session of the Legislature;

*Now, Therefore, Be It Resolved,* That upon a call for a special session the Secretary of the Senate be allowed additional compensation at his regular per diem rate therefor for as many days, not exceeding fifteen in number, as intervene between the Governor's proclamation summoning the special session and the opening day thereof; and

*Be It Further Resolved,* That the Secretary of the Senate be, and he hereby is, authorized and directed, during not more than thirty days prior to the opening of the next regular session of the legislature, and preceding the opening of special sessions, to hire necessary employees to prepare the work rooms and committee rooms for occupancy and use in sufficient time to make them available, helpful and beneficial to the members, and to procure in connection therewith sufficient supplies, including Senate Dockets, and an adequate number of Reed's Parliamentary Rules and legislative manuals, to enable the Senate to commence its work as promptly as possible, and for such purposes that he be allowed compensation at his regular per diem rate therefor; and

*Be It Further Resolved,* That, during the interim between sixty days following the conclusion of this Thirty-Seventh Regular Session and the thirty or less days preceding the opening of the Thirty-Eighth Regular Session, exclusive however of such time prior, during or after a special session as he may be upon regular per diem rate of compensation, the Secretary of the Senate be compensated for his services in handling

correspondence, preparing payrolls, processing vouchers, and performing such other services as may be required, at a monthly salary of two hundred dollars; and

*Be It Further Resolved*, That the Sergeant-at-Arms be, and he hereby is, directed to do the necessary work in connection with the opening of the Thirty-Eighth Regular Session and that for such work he be allowed fifteen days at his regular per diem rate of compensation; and

*Be It Further Resolved*, That upon a call for a special session, for necessary work in preparation for the opening of such session the Sergeant-at-Arms be allowed additional compensation at his regular per diem rate therefor for as many days, not exceeding ten in number, as intervene between the Governor's proclamation summoning the special session and the opening day thereof; and

*Be It Further Resolved*, That the State Treasurer be, and he hereby is, directed to draw his warrants for the payment of salaries and/or per diem of the Secretary of the Senate, of the Sergeant-at-Arms and of necessary employees each month upon vouchers signed by the President of the Senate or the President Pro Tempore of the Senate and attested by the Secretary of the Senate, and he is authorized to deliver the warrants to the Secretary of the Senate for delivery or mailing to those entitled thereto.

On motion of Senator Ryder, the resolution was adopted.

The Secretary read:

#### REPORTS OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled bills to whom was referred Senate Bill No. 173; also

Senate Bill No. 175; also

Senate Bill No. 319; also

Senate Bill No. 344; also

Senate Bill No. 458; also

Senate Bill No. 489, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Senate Bill No. 25; also

Engrossed Senate Bill No. 55; also

Engrossed Senate Bill No. 58; also

Engrossed Senate Bill No. 148; also

Engrossed Senate Bill No. 238; also

Engrossed Senate Bill No. 287; also

Engrossed Senate Bill No. 354; also

Engrossed Senate Bill No. 359, have compared same with the original bills and find them correctly re-engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 25; also

Senate Bill No. 55; also

Senate Bill No. 58; also

Substitute Senate Bill No. 111; also

Senate Bill No. 148; also

Senate Bill No. 173; also

Senate Bill No. 175; also

Senate Bill No. 238; also

Senate Bill No. 274; also  
 Senate Bill No. 287; also  
 Senate Bill No. 319; also  
 Senate Bill No. 344; also  
 Senate Bill No. 354; also  
 Senate Bill No. 359; also  
 Senate Bill No. 444; also  
 Senate Bill No. 458; also

Senate Bill No. 489, have compared same with the original, engrossed and re-engrossed bills and find them correctly enrolled. MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
 Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 26; also  
 House Bill No. 55; also  
 House Bill No. 70; also  
 House Bill No. 129; also  
 House Bill No. 130; also  
 House Bill No. 138; also  
 House Bill No. 207; also  
 House Bill No. 242; also  
 House Bill No. 326; also  
 House Bill No. 333; also  
 House Bill No. 365; also  
 House Bill No. 366; also  
 House Bill No. 367; also  
 House Bill No. 472; also  
 House Bill No. 491; also  
 House Bill No. 513; also  
 House Bill No. 662, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
 Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has signed Substitute House Bill No. 140; also  
 House Bill No. 363; also  
 House Bill No. 415; also  
 Substitute House Bill No. 426; also  
 House Bill No. 458; also  
 House Bill No. 519; also  
 House Bill No. 527; also  
 House Bill No. 693; also  
 House Joint Resolution No. 6; also  
 House Concurrent Resolution No. 13; also  
 House Concurrent Resolution No. 22; also  
 House Concurrent Resolution No. 23, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### SIGNED BY THE PRESIDENT

The President has signed: House Bill No. 26; also  
 House Bill No. 55; also  
 House Bill No. 70; also  
 House Bill No. 129; also  
 House Bill No. 130; also  
 House Bill No. 138; also  
 Substitute House Bill No. 140; also  
 House Bill No. 207; also

**House Bill No. 242; also**  
**House Bill No. 326; also**  
**House Bill No. 333; also**  
**House Bill No. 363; also**  
**House Bill No. 365; also**  
**House Bill No. 366; also**  
**House Bill No. 367; also**  
**House Bill No. 415; also**  
**Substitute House Bill No. 426; also**  
**House Bill No. 458; also**  
**House Bill No. 472; also**  
**House Bill No. 491; also**  
**House Bill No. 513; also**  
**House Bill No. 519; also**  
**House Bill No. 527; also**  
**House Bill No. 662; also**  
**House Bill No. 693; also**  
**House Joint Resolution No. 6; also**  
**House Concurrent Resolution No. 13; also**  
**House Concurrent Resolution No. 22; also**  
**House Concurrent Resolution No. 23.**

House of Representatives,  
 Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The House has receded from its amendments to Senate Bill No. 274 and has passed the bill without the House amendments, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### FIRST READING OF HOUSE RESOLUTIONS

The following was read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 25**, by Representatives Litchman and Olsen:

Relating to *sine die* adjournment of the regular session of the thirty-seventh legislature.

The resolution was read the second time in full.

On motion of Senator Talley, the rules were suspended, House Concurrent Resolution No. 25 was advanced to third reading, the second reading was considered the third and the resolution was adopted.

At 1:00 o'clock a. m., President Cherberg announced the Senate would be at ease for one-half hour.

At 1:56 o'clock a. m., the Senate was called to order by President Cherberg.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
 Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has signed: Substitute House Bill No. 146; also

House Bill No. 272; also

Substitute House Bill No. 389; also

House Bill No. 445; also

House Bill No. 516; also

House Bill No. 556; also

Substitute House Bill No. 559; also  
 Substitute House Bill No. 576; also  
 House Bill No. 643; also  
 House Joint Memorial No. 20; also  
 House Concurrent Resolution No. 21, and the same are herewith transmitted.  
 S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 25, and the same is herewith transmitted.  
 S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Substitute House Bill No. 146; also  
 House Bill No. 272; also  
 Substitute House Bill No. 389; also  
 House Bill No. 445; also  
 House Bill No. 516; also  
 House Bill No. 556; also  
 Substitute House Bill No. 559; also  
 Substitute House Bill No. 576; also  
 House Bill No. 643; also  
 House Joint Memorial No. 20; also  
 House Concurrent Resolution No. 21; also  
 House Concurrent Resolution No. 25; also  
 Senate Bill No. 25; also  
 Senate Bill No. 55; also  
 Senate Bill No. 58; also  
 Substitute Senate Bill No. 111; also  
 Senate Bill No. 148; also  
 Senate Bill No. 173; also  
 Senate Bill No. 175; also  
 Senate Bill No. 238; also  
 Senate Bill No. 274; also  
 Senate Bill No. 287; also  
 Senate Bill No. 319; also  
 Senate Bill No. 344; also  
 Senate Bill No. 354; also  
 Senate Bill No. 359; also  
 Senate Bill No. 444; also  
 Senate Bill No. 458; also  
 Senate Bill No. 489.**

**POINT OF INQUIRY**

Senator Thompson:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Thompson:

"Two years ago, as I recall, you were in very fine voice and this session, in spite of the fact that the wonderful vitamin pills were furnished the Senators, you have had this trouble with your voice. My point is, do you think the vitamin pills helped, or do you think they hurt you?"

Senator Gallagher:

"I have been so confused about what pills to take that I have laid off the pills. I don't know which ones to take! As a matter of fact, I think the pills do you no good!"

Senator Thompson:

"This is hearsay. We have people convinced that the pills are good, you just aren't good for our pills!"

**POINT OF MEDICAL INFORMATION**

Senator Gallagher:

"May I inquire of Senator Thompson which one am I supposed to take at this time?"

Senator Thompson:

"I wish to go over and consult with my patient. Do I have your permission, Mr. President?"

The President:

"The President was looking around for the medic who was here yesterday, but he doesn't seem to be in the vicinity!"

The Secretary read:

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 25; also  
Senate Bill No. 55; also  
Senate Bill No. 58; also  
Substitute Senate Bill No. 111; also  
Senate Bill No. 148; also  
Senate Bill No. 173; also  
Senate Bill No. 175; also  
Senate Bill No. 238; also  
Senate Bill No. 274; also  
Senate Bill No. 287; also  
Senate Bill No. 319; also  
Senate Bill No. 344; also  
Senate Bill No. 354; also  
Senate Bill No. 359; also  
Senate Bill No. 444; also  
Senate Bill No. 458; also  
Senate Bill No. 489, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Under the provisions of Senate Bill No. 419, the Speaker has appointed as members of the Canal Commission: Representatives Eric O. Anderson, William Chatalas, Arnold S. Wang.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Under the provisions of RCW 43.57.010, the Speaker has appointed as members of the Columbia Interstate Compact Commission: Representatives H. Maurice Ahlquist, W. L. McCormick.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

Under the provisions of Senate Bill No. 453, the Speaker has appointed as members of the Joint Committee on Education: Representatives Frank B. Brouillet, Henry Backstrom, Mildred E. Henry, Don Eldridge, Morrill F. Folsom.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Under the provisions of House Concurrent Resolution No. 22, the Speaker has appointed as members of the Fisheries Interim Committee: Representatives Jack C. Hood, Chet King, Dick J. Kink, Dwight S. Hawley, Max Wedekind.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Under the provisions of House Concurrent Resolution No. 23, the Speaker has appointed as members of the Game and Game Fish Interim Committee: Representatives Art Avey, Arnie Bergh, C. W. Beck, Harry B. Lewis, Donald W. Moos, Dick Poff.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

Under the provisions of Senate Concurrent Resolution No. 5, the Speaker has appointed as members of the Joint Committee on Governmental Cooperation: Representatives Mark Litchman, Jr., Daniel Brink, Edward F. Harris.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Under the provisions of House Concurrent Resolution No. 21, the Speaker has appointed as members of the Industrial Insurance Study Committee: Representatives Helmut L. Jueling, C. G. Witherbee.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Under the provisions of RCW 44.28.010, the Speaker has appointed as members of the Legislative Budget Committee: Representatives Damon R. Canfield, A. E. Edwards, John Goldmark, Robert F. Goldsworthy, August P. Mardesich.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Under the provisions of RCW 1.08.001, the Speaker has appointed as members of the Statute Law Committee: Representatives James A. Andersen, Jack L. Burtch.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 8, 1961.

MR. PRESIDENT:

Under the provisions of Senate Bill No. 95, the Speaker has appointed as members of the Joint Committee on Urban Area Government: Representatives Norman B. Ackley, Avery Garrett, Paul Holmes, Walter B. Williams, Richard W. Morphis.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

Under the provisions of RCW 43.96.020, the Speaker has appointed as members of the World Fair Commission: Representatives Audley F. Mahaffey, Ray Olsen, Leonard A. Sawyer, Jeanette Testu.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 9, 1961.

MR. PRESIDENT:

The Speaker has appointed as members of the Committee to notify the Governor that the House is ready to adjourn *sine die*, Representatives King, Braun, Morrissey.

S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

**SENATE RESOLUTION**

By Senators Angevine and Elway, Jr.:

*Be It Resolved*, That a committee of three members of the Senate be appointed to notify the House that the Senate is ready to adjourn *sine die*.

On motion of Senator Greive, the resolution was adopted.

**APPOINTMENT OF COMMITTEES**

Under the provisions of House Concurrent Resolution No. 25, the President appointed Senators Bailey, Morgan and Woodall as the committee of three members of the Senate to notify the Governor that the Senate was about to adjourn *sine die*.

Under the provisions of the resolution, the President appointed Senators Bargreen, Gallagher and Moriarty, Jr., as the committee of three members of the Senate to notify the House that the Senate was ready to adjourn *sine die*.

On motion of Senator Greive, the committee appointments were confirmed.

The Secretary read:

**SENATE RESOLUTION**

By Senators Cowen and Happy:

*Be It Resolved*, That all bills, resolutions and memorials in the hands of the Secretary of the Senate, committees or committee clerks be indefinitely postponed.

On motion of Senator Greive, the resolution was adopted.

**REPORT OF SPECIAL COMMITTEE**

The Senate members of the special committee composed of Senators Bargreen, Gallagher and Moriarty, Jr., appointed to notify the House that the Senate was ready to adjourn *sine die* reported that the House had been notified.

The report was received and the committee was discharged.

**COMMITTEE FROM THE HOUSE**

A committee from the House comprised of Representatives Taylor, Wedekind and Rickdall appeared before the bar of the Senate to notify the Senate that the House was about to adjourn *sine die*.

The report was received and the committee retired to the House.

**REPORT OF SPECIAL COMMITTEE**

The Senate members of the special committee comprised of Senators Bailey, Morgan and Woodall, appointed to notify the Governor that the legislature was about to adjourn *sine die*, appeared before the bar of the Senate and reported that the committee had so notified the Governor, and that the Governor was willing that the Senate adjourn *sine die*.

The report was received and the committee was discharged.

**MOTIONS**

On motion of Senator Greive, the Senate journal of the sixtieth day of the Thirty-seventh Regular Legislature was ordered to stand approved.

At 2:24 o'clock a. m., on motion of Senator Greive, the Senate of the Thirty-seventh Regular Legislature adjourned *sine die*.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*



## APPENDIX

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**GOVERNOR'S MESSAGE ON SENATE BILLS VETOED  
OR PARTIALLY VETOED**

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March 8, 1961.

To the Honorable  
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith without my approval **Senate Bill No. 14** entitled:

"AN ACT Relating to state government; establishing within the department of institutions a division of probation and parole and providing for the transfer of powers and duties thereto; amending section 72.01.030, chapter 28, Laws of 1959 and RCW 72.01.030; amending section 3, chapter 114, Laws of 1935 and RCW 9.95.170; amending section 7, chapter 114, Laws of 1935 and RCW 9.95.260; amending section 3, chapter 227, Laws of 1957 and RCW 9.95.200; amending section 4, chapter 227, Laws of 1957 and RCW 9.95.210; amending sections 8, chapter 227, Laws of 1957 and RCW 9.95.250; adding a new chapter to Title 72 RCW; and providing an effective date."

I am fully aware of the fact that Senate Bill No. 14 has been prepared by the Legislative Council, but I feel that at the present time the supervision of probation and parole should remain subject to the control of the Board of Prison Terms and Paroles.

Under the provisions of Senate Bill No. 14 the Board of Prison Terms and Paroles would be making work assignments to the Division of Probation and Parole without having any authority whatsoever over the personnel responsible for carrying out the assignments made by the Board. It is my deep and abiding conviction that divided authority over the parole of prisoners between the Department of Institutions and the Board of Prison Terms and Paroles would not be in the best interests of the State of Washington and would cause difficulties in the program of rehabilitation of prisoners.

I am fully cognizant of the fact that because under the law each of the five members of the Board of Prison Terms and Paroles has equal power, that in the past the results of divided authority have caused on occasions, conflicting directives to be issued by different members of the Board. To obviate this condition, I will in the near future issue an executive order placing full and complete authority, jurisdiction, and responsibility over the operation of the administration of the parole and probation program and personnel in the chairman of the Board.

In addition, I am convinced that the transfer of the parole officers to the Department of Institutions would result in increased expenditures. The financial condition of our General Fund is such that we cannot afford at this time increased expenditures by hiring additional parole supervision personnel.

I should point out that in a meeting on September 20, 1960, the Board of Prison Terms and Paroles unanimously recommended that the probation and parole personnel should remain to be supervised by the Board. At that time, Dr. John D. Lillywhite, a nationally recognized authority in the field of parole supervision, was still a member of the Board.

Furthermore, I believe that Sections 4 and 5 of Senate Bill 14, attempting to shift the chief parole and probation officer of the Board of Prison Terms and Paroles to supervisor of probation and parole in the Department of Institutions constitutes a legislative interference with a prerogative of the executive. Ours is a government of divided powers, and I will do all in my power to see to it that it shall remain so.

For the reasons indicated, Senate Bill No. 14 is vetoed.

Respectfully submitted,

(Signed) ALBERT D. ROSELLINI,

Governor.

February 23, 1961.

To the Honorable  
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to a certain item, **Senate Bill No. 95** entitled:

“AN ACT Relating to state government; creating a joint committee on urban area government of the legislature; providing for the selection, term, and reimbursement of certain expenditures of the members of the committee, and conferring rights, powers, duties and prescribing the functions of the committees; providing for advisory committees; and declaring an emergency.”

I disapprove and veto the unnumbered item appearing in the last paragraph of Section 9, of the bill, reading as follows:

“funds appropriated generally by the legislature for legislative expenses or upon”

For the reason that this item is drawn in such loose language that in effect, the chairman or the vice-chairman respectively, of the proposed committee would have a blank check to invade or even to exhaust funds appropriated by the legislature for other interim committees and other proper legislative expenses during the coming biennium.

I am wholeheartedly in favor of the remainder of the bill which will establish a joint legislative study and fact-finding interim committee for the purpose of evaluating the existing relationships between numerous municipal and quasi-municipal corporations, in order that during subsequent sessions of the legislature, statutes may be enacted assuring orderly growth of urban and suburban areas.

Fortunately, section 9 of this bill contains authorization for proper financing of this committee through means of a specific appropriation. Therefore, the item vetoed will in no way interfere with the desirable objectives of this bill.

With the exception of the foregoing item which is vetoed, the remainder of Senate Bill No. 95 is approved.

Respectfully submitted,

(Signed) ALBERT D. ROSELLINI,

Governor.

March 21, 1961.

To the Honorable  
The Senate of the State of Washington  
(Through the Secretary of State)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items and one section, **Substitute Senate Bill No. 111** entitled:

“AN ACT Relating to the judiciary and to justices of the peace and other inferior courts.”

This bill constitutes a final legislative compromise of many years' efforts of judges, lawyers, and public spirited citizens. It represents progress long needed and on the whole meets with my wholehearted approval. The enactment of this bill will result unquestionably in improvements in the administration of justice on the Justice Court level.

I veto the item contained in section 48 reading as follows:

“All personnel of a municipal department shall be appointed by the city.”

I further veto section 97 which reads: “The county commissioners may appoint a clerk and such deputy clerks as are necessary for the administration of the court.”

The item and the section quoted are vetoed because Justices of the Peace in the past have always appointed their clerks and office staff. Believing as I do that the judiciary is a separate and independent branch of the government, it is my fervent conviction that neither a city nor a board of county commissioners, through the appointment of clerks and the office staff of a Justice of the Peace, should interfere with the independent discharge of duties of a Justice of the Peace.

With the exception of the item quoted and enumerated, and the section referred to, which are vetoed, I approve the remainder of the bill.

Respectfully submitted,

(Signed) ALBERT D. ROSELLINI,

Governor.

March 21, 1961.

To the Honorable  
The Senate of the State of Washington  
(Through the Secretary of State)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to one section, **Substitute Senate Bill No. 129** entitled:

“AN ACT Relating to state government; changing the membership of the Washington toll bridge authority; relating to the powers and duties of the Washington toll bridge authority and

the state highway commission; amending section 47.56.020, chapter 13, Laws of 1961 and RCW 47.56.020; amending section 47.56.030, chapter 13, Laws of 1961 and RCW 47.56.030; adding six new sections to chapter 13, Laws of 1961 and chapter 47.56 RCW; declaring an emergency; and providing effective dates."

This bill, which is sponsored by the Committee on Highways, completely revamps and reorganizes the Washington Toll Bridge Authority. It removes from the Toll Bridge Authority the State Auditor, the Chairman of the Public Service Commission, the Chairman of the State Highway Commission, and the Director of General Administration.

The members removed are replaced by two members of the State Highway Commission designated by the Commission, and two members appointed by the Governor, leaving the Governor as a member of the Commission.

Section 3 of this bill provides that one of the members appointed by the Governor shall reside east of the Cascades; the other one west thereof. It also provides that one member each, shall be selected from each of the major political parties. The section further provides that no elected state official or state officer shall be appointed by me to the Authority. The section further provides that members of the Authority can be removed only for specified grounds after a hearing in the Superior Court of the State of Washington in and for Thurston County.

It is my considered judgment that there is no need that one of the two members of this Authority to be appointed by me reside east of the Cascade Mountains. I expect that the Highway Commission will elect one of the members designated by the Commission to be a member whose residence is east of the Cascade Mountains. Secondly, it should be recognized that meetings of the membership of this Authority will be frequent. Members appointed from east of the Cascades may not attend the frequent meetings which will be called and which will take place at the State Capitol. The major function of the Authority deals with problems related to the State ferry system. In addition, most of the toll facilities will be located west of the Cascades. Therefore, reason demands that the majority of the members of this Authority should reside west of the Cascades. I also believe it would be unwise to categorically refuse membership on this Authority to elected or appointed State officials. By virtue of their residence, and their experience in governmental affairs, I would consider it a serious mistake to deprive ourselves of the services of a well trained and qualified individual who may be a State officer, from serving on the Authority.

For the reasons indicated, section 3 of the bill is vetoed. The remainder of the bill is approved.

Respectfully submitted,

(Signed) ALBERT D. ROSELLINI,

Governor.

March 21, 1961.

To the Honorable  
The Senate of the State of Washington  
(Through the Secretary of State)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to one section, **Senate Bill No. 288** entitled:

“AN ACT Relating to highways and acquisition of property therefor; authorizing the investment of state funds; amending section 6, chapter 274, Laws of 1955, and RCW 41.32.200; amending section 8, chapter 274, Laws of 1947, as last amended by section 1, chapter 220, Laws of 1955, and RCW 41.40.070; and amending section 51.44.100, chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.44.100.”

Senate Bill No. 288 authorizes the State Highway Commission to purchase or condemn real property or property rights necessary for the improvement of the State highway system, at times reasonably in advance of programmed construction of the highways. Section 8 of this bill amends RCW 41.32.200. It amends said section of the Revised Code of Washington by permitting the Board of Trustees of the Teachers' Retirement System to invest in motor vehicle fund warrants to be issued by the Highway Commission to pay for the costs of advance acquisition of real property or property rights as previously explained.

Section 1 of Senate Bill No. 314 likewise purports to amend RCW 41.32.200. This section outlines in detail the various securities in which the Board of Trustees of the Washington State Teachers' Retirement System may authorize the State Finance Committee to invest for the Teachers' Retirement System. The provisions contained in section 1 of Senate Bill No. 314 are of the utmost importance to the Teachers' Retirement System because the investments provided therein will allow that System to obtain an increased yield from its investments which will assure the Teachers' Retirement System to remain actuarially sound.

Since retirement systems other than those of the teachers have been allowed to invest in the Highway warrants above described, the Highway Commission will be able to achieve the principal purpose of Senate Bill No. 288, and by vetoing section 8 of Senate Bill No. 288 the Teachers' Retirement System will benefit from the provisions contained in Senate Bill No. 314.

For the reasons indicated, section 8 of Senate Bill No. 288 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,

(Signed) ALBERT D. ROSELLINI,

Governor.

March 11, 1961.

To the Honorable  
The Senate of the State of Washington  
(Through the Secretary of State)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate of the State of Washington at the next session of the Legislature, without my approval as to section 3, **Senate Bill No. 344** entitled:

“AN ACT Relating to civil actions and damages.”

The main purpose of Senate Bill No. 344 is to award exemplary damages to persons having been injured to their body or character through an intentional injury on the part of a tortfeasor.

Section 3 provides that it is against the public policy of this State to insure against any liability incurred as a result of this Act. If permitted to become law, this Section would prevent insurance companies to write insurance covering damages sustained through the commission of intentional torts. It is my firm conviction and belief that the Legislature should not interfere with the freedom of contract existing between citizens of this State and insurance companies. Such a restraint, as is provided in section 3, is contrary to the best interest of the people of this State.

For the reasons indicated, section 3 is vetoed and the remainder of the bill is approved.

Respectfully submitted,

(Signed) ALBERT D. ROSELLINI,

Governor.

March 21, 1961.

To the Honorable  
The Senate of the State of Washington  
(Through the Secretary of State)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate of the State of Washington at the next session of the legislature, without my approval, **Senate Bill No. 464** entitled:

“AN ACT Relating to the department of institutions; establishing the division of juvenile rehabilitation, the division for handicapped children, the division of community services and the diagnostic and placement board; providing powers and duties, appointment and qualifications of supervisors; amending and recodifying section 72.05.130, chapter 28, Laws of 1959 and RCW 72.05.130; amending and recodifying section 72.05.140, chapter 28, Laws of 1959 and RCW 72.05.140; amending and recodifying section 72.05.150, chapter 28, Laws of 1959 and RCW 72.05.150; amending and recodifying section 72.05.160, chapter 28, Laws of 1959 and RCW 72.05.160; amending and recodifying section

72.05.170, chapter 28, Laws of 1959 and RCW 72.05.170; amending section 72.05.190, chapter 28, Laws of 1959 and RCW 72.05.190; amending section 72.05.200, chapter 28, Laws of 1959 and RCW 72.05.200; amending section 72.05.300, chapter 28, Laws of 1959 and RCW 72.05.300; amending section 72.05.310, chapter 28, Laws of 1959 and RCW 72.05.310; amending section 72.01.030, chapter 28, Laws of 1959 and RCW 72.01.030; repealing section 72.05.010, chapter 28, Laws of 1959 and RCW 72.05.010; repealing section 72.05.020, chapter 28, Laws of 1959 and RCW 72.05.020; repealing section 72.05.030, chapter 28, Laws of 1959 and RCW 72.05.030; repealing section 72.05.040, chapter 28, Laws of 1959 and RCW 72.05.040; and providing an effective date."

The bill would divide the Division of Children and Youth Services into three new divisions, each to be administered by an Assistant Director of Institutions. The new divisions would be: (1) A Division of Juvenile Rehabilitation which would administer the various facilities devoted to juvenile rehabilitation. The Assistant Director of this Division would also be chairman of a diagnostic and placement board to be established. This board would have the duty of evaluating, with reference to each juvenile committed to the diagnostic center, the medical, psychological, social, educational, and vocational background of the child; (2) the Division for Handicapped Children which would be in over-all command of the various institutions devoted to the care, education, and upbringing of handicapped children; and (3) a Division of Community Services which would supervise the operation of community child guidance centers. This Division also would be in charge of supervising juvenile control officers, and of counseling services for pre-delinquent, delinquent, and maladjusted children.

The changes proposed by this bill are of a revolutionary character, and would divide the responsibility for the administration of the State's juvenile program which now centers in the Division of Children and Youth Services. This division was created as a result of studies which began in 1945 after a juvenile was killed in the King County jail. I, myself, headed a Legislative Interim Committee during the biennium of 1945-1947, and again during 1949-1951. This Committee studied exhaustively the many problems incident to administration of a State juvenile program. The Division of Children and Youth Services was established pursuant to the recommendation of the National Probation and Parole Association, and after recommendations by many citizens' committees.

In 1951 the idea was advanced that the State should have a completely separate department of children and youth in order to centralize all youth activities undertaken by the State. The Legislature in 1951, under a bill sponsored by myself, created a separate Division of Children and Youth in the Department of Public Institutions under the jurisdiction of a separate supervisor subject to merit service tenure. I am fearful that the fragmentation of the Division of Children and Youth into three separate and individual departments would do violence to the idea of centralized and unified control over all youth activities.

In addition, the State at the present time as all of you know, is financially hard pressed, and it is my conviction that the establishment of three new Divisions would result in increased cost for the administration of children and youth falling within the jurisdiction of the Department of Institutions.

It is my belief that before undertaking such a drastic change, the Legislative Council, the Washington Citizens Council, and the Council of Children and Youth should engage in a two-year study during the coming biennium, and should bring before the next Legislature its recommendations as to how this problem should be handled.

It is my feeling that at the present time the public is not prepared to accept the changes made by this bill. For this reason I am requesting the Washington Citizens Council, the Council of Children and Youth, and the State Legislative Council, to make a comprehensive study of the administrative setup of the State institutional program for juveniles.

For the reasons indicated, Senate Bill No. 464 is vetoed.

Respectfully submitted,

(signed) ALBERT D. ROSELLINI,

Governor.

March 21, 1961.

To the Honorable  
The Senate of the State of Washington  
(Through the Secretary of State)

Ladies and Gentlemen:

I am returning herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval as to subsection 1, of section 5, **Senate Bill No. 548** entitled:

“AN ACT Providing for the control or elimination of mosquitoes.”

This bill is approved with the exception of subsection 1 of section 5, which is vetoed.

Subsection 1 of section 5 requires the consent of both the owner and occupant prior to any inspection to determine the existence of mosquito breeding places. This requirement would unnecessarily restrict health officials in establishing a proper program for the control or elimination of mosquitoes. It would in effect make routine inspections during the short mosquito breeding season administratively impossible, and add considerably to the public expense of mosquito control. Since the health department is already given the power to make inspections and investigations in section 2 of the bill, the requirement of prior consent, particularly in instances where property is owned by an absentee landlord, imposes an unequal burden on resident land owners and undue expense and restriction on public health authorities.

The reasons stated in the preceding paragraph impel me to veto subsection 1, of section 5. The remainder of the bill is approved.

Respectfully submitted,

(Signed) ALBERT D. ROSELLINI,

Governor.

# SENATE ROSTER, 1961

## THIRTY-SEVENTH SESSION

JOHN A. CHERBERG, President

WARD BOWDEN, Secretary

AL HENRY, President Pro Tem

DR. DAVID C. COWEN, Temporary President

NAME OF MEMBER	Dis- trict	County	Residence	Age	Birthplace	Occupation	Pol- itics	Previous Legislative Sessions Served	
								Senate	House
Angevine, Wayne G.....	32	King, part.....	4215 Eastern Ave., Seattle.	25	Washington..	Public Relations. . .	D	1959-59 Ex.	.....
Bailey, Robert C.....	19	{Grays Harbor, part..... Pacific.....}	Box 146, South Bend.....	42	Washington..	Printer .....	D	1957-59-59 Ex.	1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.
Bargreen, Howard .....	38	{Island, part...} {Snohomish, pt.}	2821 Rucker Ave., Everett.	54	Washington..	Merchant (Coffee).	D	1941-43-44 Ex. 45-51-51 Ex.-51 2nd Ex. 53-53 Ex. 55-55 Ex.- 57-59-59 Ex.	1949-50 Ex.
Chytil, Joe .....	20	Lewis.....	1274 5th St., Chehalis.....	51	Washington..	Radio Broadcasting	R	.....	1953-53 Ex.-55-55 Ex. 57-59-59 Ex.
Connor, Frank .....	33	King, part.....	408 20th So., Seattle.....	44	Washington..	Deputy Assessor, King County ....	D	1957-59-59 Ex.	1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.
Cooney, John L.....	5	Spokane, part..	N. 4403 Adams St., Spokane	45	Oregon.....	Attorney .....	D	1957-59-59 Ex.	1951-51 Ex.-51 2nd Ex.-55-55 Ex.
Cowen, Dr. David C.....	7	Spokane, part..	223 S. Coeur d'Alene St., Spokane .....	61	Oregon.....	Dentist .....	D	1943-44 Ex.-45- 47-49-50 Ex.-51- 51 Ex.-51 2nd Ex.-53-53 Ex. ..55-55 Ex.-57-59- 59 Ex.	1935-37-49-41
DeGarmo, Victor F.....	22	Thurston.....	Capital Apts., Olympia....	47	Minnesota....	Olympia Brewing Co. ....	D	1957-59-59 Ex.	.....

SENATE ROSTER, THIRTY-SEVENTH SESSION, 1961—Continued

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Sessions Served	
								Senate	House
Donohue, Dewey C.....	10	{Asotin.....} {Columbia.....} {Garfield.....}	506 E. Richmond, Dayton.	62	Washington..	Farmer and Stockman .....	D	.....	1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.-57-59-59 Ex. 1953-53 Ex.-55-55 Ex.-57-59
Dore, Fred H.....	37	King, part.....	1429 Washington Bldg., Seattle .....	35	Washington..	Attorney .....	D	1959 Ex.	1953-53 Ex.-55-55 Ex.-57-59
Durkan, Martin J.....	47	King, part.....	908 American Bldg., Seattle	36	Montana .....	Attorney .....	D	1959-59 Ex.	1957
Elway, Harry, Jr.....	21	{Grays Harbor,} {part.....}	106 Karr Ave., Hoquiam..	40	Washington..	Owner, Plumbing & Htng. Supply Co.	R	1959-59 Ex.	1953-53 Ex.-55-55 Ex.-57
Foley, Frank W.....	49	Clark, part.....	3924 Wauna Vista Dr., Vancouver .....	47	Washington..	Attorney .....	D	1957-59-59 Ex.	.....
Foster, F. Stuart.....	14	Yakima, part..	331 Miller Bldg., Yakima..	53	Georgia.....	Attorney .....	R	1950 Ex.-51	1941-43-44 Ex. 45-47-49
Frelse, Herbert H.....	11	Walla Walla....	200 Jones Bldg., Walla Walla .....	43	Illinois.....	Attorney .....	R	1957-59-59 Ex.	.....
Gallagher, Michael J....	45	King, part.....	8645 Burke Ave., Seattle..	49	Indiana.....	Real Estate .....	D	1945-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.- 57-59-59 Ex.	1943-44 Ex.-49-50 Ex.
Gissberg, William A.....	39	{Island, part...} {Snohomish, pt.}	312 1st National Bank Bldg., Everett .....	38	Washington..	Attorney .....	D	1953-53 Ex.- 55-55 Ex.- 57-59-59 Ex.	.....
Greive, R. R. (Bob)....	34	King, part.....	4456 California Ave., Seattle .....	41	Washington..	Attorney .....	D	1947-49-50 Ex.-51- 51 Ex.-51 2nd Ex.-53-53 Ex.- 55-55 Ex.-57-59- 59 Ex.	.....
Hallauer, Wilbur G.....	1	{Douglas.....} {Okanogan.....}	P. O. Box 70, Oroville.....	46	New York.....	Factory Manager.	D	1957-59-59 Ex.	1949-50 Ex.-51-51 Ex.-51 2nd Ex.- Ex.-53-53 Ex.- 55-55 Ex.-
Hanna, H. B. (Jerry)...	12	Chelan.....	1130 Springwater Ave., Wenatchee .....	39	Washington..	Attorney .....	D	1957-59-59 Ex.	1955-55 Ex.

SENATE ROSTER, THIRTY-SEVENTH SESSION, 1961—Continued

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Sessions Served	
								Senate	House
Happy, John H.....	6	Spokane, part..	614 Columbia Bldg., Spokane .....	65	Washington..	Insurance Agent and Broker .....	R	1947-49-50 Ex.-51- 51 Ex.-51 2nd Ex.-53-53 Ex.- 55-55 Ex.-57- 59-59 Ex.	
Henry, Al .....	17	{Clark, part....} {Klickitat.....} {Skamania.....}	Rio Vista, White Salmon..	49	Kansas .....	Telephone Executive	D	1957-59-59 Ex.	1941-45-51-51 Ex.-51 2nd Ex.- 55-55 Ex.
Herrmann, Karl .....	4	Spokane, part..	Box 666, Millwood Bn., Spokane .....	45	Washington..	Attorney .....	D	1957-59-59 Ex.	
Hess, Andy .....	31	King, part.....	1414 S.W. 158th, Seattle....	37	Kansas .....	Manager, King County Airport.	D	1957-59-59 Ex.	1951-51 Ex.-51 2nd Ex. 53-53 Ex.-55-55 Ex.
Hofmeister, Louis E....	30	King, part.....	P. O. Box 203, Enumclaw..	67	Washington..	Salesman .....	D	1955-55 Ex.-57- 59-59 Ex.	1943-44 Ex.-45-49- 50 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.
Keefe, James Edward...	3	Spokane, part..	412 W. Glass, Spokane.....	52	New York....	Public Relations Sales Representa- tive .....	D	1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.-57-59-59 Ex.	
Knoblauch, Reuben A...	25	Pierce, part....	P. O. Box 363, Sumner....	46	Washington..	Farmer .....	D	1953-53 Ex.-55-55 Ex.-57-59-59 Ex.	1947-49-50 Ex.-51- 51 Ex.-51 2nd Ex.
Kupka, George W.....	27	Pierce, part....	801 So. G. St., Tacoma....	48	Washington..	Jeweler .....	D	1957-59-59 Ex.	1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 55-55 Ex.
Lennart, Ernest W.....	41	Whatecom, part	Everson .....	67	Sweden .....	Seed Business .....	R	1953-53 Ex.-55-55 Ex.-57-59-59	1941-43-44 Ex.-51- 51 Ex.-51 2nd Ex.
McCormack, Mike .....	16	{Benton.....} {Franklin.....}	2010 Everest, Richland....	38	Ohio.....	Radio Chemist ....	D		1957-59-59 Ex.
McCutcheon, John T....	29	Pierce, part....	P. O. Box 387, Stellacoom.	68	Washington..	Attorney .....	D	1943-44 Ex.-45-47- 49-59-59 Ex.	1941

SENATE ROSTER, THIRTY-SEVENTH SESSION, 1961—Continued

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Sessions Served	
								Senate	House
McMillan, David E.....	2	{Pend Oreille...} {Stevens.....}	Route 3, Colville.....	63	Washington..	Farmer and Cattleman .....	D	1935-37-39-41- 59-59 Ex.	.....
Martin, Fred J.....	40	{San Juan.....} {Skagit.....}	Rockport .....	63	Washington..	Cattle Rancher ...	D	1957-59-59 Ex.	1935-37-39-41-43- 44 Ex.-45
Morgan, Frances Haddon .....	23	Kitsap.....	948 Lower Oyster Bay Rd., Bremerton .....	51	Washington..	Homemaker and Greeting Service Owner .....	D	.....	1959-59 Ex.
Moriarty, Charles P., Jr. ....	36	King, part.....	100 Highland Dr., Seattle..	33	Washington..	Attorney .....	R	Appointed 6/4/59	1957-59-59 Ex.
Neill, Marshall A.....	9	Whitman.....	414 Dexter St., Pullman...	46	Washington..	Attorney .....	R	1957-59-59 Ex.	1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55- Ex.
Numamaker, Homer O..	42	Whatcom, part	701 11th St., Bellingham...	70	Illinois.....	Grocer (retired) ..	D	1955-55 Ex.-57-59- 59 Ex.	1943-44 Ex.-45-49- 50 Ex.-51-51 Ex.-51 2nd Ex.
Papajani, John .....	44	King, part.....	3512 W. 70th St., Seattle...	48	Albania.....	Partner, Insurance Agency .....	D	Appointed 12/31/59	1959-59 Ex.
Petrich, John A.....	26	Pierce, part....	806 Washington Bldg., Tacoma .....	41	Washington..	Attorney .....	D	1959-59 Ex.	1957
Rasmussen, A. L. (Slim)	28	Pierce, part....	4031 Pacific Ave., Tacoma.	51	Washington..	Machinist, N. P....	D	.....	1945-47-49-50 Ex.- 51-51 Ex.-51 2nd Ex.-53-53 Ex.- 55-55 Ex.-57-59- 59 Ex.
Raugust, W. C.....	8	{Adams.....} {Ferry.....} {Lincoln.....}	Odessa .....	65	Russia.....	Merchant, Grain Dealer, Pres. Life Ins. Co.....	R	1950 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.-57-59-59 Ex.	1943-44 Ex.-45- 47-49

**SENATE ROSTER, THIRTY-SEVENTH SESSION, 1961—Continued**

NAME OF MEMBER	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Sessions Served	
								Senate	House
Riley, Edward F.....	35	King, part.....	222 Westlake Ave. No., Seattle .....	62	Washington..	Exec. Vice Pres. Plumbing-Heat- ing Products ....	D	1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.- 57-59-59 Ex.	1939-41-43-44 Ex.- 45-47-49-50 Ex.
Ryder, John N.....	46	King, part.....	6811 56th Ave., N.E., Seattle .....	53	Washington..	Banker .....	R	1955-55 Ex.- 57-59-59 Ex.	1953-53 Ex.
Sandison, Gordon .....	24	{Clallam.....} {Jefferson.....} {Mason.....}	2501 S. Cherry St., Port Angeles .....	41	Washington..	Insurance and Real Estate .....	D	1959-59 Ex.	1949-50 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.-57
Shannon, William D....	43	King, part.....	3212 Morley Way, Seattle..	79	New York....	Civil Engineer ....	R	1960 Ex.-51-51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.-57-59-59 Ex.	1947-49
Talley, Don L.....	18	{Cowlitz.....} {Wahkiakum...}	404 N. 7th., Kelso.....	41	Washington..	Meat Dealer .....	D	1957-59-59 Ex.	.....
Thompson, Albert C., Jr. ....	48	King, part.....	250 Bellevue Sq., Bellevue.	41	Washington..	Retail Druggist ....	R	1959-59 Ex.	.....
Washington, Nat.....	13	{Grant.....} {Kittitas.....}	42 C St., N.W., Ephrata...	46	Washington..	Attorney .....	D	1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.- 57-59-59 Ex.	1949-50 Ex.
Woodall, Perry B.....	15	Yakima, part..	Toppenish .....	48	Washington..	Attorney-Farmer .	R	1957-59-59 Ex.	1939-41-43-47-49- 50 Ex.-51-51 Ex.-51 2nd Ex.

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**STANDING COMMITTEES OF THE SENATE—1961 SESSION**


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JOHN A. CHERGERG, President

AL HENRY, President Pro Tem

DR. DAVID C. COWEN, Temporary President

WARD BOWDEN, Secretary

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**Agriculture and Horticulture (13)**—Senators Donohue, Chairman; Chytil, Foster, Gissberg, Hanna, Hofmeister, Knoblauch, Lennart, Martin, McCormack, McMillan, Raugust, Woodall.

**Air and Water Pollution Control (9)**—Senators McMillan, Chairman; DeGarmo, Elway, Jr., Henry, Lennart, Morgan, Riley, Shannon, Talley.

**Banks and Financial Institutions (10)**—Senators Herrmann, Chairman; Connor, Cooney, Freise, Kupka, Moriarty, Jr., Neill, Ryder, Shannon, Talley.

**Capitol Grounds, Public Buildings and Parks (9)**—Senators DeGarmo, Chairman; Bargreen, Hallauer, Keefe, Morgan, Moriarty, Jr., Shannon, Thompson, Jr., Washington.

**Cities, Towns and Counties (24)**—Senators Talley, Chairman; Angevine, Bailey, Chytil, Connor, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Gallagher, Happy, Henry, Hess, Keefe, Kupka, McCormack, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Shannon, Thompson, Jr.

**Claims and Auditing (5)**—Senators Foley, Chairman; Freise, Durkan, Gallagher, Greive.

**Commerce, Manufacturing and Licenses (19)**—Senators Kupka, Chairman; Angevine, Bargreen, Connor, Cooney, Cowen, Dore, Durkan, Elway, Jr., Foster, Freise, Gallagher, Greive, Herrmann, Keefe, Knoblauch, Papajani, Shannon, Thompson, Jr.

**Constitution, Elections and Legislative Processes (17)**—Senators McCutcheon, Chairman; Angevine, Bargreen, Donohue, Dore, Durkan, Gallagher, Henry, Herrmann, Hess, McCormack, Morgan, Moriarty, Jr., Papajani, Raugust, Thompson, Jr., Woodall.

**Education (22)**—Senators Hess, Chairman; Angevine, Bailey, Chytil, Donohue, Dore, Foley, Foster, Gissberg, Hanna, Henry, Knoblauch, Lennart, McCutcheon, McMillan, Moriarty, Jr., Papajani, Petrich, Raugust, Talley, Thompson, Jr., Washington.

**Engrossed and Enrolled Bills (2)**—Senators Durkan, Chairman; Chytil.

**Fisheries, Game and Game Fish (18)**—Senators Nunamaker, Chairman; DeGarmo, Vice-Chairman; Bailey, Chytil, Dore, Elway, Jr., Freise, Lennart, Papajani, Rasmussen, Talley, Thompson, Jr., Woodall; Martin (Chairman, Committee Game and Game Fish); Herrmann, McMillan, Petrich, Sandison.

**Higher Education and Libraries (12)**—Senators Sandison, Chairman; Angevine, Foley, Hallauer, Happy, Hess, McCormack, Morgan, Neill, Ryder, Shannon, Washington.

**Highways (33)**—Senators Washington, Chairman; Henry, Vice Chairman; Martin, Vice-Chairman; Angevine, Bailey, Bargreen, Connor, Cooney, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hess, Hofmeister, Knoblauch, Lennart, McCormack, Morgan, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley.

**Insurance (8)**—Senators Papajani, Chairman; Chytil, Cooney, Durkan, Happy, Herrmann, Petrich, Sandison.

**Judiciary (17)**—Senators Petrich, Chairman; Cooney, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Herrmann, McCutcheon, Moriarty, Jr., Neill, Washington, Woodall.

**Labor and Industrial Insurance (8)**—Senators Henry, Chairman; Angevine, Connor, DeGarmo, Elway, Jr., Foster, Hofmeister, Nunamaker.

**Liquor Control (17)**—Senators Connor, Chairman; Bargreen, Cooney, DeGarmo, Durkan, Freise, Gallagher, Happy, Henry, Hofmeister, Keefe, Kupka, Nunamaker, Papajani, Raugust, Riley, Woodall.

**Medicine and Dentistry (9)**—Senators Morgan, Chairman; Angevine, Cooney, Cowen, Elway, Jr., Greive, Herrmann, Ryder, Thompson, Jr.

**Natural Resources (13)**—Senators McCormack, Chairman; Bailey, Chytil, Donohue, Elway, Jr., Foster, Gallagher, Hallauer, Henry, McCutcheon, Morgan, Raugust, Thompson, Jr.

**Public Institutions (13)**—Senators Martin, Chairman; Chytil, Freise, Herrmann, Keefe, Knoblauch, Kupka, Morgan, Moriarty, Jr., Petrich, Sandison, Talley, Woodall.

**Public Utilities (24)**—Senators Dore, Chairman; Bailey, Chytil, Connor, Cooney, Cowen, Durkan, Foley, Foster, Greive, Hanna, Happy, Herrmann, Keefe, Kupka, McCormack, McCutcheon, Neill, Petrich, Rasmussen, Riley, Talley, Thompson, Jr., Washington.

**Rules and Joint Rules (16)**—Cherberg, Lt. Governor, Chairman; Senators Bailey, Bargreen, Cooney, Cowen, Gallagher, Gissberg, Greive, Hanna, Happy, Hofmeister, Keefe, Knoblauch, Lennart, Raugust, Riley, Shannon.

**Social Security (14)**—Senators Angevine, Chairman; DeGarmo, Dore, Hofmeister, Kupka, McCormack, Morgan, Moriarty, Jr., Nunamaker, Papajani, Raugust, Riley, Ryder, Talley.

**State Government, Military Affairs and Civil Defense (15)**—Senators Rasmussen, Chairman; Angevine, Bargreen, Elway, Jr., Freise, Gallagher, Hanna, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, Neill, Ryder, Washington.

**Ways and Means (37)**—Senators Hallauer, Chairman; Foley (Chairman Committee on Appropriations); Angevine, Bailey, Chytil, DeGarmo, Donohue, Dore, Gallagher, Gissberg, Happy, Hess, Lennart, McCormack, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Riley, Sandison, Thompson, Jr., Woodall. Durkan (Chairman, Committee on Revenue and Taxation); Bargreen, Connor, Cooney, Cowen, Greive, Herrmann, Kupka, Moriarty, Jr., Rasmussen, Ryder, Talley.

## SENATE INDIVIDUAL COMMITTEE ASSIGNMENTS—1961

- ANGEVINE (Wayne G.)**—Social Security, Chairman; Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Education; Higher Education and Libraries; Highways; Labor and Industrial Insurance; Medicine and Dentistry; State Government, Military Affairs and Civil Defense; Ways and Means (Committee on Appropriations).
- BAILEY (Robert C.)**—Cities, Towns and Counties; Education; Fisheries, Game and Game Fish; Highways; Natural Resources; Public Utilities; Rules and Joint Rules; Ways and Means (Committee on Appropriations).
- BARGREEN (Howard)**—Capitol Grounds, Public Buildings and Parks; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Highways; Liquor Control; Rules and Joint Rules; State Government, Military Affairs and Civil Defense; Ways and Means (Committee on Revenue and Taxation).
- CHYTIL (Joe)**—Agriculture and Horticulture; Cities, Towns and Counties; Education; Engrossed and Enrolled Bills; Fisheries, Game and Game Fish; Insurance; Natural Resources; Public Institutions; Public Utilities; Ways and Means (Committee on Appropriations).
- CONNOR (Frank)**—Liquor Control, Chairman; Banks and Financial Institutions; Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Highways; Labor and Industrial Insurance; Public Utilities; Ways and Means (Committee on Revenue and Taxation).
- COONEY (John L.)**—Banks and Financial Institutions; Commerce, Manufacturing and Licenses; Highways; Insurance; Judiciary; Liquor Control; Medicine and Dentistry; Public Utilities; Rules and Joint Rules; Ways and Means (Committee on Revenue and Taxation).
- COWEN (Dr. David C.)**—Commerce, Manufacturing and Licenses; Medicine and Dentistry; Public Utilities; Rules and Joint Rules; Ways and Means (Committee on Revenue and Taxation).
- DeGARMO (Victor F.)**—Capitol Grounds, Public Buildings and Parks, Chairman; Fisheries, Game and Game Fish, Vice-Chairman; Air and Water Pollution Control; Cities, Towns and Counties; Labor and Industrial Insurance; Liquor Control; Social Security; Ways and Means (Committee on Appropriations).
- DONOHUE (Dewey C.)**—Agriculture and Horticulture, Chairman; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Education; Highways; Natural Resources; Ways and Means (Committee on Appropriations).
- DORE (Fred H.)**—Public Utilities, Chairman; Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Education; Fisheries, Game and Game Fish; Highways; Judiciary; Social Security; Ways and Means (Committee on Appropriations).
- DURKAN (Martin J.)**—Engrossed and Enrolled Bills, Chairman; Ways and Means (Chairman, Committee on Revenue and Taxation); Claims and Auditing; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Highways; Insurance; Judiciary; Liquor Control; Public Utilities.
- ELWAY (Harry, Jr.)**—Air and Water Pollution Control; Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Fisheries, Game and Game Fish; Highways; Labor and Industrial Insurance; Medicine and Dentistry; Natural Resources; State Government.
- FOLEY (Frank W.)**—Claims and Auditing, Chairman; Ways and Means (Chairman, Committee on Appropriations); Cities, Towns and Counties; Education; Higher Education and Libraries; Highways; Judiciary; Public Utilities.
- FOSTER (F. Stuart)**—Agriculture and Horticulture; Commerce, Manufacturing and Licenses; Education; Highways; Judiciary; Labor and Industrial Insurance; Natural Resources; Public Utilities.
- FREISE (Herbert H.)**—Banks and Financial Institutions; Claims and Auditing; Commerce, Manufacturing and Licenses; Fisheries; Game and Game Fish; Highways; Judiciary; Liquor Control; Public Institutions; State Government, Military Affairs and Civil Defense.

- GALLAGHER (Michael J.)**—Cities, Towns and Counties; Claims and Auditing; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Judiciary; Liquor Control; Natural Resources; Rules and Joint Rules; State Government, Military Affairs and Civil Defense; Ways and Means (Committee on Appropriations).
- GISSBERG (William A.)**—Agriculture and Horticulture; Education; Highways; Judiciary; Rules and Joint Rules; Ways and Means (Committee on Appropriations).
- GREIVE (R. R. (Bob))**—Claims and Auditing; Commerce, Manufacturing and Licenses; Highways; Judiciary; Medicine and Dentistry; Public Utilities; Rules and Joint Rules; Ways and Means (Committee on Revenue and Taxation).
- HALLAUER (Wilbur G.)**—Ways and Means, Chairman; Capitol Grounds, Public Buildings and Parks; Higher Education and Libraries; Highways; Natural Resources.
- HANNA (H. B. (Jerry))**—Agriculture and Horticulture; Education; Highways; Judiciary; Public Utilities; Rules and Joint Rules; State Government, Military Affairs and Civil Defense.
- HAPPY (John H.)**—Cities, Towns and Counties; Higher Education and Libraries; Insurance; Liquor Control; Public Utilities; Rules and Joint Rules; Ways and Means (Committee on Appropriations).
- HENRY (Al)**—Labor and Industrial Insurance, Chairman; Highways, Vice-Chairman; Air and Water Pollution Control; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Education; Liquor Control; Natural Resources.
- HERRMANN (Karl V.)**—Banks and Financial Institutions, Chairman; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Fisheries, Game and Game Fish; Highways; Insurance; Judiciary; Medicine and Dentistry; Public Institutions; Public Utilities; Ways and Means (Committee on Revenue and Taxation).
- HESS (Andy)**—Education, Chairman; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Higher Education and Libraries; Highways; Ways and Means (Committee on Appropriations).
- HOFMEISTER (Louis E.)**—Agriculture and Horticulture; Highways; Labor and Industrial Insurance; Liquor Control; Rules and Joint Rules; Social Security; State Government, Military Affairs and Civil Defense.
- KEEFE (James E.)**—Capitol Grounds, Public Buildings and Parks; Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Liquor Control; Public Institutions; Public Utilities; Rules and Joint Rules.
- KNOBLAUCH (Reuben A.)**—Agriculture and Horticulture; Commerce, Manufacturing and Licenses; Education; Highways; Public Institutions; Rules and Joint Rules; State Government, Military Affairs and Civil Defense.
- KUPKA (George)**—Commerce, Manufacturing and Licenses, Chairman; Banks and Financial Institutions; Cities, Towns and Counties; Liquor Control; Public Institutions; Public Utilities; Social Security; State Government, Military Affairs and Civil Defense; Ways and Means (Committee on Revenue and Taxation).
- LENNART (Ernest W.)**—Agriculture and Horticulture; Air and Water Pollution Control; Education; Fisheries, Game and Game Fish; Highways, Rules and Joint Rules; Ways and Means (Committee on Appropriations).
- MCCORMACK (Mike)**—Natural Resources, Chairman; Agriculture and Horticulture; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Higher Education and Libraries; Highways; Public Utilities; Social Security; State Government, Military Affairs and Civil Defense; Ways and Means (Committee on Appropriations).
- MCCUTCHEON (John T.)**—Constitution, Elections and Legislative Processes, Chairman; Education; Judiciary; Natural Resources; Public Utilities; State Government, Military Affairs and Civil Defense.
- McMILLAN (David E.)**—Air and Water Pollution Control, Chairman; Agriculture and Horticulture; Education; Fisheries, Game and Game Fish; Ways and Means (Committee on Appropriations).

- MARTIN (Fred J.)**—Public Institutions, Chairman; Highways, Vice-Chairman; Fisheries, Game and Game Fish (Chairman, Committee on Game and Game Fish); Agriculture and Horticulture; Ways and Means (Committee on Appropriations).
- MORGAN (Frances Haddon)**—Medicine and Dentistry, Chairman; Air and Water Pollution Control; Capitol Grounds, Public Buildings and Parks; Constitution, Elections and Legislative Processes; Higher Education and Libraries; Highways; Natural Resources; Public Institutions; Social Security; Ways and Means (Committee on Appropriations).
- MORIARTY (Charles P., Jr.)**—Banks and Financial Institutions; Capitol Grounds, Public Buildings and Parks; Constitution, Elections and Legislative Processes; Education; Judiciary; Public Institutions; Social Security; Ways and Means (Committee on Revenue and Taxation).
- NEILL (Marshall A.)**—Banks and Financial Institutions; Higher Education and Libraries; Judiciary; Public Utilities; State Government, Military Affairs and Civil Defense; Ways and Means (Committee on Appropriations).
- NUNAMAKER (Homer O.)**—Fisheries, Game and Game Fish, Chairman; Cities, Towns and Counties; Labor and Industrial Insurance; Liquor Control; Social Security; Ways and Means (Committee on Appropriations).
- PAPAJANI (John)**—Insurance, Chairman; Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Education; Fisheries, Game and Game Fish; Liquor Control; Social Security; Ways and Means (Committee on Appropriations).
- PETRICH (John A.)**—Judiciary, Chairman; Education; Fisheries, Game and Game Fish; Highways; Insurance; Public Institutions; Public Utilities; Ways and Means (Committee on Appropriations).
- RASMUSSEN (A. L.)**—State Government, Military Affairs and Civil Defense, Chairman; Cities, Towns and Counties; Fisheries, Game and Game Fish; Highways; Public Utilities; Ways and Means (Committee on Revenue and Taxation).
- RAUGUST (W. C.)**—Agriculture and Horticulture; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Education; Highways; Liquor Control; Natural Resources; Rules and Joint Rules; Social Security.
- RILEY (Edward F.)**—Air and Water Pollution Control; Cities, Towns and Counties; Highways; Liquor Control; Public Utilities; Rules and Joint Rules; Social Security; Ways and Means (Committee on Appropriations).
- RYDER (John N.)**—Banks and Financial Institutions; Higher Education and Libraries; Medicine and Dentistry; Social Security; State Government, Military Affairs and Civil Defense; Ways and Means (Committee on Revenue and Taxation).
- SANDISON (Gordon)**—Higher Education and Libraries, Chairman; Fisheries, Game and Game Fish; Highways; Insurance; Public Institutions; Ways and Means (Committee on Appropriations).
- SHANNON (William D.)**—Air and Water Pollution Control; Banks and Financial Institutions; Capitol Grounds, Public Buildings and Parks; Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Higher Education and Libraries; Highways; Rules and Joint Rules.
- TALLEY (Donald L.)**—Cities, Towns and Counties, Chairman; Air and Water Pollution Control; Banks and Financial Institutions; Education; Fisheries, Game and Game Fish; Highways; Public Institutions; Public Utilities; Social Security; Ways and Means (Committee on Revenue and Taxation).
- THOMPSON (Albert C., Jr.)**—Capitol Grounds, Public Buildings and Parks; Cities, Towns and Counties; Commerce, Manufacturing and Licenses; Constitution, Elections and Legislative Processes; Education; Fisheries, Game and Game Fish; Medicine and Dentistry; Natural Resources; Public Utilities; Ways and Means (Committee on Appropriations).
- WASHINGTON (Nat)**—Highways, Chairman; Capitol Grounds, Public Buildings and Parks; Education; Higher Education and Libraries; Judiciary; Public Utilities; State Government, Military Affairs and Civil Defense.
- WOODALL (Perry B.)**—Agriculture and Horticulture; Constitution, Elections and Legislative Processes; Fisheries, Game and Game Fish; Judiciary; Liquor Control; Public Institutions; Ways and Means (Committee on Appropriations).

**LEGISLATIVE INTERIM COMMITTEE APPOINTMENTS**  
**THIRTY-SEVENTH LEGISLATIVE SESSION—1961**

**CANAL COMMISSION**

(Chapter 185, Laws of 1961)

**Senators**

Joe Chytil  
 Victor F. DeGarmo  
 A. L. Rasmussen

**Representatives**

Eric O. Anderson  
 William Chatalas  
 Arnold S. Wang

**COLUMBIA INTERSTATE COMPACT COMMISSION**

(RCW 43.57.010)

**Senators**

John L. Cooney  
 William D. Shannon

**Representatives**

H. Maurice Ahlquist  
 W. L. McCormick

**GUBERNATORIAL APPOINTEE**

D. Elwood Caples, Chairman

**JOINT COMMITTEE ON EDUCATION**

(Chapter 296, Laws of 1961)

**Senators**

Wayne G. Angevine  
 John H. Happy  
 John T. McCutcheon  
 John Papajani  
 John N. Ryder

**Representatives**

Henry Backstrom  
 Frank B. Brouillet  
 Don Eldridge  
 Morrill F. Folsom  
 Mildred E. Henry

**FISHERIES INTERIM COMMITTEE**

(House Concurrent Resolution No. 22)

**Senators**

Frances Haddon Morgan  
 Homer O. Nunamaker  
 John Papajani  
 John A. Petrich  
 Albert C. Thompson, Jr.

**Representatives**

Dwight S. Halloway  
 Jack C. Hood  
 Chet King  
 Dick J. Kink  
 Max Wedekind

**GAME AND GAME FISH INTERIM COMMITTEE**

(House Concurrent Resolution No. 23)

**Senators**

Victor F. DeGarmo  
 Dewey C. Donohue  
 F. Stuart Foster  
 Karl V. Herrmann  
 David E. McMillan  
 W. C. Raugust

**Representatives**

Art Avey  
 C. W. Beck  
 Arnie Bergh  
 Harry B. Lewis  
 Donald W. Moos  
 Dick Poff

**JOINT COMMITTEE ON GOVERNMENTAL COOPERATION**

(Senate Concurrent Resolution No. 5)

**Senators**

Harry Elway, Jr.  
 William A. Gissberg  
 H. B. Hanna

**Representatives**

Daniel Brink  
 Edward F. Harris  
 Mark Litchman, Jr.

**JOINT FACT FINDING COMMITTEE ON HIGHWAYS, STREETS AND BRIDGES**  
(Chapter 21, Laws of 1961 Ex.)

**Senators**

Robert C. Bailey  
F. Stuart Foster  
Al Henry  
Louis E. Hofmeister  
Fred J. Martin  
W. C. Raugust  
Nat Washington

**Representatives**

W. J. Beierlein  
Robert Bernethy  
Horace W. Bozarth  
Paul H. Conner  
Daniel J. Evans  
Elmer C. Huntley  
Victor A. Meyers, Jr.  
Lincoln E. Shropshire

**INDUSTRIAL INSURANCE STUDY COMMITTEE**  
(House Concurrent Resolution No. 21)

**Senators**

Wayne G. Angevine  
Mike McCormack

**Representatives**

Helmut J. Jueling  
C. G. Witherbee

**JUDICIAL COUNCIL**  
(Chapter 271, Laws of 1961)

**Senators**

Fred H. Dore  
John A. Petrich

**Representatives**

Keith H. Campbell  
Shirley R. Marsh

**LEGISLATIVE BUDGET COMMITTEE**  
(RCW 44.28.010)

**Senators**

Martin J. Durkan  
Frank W. Foley  
Ernest W. Lennart  
Charles P. Moriarty, Jr.  
Marshall A. Neill

**Representatives**

John Goldmark  
Damon R. Canfield  
A. E. Edwards  
Robert F. Goldsworthy  
August P. Mardesich

**COMMITTEE ON LEGISLATIVE BUILDING ACCOMMODATIONS**  
(Senate Concurrent Resolution No. 2, Ex.)

**Senators**

Robert C. Bailey  
Joe Chytil  
Victor F. DeGarmo  
Al Henry  
Frances Haddon Morgan  
William D. Shannon

**Representatives**

Cecil C. Clark  
William S. Day  
P. J. Gallagher  
Ed M. Morrissey  
Roy R. Ritner  
Richard Taylor

**LEGISLATIVE COUNCIL**  
(Chapter 36, Laws of 1947)

**Senators**

Joe Chytil  
Harry Elway, Jr.  
R. R. Greive  
James Keefe  
George W. Kupka  
Edward F. Riley  
Gordon Sandison  
Don L. Talley  
Albert C. Thompson, Jr.  
Perry B. Woodall

**Representatives**

Alfred O. Adams  
John Bigley  
Keith H. Campbell  
Thomas L. Copeland  
Kathryn Epton  
Marian C. Gleason  
Slade Gorton  
John L. O'Brien  
Ralph L. Rickdall  
Robert M. Schaefer  
Harry A. Siler

**SITE DEVELOPMENT ADVISORY COMMISSION**

(Chapter 188, Laws of 1961)

**Senators**

Wilbur G. Hallauer  
 Fred J. Martin  
 Albert C. Thompson, Jr.

**Representatives**

Arlie U. DeJarnatt  
 Mrs. Douglas Kirk  
 Ann T. O'Donnell

**STATUTE LAW COMMITTEE**

(RCW 1.08.001)

**Senators**

Marshall A. Neill  
 John A. Petrich

**Representatives**

James A. Andersen  
 Jack L. Burtch

**OTHER APPOINTEES**

Ben C. Grosscup, Chairman  
 Newman H. Clark, Vice Chairman  
 Harry Elsworth Foster  
 Bernard J. Gallagher  
 Charles P. Moriarty, Jr.  
 Charles R. Olson

**JOINT COMMITTEE ON URBAN AREA GOVERNMENT**

(Chapter 308, Laws of 1961)

**Senators**

Frank Connor  
 Fred H. Dore  
 Andy Hess  
 John N. Ryder  
 Albert C. Thompson, Jr.

**Representatives**

Norman B. Ackley  
 Avery Garrett  
 Paul Holmes  
 Richard W. Morphis  
 Walter B. Williams

**WORLD FAIR COMMISSION**

(Chapter 109, Laws of 1959)

**Senators**

Howard Bargreen  
 Herbert H. Freise  
 Michael J. Gallagher  
 Reuben A. Knoblauch

**Representatives**

Audley F. Mahaffey  
 Ray Olsen  
 Leonard A. Sawyer  
 Jeanette Testu

## SENATE BILLS PASSED BY SENATE AND HOUSE

## Showing the Action by the Governor Thereon

## THIRTY-SEVENTH LEGISLATIVE SESSION—1961

Senate Bill No.	Subject	Chapter Number	Date Signed	Effective Date
3	County purchasing departments.....	169	3-20	6- 8-61
4	State building code, counties.....	27	2-21	6- 8-61
8	Control of certain drugs.....	49	3- 6	6- 8-61
9	Disabled drivers, vehicle parking.....	128	3-16	6- 8-61
10	Jails, work camps, prisoners' labor.....	171	3-20	6- 8-61
11	Sentences, other penal institutions.....	138	3-16	6- 8-61
13	Discharge and civil rights, prisoners.....	187	3-20	6- 8-61
14	Division of probation and parole, Dept. of Inst.....	Vetoed	3- 8	
16	Cities initiate annexation proceedings.....	282	3-21	6- 8-61
17	C.E.P.&R.I. fund, new, appropriation \$8.5 million....	170	3-20	3-20-61
18	Election recount and canvass—paper ballots.....	50	3- 6	6- 8-61
22	County reserve funds—cumulative.....	172	3-20	6- 8-61
25	Increase state aid probation service.....	145	3-16	6- 8-61
27	Free Century 21 space, inmates' products.....	129	3-16	6- 8-61
Sub. 28	Expenses of the Legislature.....	113	3-16	3-16-61
31	Destruction, cancelled/paid bonds.....	164	3-20	6- 8-61
37	Annexation areas population, state census board... 51	3- 6	6- 8-61	
38	Amending codified city ordinances.....	70	3- 8	6- 8-61
43	Promote education superior students.....	116	3-16	6- 8-61
44	Remove certain gas tax exemptions.....	117	3-16	6- 8-61
46	State air pollution control board.....	188	3-20	6- 8-61
51	Cash balances shown, local budgets.....	52	3- 6	6- 8-61
52	Disorganization of townships.....	53	3- 6	6- 8-61
55	Prohibit unfair competition.....	216	3-20	6- 8-61
57	Prohibit false, misleading advertising.....	189	3-20	6- 8-61
58	Parolee assistance, rehabilitation.....	217	3-20	6- 8-61
63	Survival of actions, property liability.....	137	3-16	6- 8-61
67	Reduce amount egg dealer's license.....	54	3- 6	6- 8-61
68	U. of W., W.S.U. forest management, products, engineering .....	71	3- 8	6- 8-61
78	Legislative bill drafting, appropriation.....	6	1-18	1-18-61
79	Legislative expense, appropriation.....	7	1-18	1-18-61
80	Legislative printing, appropriation.....	8	1-18	1-18-61
81	Professional engineers, corporate practice.....	142	3-16	3-16-61
84	Forest infestation, publication.....	72	3- 8	3- 8-61
86	Tide lands withdrawn from sale.....	190	3-20	6- 8-61
89	Left turn, give right of way.....	118	3-16	6- 8-61
90	Abolish conditional drivers license.....	119	3-16	6- 8-61
91	Highway speed limits.....	120	3-16	6- 8-61
94	Police pensions, medical care.....	191	3-20	6- 8-61
95	Joint legislative committee, urban area government .....	308	2-23	4- 1-61*
	*Partially vetoed—Unnumbered item of Section 9, vetoed.			
98	Water districts merger.....	28	2-21	6- 8-61
105	Payment for material from state lands.....	73	3- 8	6- 8-61
Sub. 111	Justice court reorganization.....	299	3-21	6- 8-61*
	*Partially vetoed—item contained in Section 48, vetoed; Section 97, vetoed.			
114	Air port fire protection, municipal liability.....	74	3- 8	6- 8-61
117	Road franchises, notices.....	55	3- 6	6- 8-61
119	Prohibit commercial transportation of game.....	75	3- 8	6- 8-61
123	L.I.D. notes, inter-fund financing.....	165	3-20	6- 8-61
125	Cities, emergency finance, majority.....	166	3-20	6- 8-61
127	Domestic corporation, ownership bank stock.....	69	3- 7	6- 8-61
Sub. 129	TBA membership, changes.....	278	3-21	*
	*(Section 2, 3-21-61—Rest 7- 1-61) partially vetoed; section 3, vetoed.			

## SENATE BILLS PASSED BY SENATE AND HOUSE—Continued

<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
131	RR's, penalties violation certain regulations.....	177	3-20	6- 8-61
132	Label products of the blind.....	56	3- 6	6- 8-61
134	Volunteer firemen's benefit payments.....	57	3- 6	6- 8-61
135	Legislative subsistence, appropriation.....	9	1-23	1-23-61
137	Irrigation districts, claims for damage.....	276	3-20	6- 8-61
140	Controlled atmosphere storage.....	29	2-21	2-21-61
143	Transfer of W.S.U. lands.....	76	3- 8	6- 8-61
144	Increased expense allowance, apprenticeship council .....	114	3-16	6- 8-61
Sub. 147	Resource management account—General Fund.....	178	3-20	3-20-61
148	Sale of obscene literature.....	146	3-16	6- 8-61
153	Irrigation districts, divisions.....	192	3-20	6- 8-61
154	Hood Canal bridge \$5.5 million, refunding.....	10	2- 8	2- 8-61
157	Exchange of lands Department Natural Resources..	77	3- 8	6- 8-61
164	Transfer institutional equipment, supplies.....	193	3-20	6- 8-61
166	Remove limitations, town park acquisition.....	58	3- 6	6- 8-61
167	Police pensions, survivors, amount.....	140	3-16	6- 8-61
170	Absentee ballot counting.....	78	3- 8	6- 8-61
173	Lieutenant Governor on various boards, commissions	300	3-21	6- 8-61
175	Garnishments, justice court writ fee.....	218	3-20	6- 8-61
179	Increase county mileage allowance to 10 cents.....	79	3- 8	6- 8-61
182	Power of arrest, Public Service Commission.....	173	3-20	6- 8-61
185	Special school elections, multiple issues.....	98	3-13	3-13-61
193	Marking, historical and archeological sites.....	95	3-10	6- 8-61
194	Transfer state land to Benton County.....	59	3- 6	6- 8-61
203	Insurance laws, changes.....	194	3-20	6- 8-61
204	Employees' welfare funds, examining expense.....	174	3-20	6- 8-61
206	Mutual savings banks, changes.....	80	3- 8	6- 8-61
Sub. 209	Court reporters, increased pay.....	121	3-16	6- 8-61
210	City engineering, by contract.....	81	3- 8	6- 8-61
211	Limited access highways, cities, police jurisdiction..	122	3-16	6- 8-61
212	State capitol land acquisition.....	167	3-20	3-20-61
213	Excludes additional personnel, civil service.....	179	3-20	6- 8-61
217	Garbage collections, regulations, fees.....	295	3-21	7- 1-61
218	Inter city library districts formation, election.....	82	3- 8	6- 8-61
219	Additional funds for Bureau of Governmental Research .....	115	3-16	6- 8-61
223	City roads, six-year programs.....	195	3-20	6- 8-61
229	Redemption period, mortgage foreclosure.....	196	3-20	6- 8-61
230	Abolish requirement for honey seal.....	60	3- 6	6- 8-61
238	Life and health insurance, credit purposes.....	219	3-20	6- 8-61
244	Planting stock, registration and certification.....	83	3- 8	6- 8-61
246	Banks, law changes.....	280	3-21	6- 8-61
Sub. 247	Prohibit employment of strikebreakers.....	180	3-20	6- 8-61
250	Toll facility districts, formation.....	181	3-20	6- 8-61
254	Food and beverage workers permit—macaroni.....	30	2-21	6- 8-61
259	Health care services, inclusions.....	197	3-20	3-20-61
262	Broaden state participation, flood control.....	84	3- 8	6- 8-61
274	Increase per diem, state officials.....	220	3-20	6- 8-61
280	Publication of legal notices, TV.....	85	3- 8	6- 8-61
285	Employees' benefit plan, lien on employer.....	86	3- 8	6- 8-61
287	Horticulture, nurseries, regulation.....	221	3-20	6- 8-61
288	Highway property acquisition, condemnation, finance .....	281	3-21	6- 8-61*
	*Partially vetoed—Section 8, vetoed.			
295	Investment of school funds, county treasurer.....	123	3-16	3-16-61
296	Community colleges, State Board of Education.....	198	3-20	6- 8-61
303	Dept. Labor & Industries disposal property King county .....	199	3-20	6- 8-61
305	Establish state wheat commission.....	87	3- 8	6- 8-61
306	Crime with firearms, additional penalty.....	124	3-16	6- 8-61

## SENATE BILLS PASSED BY SENATE AND HOUSE—Continued

Senate Bill No.	Subject	Chapter Number	Date Signed	Effective Date
312	Public sale of livestock.....	182	3-20	3-20-61
314	Teacher retirement funds, investment.....	297	3-21	6- 8-61
316	City water from other municipality.....	125	3-16	6- 8-61
319	Minor's, false age identification, evidence.....	147	3-16	6- 8-61
321	State property management, General Administration, subleases .....	184	3-20	6- 8-61
330	Public accounting, board, rules.....	294	3-21	6- 8-61
331	Establish juvenile correctional center, King county.	183	3-20	6- 8-61
336	State milk marketing act.....	298	3-21	6- 8-61
338	4th class cities, 9 mills when available.....	143	3-16	6- 8-61
344	Exemplary damages for intentional tort.....	97	3-13	6- 8-61*
	*Partially vetoed—Section 3, vetoed.			
352	School attendance credit, attendance days.....	175	3-20	6- 8-61
354	Savings and Loan Associations, regulations, changes	222	3-20	7- 1-61
359	Public employees' retirement, state to city.....	223	3-20	6- 8-61
366	Town incorporation, one petition.....	200	3-20	6- 8-61
371	License plates, foreign government representatives..	201	3-20	6- 8-61
374	Secretary of State, post-session printing, changes..	21	2-14	2-14-61
383	Legal publications, newspaper qualifications.....	279	3-21	6- 8-61
384	Proposed constitutional amendments, publication..	176	3-20	6- 8-61
392	Employee benefits, utility acquisition.....	139	3-16	6- 8-61
394	OASI supplement, College of Education staff.....	202	3-20	6- 8-61
401	School bus stop signs, bar, flash lights.....	203	3-20	6- 8-61
408	May use registered/certified mail.....	204	3-20	6- 8-61
411	Form, certificates/vouchers for pay.....	205	3-20	6- 8-61
419	Ship canals Puget Sound-Grays Harbor, Hood Canal	185	3-20	6- 8-61
422	Use of ADC funds, guardian.....	206	3-20	6- 8-61
Sub. 427	Ionizing radiation source development.....	207	3-20	6-30-61
430	Foreign corporation restatement articles of incorporation .....	208	3-20	6- 8-61
Sub. 431	Astoria-Megler toll bridge, w/Oregon.....	209	3-20	6- 8-61
434	Facilities included in port districts.....	126	3-16	6- 8-61
436	Cities off-street parking, construction, finance.....	186	3-20	6- 8-61
444	Bids, school capital outlay over \$2,500.....	224	3-20	6- 8-61
453	Joint Committee on Education.....	296	3-21	3-21-61
456	Century 21, \$3,000,000 bonds.....	152	3-17	3-17-61
457	Judgments, time limitations.....	88	3- 8	3- 8-61
458	Election, procedure, challenges.....	225	3-20	6- 8-61
459	General obligation bonds, amounts, maturity.....	141	3-16	6- 8-61
462	Century 21 coins.....	127	3-16	6- 8-61
464	Division of juvenile rehabilitation, Department of Institutions .....	Vetoed	3-21	
475	Militia, Adjutant General, appointments.....	210	3-20	6- 8-61
486	Fraud against public bodies, penalties.....	211	3-20	6- 8-61
489	Irrigation and rehabilitation districts.....	226	3-20	6- 8-61
494	City pension funds investments.....	212	3-20	6- 8-61
503	Municipal judges elections.....	213	3-20	6- 8-61
Sub. 526	Regulate commercial driving schools.....	214	3-20	6- 8-61
548	Statewide mosquito control, Health Department....	283	3-21	6- 8-61*
	*Partially vetoed—Subsection 1, Section 5, vetoed.			
552	Public assistance funds to county hospitals.....	144	3-16	6- 8-61
554	Non-tax, metals, ore, goods in transit.....	168	3-20	6- 8-61
557	Youth development and conservation corps.....	215	3-20	6- 8-61

**SENATE MEMORIALS AND RESOLUTIONS PASSED BY BOTH THE  
SENATE AND HOUSE**

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**THIRTY-SEVENTH LEGISLATIVE SESSION—1961**

*Senate Joint  
Memorial No.*

*Subject*

- |    |  |
|----|--|
| 1  | Memorializing Congress, provide youth conservation corps.        |
| 13 | Coast Highway, LaPush to Neah Bay.                               |
| 15 | Memorializing Congress, reconstruction Grays Harbor south jetty. |
| 16 | Land valuation, Wahluke Slope irrigation district.               |
| 21 | Railroad mergers, discontinuances.                               |
| 23 | Memorial, Northwest Airline strike.                              |

*Senate Joint  
Resolution No.*

- |    |   |
|----|---|
| 1  | Elections, District of Columbia.                        |
| 9  | Regulating distribution voters' pamphlets.              |
| 21 | Repeal alien property limitation.                       |
| 25 | Proposed constitutional amendments, publication.        |
| 26 | Congressional medal honor holder, Dexter J. Kerstetter. |
| 28 | International boxing at Century 21.                     |

*Senate Concurrent  
Resolution No.*

- |    |   |
|----|---|
| 2  | Proclaiming January 15-21, 1961, Jaycee Week.                           |
| 5  | Joint interim committee, government cooperation.                        |
| 6  | Authorizing youth legislature, use legislative chambers and facilities. |
| 9  | Legislative council study pension plans.                                |
| 10 | Consideration of legislation, time limit.                               |

**HOUSE BILLS PASSED BY SENATE AND HOUSE**  
**Showing the Action by the Governor Thereon**

**THIRTY-SEVENTH LEGISLATIVE SESSION—1961**

<i>House Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
1	RCW 15, agricultural and marketing code.....	11	2- 8	2- 8-61
2	RCW 46, motor vehicle code.....	12	2- 8	2- 8-61
3	RCW 47, highways.....	13	2- 8	2- 8-61
4	RCW 51, industrial insurance code.....	23	2-14	2-14-61
5	RCW 80-1, public utility and transportation code...	14	2- 8	2- 8-61
6	RCW 82-3-4, revenue and taxation code.....	15	2- 8	2- 8-61
7	In RCW 85.16, diking, drainage, sewerage improvement district .....	16	2- 8	2- 8-61
8	RCW 89.08.080, soil conservation.....	17	2- 8	2- 8-61
9	In RCW 87, irrigation districts.....	18	2- 8	2- 8-61
10	In RCW 43.21, water rights, corrections.....	19	2- 8	2- 8-61
11	In RCW 30.04, banking, corrections.....	20	2- 8	2- 8-61
12	Minors, liability of parents.....	99	3-15	6- 8-61
13	Securities Act, registration, licensing.....	37	2-21	6- 8-61
15	Against discrimination, burial.....	103	3-15	6- 8-61
Sub. 16	Physical therapy, regulation, licensing.....	64	3- 6	6- 8-61
17	Additional definition, sex offense.....	65	3- 6	6- 8-61
18	Relocate harbor lines, Kitsap county.....	22	2-14	6- 8-61
19	Conditional sales, parks, libraries.....	158	3-17	6- 8-61
22	Anti-discrimination to include age.....	100	3-15	6- 8-61
24	Sheriff, personal property sales.....	104	3-15	6- 8-61
26	Juvenile court law.....	302	3-21	6- 8-61*
	*Partially vetoed—Section 9, vetoed.			
Sub. 30	Flood control zone districts.....	153	3-17	3-17-61
Sub. 31	Transfer funds to public hospital districts.....	101	3-15	6- 8-61
36	Expand possible toll bridge financing.....	102	3-15	6- 8-61
40	Police regulation, public use of port districts.....	38	2-21	6- 8-61
47	Increase members, weather modification board.....	154	3-17	6- 8-61
49	Permit joint operation port districts.....	24	2-14	6- 8-61
51	Use school buses various purposes.....	237	3-20	6- 8-61
52	Authorize Washington public port association.....	31	2-21	6- 8-61
53	No court fee, dismissal civil actions.....	41	2-27	6- 8-61
55	Disqualification of superior court judges.....	303	3-21	6- 8-61
56	Teachers' leave of absence.....	66	3- 6	6- 8-61
57	Washington State Art Commission.....	301	3-21	6- 8-61*
	*Partially vetoed—Section 8, vetoed.			
67	Residence of county court commissioner.....	42	2-27	6- 8-61
70	\$500 minimum, filing conditional sales contract.....	159	3-17	6- 8-61
71	Cancel registration, deceased voters.....	32	2-21	6- 8-61
72	Remove pay limitations, city officials.....	89	3- 8	6- 8-61
73	Increase hourly pay, elections officials.....	43	2-27	6- 8-61
75	Irrigation district election, petition.....	105	3-15	6- 8-61
78	Prisoner discipline and parole.....	106	3-15	6- 8-61
84	Consolidation of port districts.....	26	2-15	6- 8-61
87	Department Natural Resources, acquire land access.	44	2-27	2-27-61
94	Increase deposit, forest inspection.....	40	2-21	6- 8-61
97	Industrial insurance, lunch hour, job site.....	107	3-15	6- 8-61
101	Increase no-bond limit, guardianship.....	155	3-17	6- 8-61
102	Payment, road material from public land.....	156	3-17	6- 8-61
107	Establishment, drainage districts.....	131	3-16	6- 8-61
110	Cemeteries, endowment deposits exceptions.....	133	3-16	6- 8-61
111	Increase certain industrial insurance pensions.....	108	3-15	7- 1-61
116	W.S.U. military training elective.....	25	2-14	6- 8-61
122	Corporation shareholders vote w/out meeting.....	160	3-17	6- 8-61
Sub. 123	Library commissioners, travel expense.....	45	2-27	6- 8-61
129	Fire protection districts, formation, special levy....	161	3-17	6- 8-61
130	Formation of library districts.....	162	3-17	6- 8-61

## HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued

House Bill No.	Subject	Chapter Number	Date Signed	Effective Date
138	Superior court fees.....	304	3-21	6- 8-61
Sub. 140	Agricultural pesticides, control, regulation.....	244	3-20	6- 8-61
Sub. 146	Agricultural pesticides, application.....	249	3-20	6- 8-61
148	Agricultural fairs, state fair fund.....	61	3- 6	6- 8-61
149	Off-street parking, 4th class towns.....	33	2-21	6- 8-61
156	Cooperative associations perpetual terms.....	34	2-21	6- 8-61
158	L.I.D. bonds and warrants, delinquency.....	46	2-27	6- 8-61
161	Restriction to one drivers license.....	134	3-16	6- 8-61
162	County officers, RCW corrections.....	35	2-21	6- 8-61
168	State colleges W.W.S.C., E.W.S.C., C.W.S.C.....	62	3- 6	6- 8-61
171	Dates of auto license issuance, renewal.....	163	3-17	6- 8-61
173	Rental state armory, Seattle.....	135	3-16	3-16-61
176	County park property, condemnation, sale.....	92	3- 8	3- 8-61
184	City streets, county maintenance.....	245	3-20	6- 8-61
190	Municipality participation in World Fair.....	39	2-21	2-21-61
195	Fireworks, control, regulation.....	228	3-20	1- 1-62
196	RCW codification, new titles.....	246	3-20	3-20-61
Sub. 198	Limitation, signs on highways.....	96	3-11	3-11-61
Sub. 199	Practical nurses licensing, fees.....	231	3-20	6- 8-61
207	Aeronautics director, employment, salary.....	289	3-21	6- 8-61
211	Washington Utilities and Transportation Commission (Public Service Commission).....	290	3-21	6- 8-61
216	Superior court judges, 3 counties.....	67	3- 6	3- 6-61
217	Teachers retirement, full time, maximum.....	132	3-16	7- 1-61
241	Election law changes.....	130	3-16	6- 8-61
242	Control of predatory birds.....	247	3-20	6- 8-61
244	Medical use of human remains.....	90	3- 8	3- 8-61
247	Milk for animal food, regulations.....	285	3-21	7- 1-61*
	*Partially vetoed—Amendment to Section 17, vetoed.			
248	Judges' retirement, adjust pension rights.....	286	3-20	6- 6-61*
	*Partially vetoed—Section 4, vetoed.			
259	Malt beverages, no percent on label.....	36	2-21	6- 8-61
264	Code of ethics, veterinary practice.....	157	3-17	6- 8-61
269	Flag ceremonies, school events.....	238	3-20	6- 8-61
271	County, city, regional planning.....	232	3-20	6- 8-61
272	Prohibit vehicle modification by lowering.....	151	3-16	6- 8-61
277	Highway contracts, equipment and operator without bid.....	233	3-20	6- 8-61
279	Increase city retirement benefits.....	227	3-20	6- 8-61
282	Broaden enforcement, Game Commission.....	68	3- 6	6- 8-61
284	State history and government course for teachers..	47	2-27	6- 8-61
286	State Patrol retirement, increases, changes.....	93	3- 8	3- 8-61
292	Motor vehicle dealer, place of business.....	48	2-27	6- 8-61
296	Auto dealer bond, restrict recovery.....	239	3-20	6- 8-61
309	Old age assistance, eligibility.....	248	3-20	6- 8-61
311	Rehabilitation centers for blind.....	234	3-20	6- 8-61
314	Weed district laws, broaden, change.....	250	3-20	6- 8-61
320	Custom slaughtering, inspection, fees.....	91	3- 8	6- 8-61
326	Mentally deficient, support payments.....	251	3-20	6- 8-61
333	Religious, charitable corporations, merger.....	110	3-15	6- 8-61
338	Permit tort action against state.....	136	3-16	6- 8-61
339	Selection of jurors.....	287	3-21	6- 8-61
348	Ski lifts, regulation, inspection.....	253	3-20	6- 8-61
351	Stealing livestock, grand larceny.....	63	3- 6	6- 8-61
354	Livestock brands, renewal, notice.....	148	3-16	3-16-61
363	Investment of county funds.....	254	3-20	6- 8-61
365	Firemen's pensions, changes.....	255	3-20	6- 8-61
366	School district elections, odd years.....	252	3-20	6- 8-61
367	Student suspension, discipline.....	305	3-21	6- 8-61
371	Higher educational capital construction.....	229	3-20	6- 8-61

## HOUSE BILLS PASSED BY SENATE AND HOUSE—Continued

House Bill No.	Subject	Chapter Number	Date Signed	Effective Date
377	City pedestrian malls, procedure.....	111	3-15	6- 8-61
388	Simplification securities fiduciary transfers.....	150	3-16	6- 8-61
Sub. 389	Agricultural commodity enabling act.....	256	3-20	6- 8-61
394	TBA property, transfer, franchise.....	257	3-20	3-20-61
395	TBA, toll credit business.....	258	3-20	6- 8-61
396	Misbehavior in toll facility area.....	259	3-20	3-20-61
397	Soil, water, conservation districts.....	240	3-20	6- 8-61
402	Cities, minimum retirement \$960 year.....	260	3-20	6- 8-61
404	Aid to blind, increased earnings exemption.....	235	3-20	6- 8-61
415	Group health insurance, sewer, water districts.....	261	3-20	6- 8-61
Sub. 421	Teachers contracts, non-renewal notice.....	241	3-20	6- 8-61
424	County property maps, assessor, auditor.....	262	3-20	6- 8-61
425	City council elections, number positions.....	109	3-15	6- 8-61
Sub. 426	Aeronautics, ground hazard regulation.....	263	3-20	6- 8-61
445	Crop lien, fertilizer, etc., sales.....	264	3-20	6- 8-61
448	Revise Lummi Island reef net fish area.....	236	3-20	6- 8-61
455	Maximum size, 4th class cities.....	277	3-20	6- 8-61*
	*Partially vetoed—Sections 1, 2 and 3, vetoed.			
458	Changes in state employees' retirement.....	291	3-21	3-21-61*
	*Partially vetoed—Section 5, vetoed.			
468	Free hunting and fishing license, disabled veterans.	94	Not Signed	6- 8-61
472	Semi-annual qualifications, ADC.....	265	3-20	3-20-61
491	Semi-trailer "floater" license.....	266	3-20	6- 8-61
492	Temporary permit, interstate trucks.....	306	3-21	6- 8-61
513	Sewer district associations, membership, finance....	267	3-20	6- 8-61
514	Water district associations, membership, finance....	242	3-20	6- 8-61
515	Amend professional nurse law, license, regulations.	288	3-21	6- 8-61*
	*Partially vetoed—Section 2, vetoed.			
516	Ease conflict of interest law, municipal officers.....	268	3-20	6- 8-61
519	Public assistance, surplus food, \$2,295,528.....	112	3-15	3-15-61
521	Public assistance work relief program.....	269	3-20	3-20-61
527	County treasurer fees, district assessment rolls....	270	3-20	6- 8-61
538	Medical examining board, licensing.....	284	3-21	3-21-61
546	Repeal lumber car weighing provision.....	243	3-20	6- 8-61
556	Inheritance tax appeals, changes.....	292	3-21	6- 8-61
Sub. 559	Increase membership judicial council.....	271	3-20	6- 8-61
Sub. 576	B. & O. tax, not on sale price.....	293	3-21	6- 8-61
606	Park and recreation districts for 4th class counties..	272	3-20	6- 8-61
636	AA counties salary fund.....	273	3-20	3-20-61
643	Increase individual insurance payments, coverage..	274	3-20	*
	*(Sec. 6, 1-1-62—Rest 6-8-61).			
661	Fish license application in person.....	230	3-20	6- 8-61
662	Municipal corporations audits by independents.....	275	3-20	6- 8-61
687	Century 21, financing.....	149	3-16	3-16-61
693	Appointive state officials' salaries.....	307	3-21	6- 8-61*
	*Partially vetoed—Section 11, vetoed.			

**HOUSE MEMORIALS AND RESOLUTIONS PASSED BY BOTH  
THE SENATE AND HOUSE**

**THIRTY-SEVENTH LEGISLATURE SESSION—1961**

<i>House Joint Memorial No.</i>	<i>Subject</i>
2	Stamp commemorating Fort Okanogan.
5	Congratulatory message, national administration.
7	Repeal section 14b, Taft-Hartley Act.
20	Federal employees union recognition requested.
21	Retain Pacific Coast shipbuilders differential.
40	Point Roberts national monument.

<i>House Joint Resolution No.</i>	<i>Subject</i>
6	Supreme court authorize temporary judges.
9	Governmental continuity in war emergency.
19	Voters' residence requirements reduced.
28	Commemorate international boundary centennial.
35	Recognition Julia Butler Hansen.
39	Fish hatchery, George N. Adams.

<i>House Concurrent Resolution No.</i>	<i>Subject</i>
1	Organization of legislature.
2	Joint sessions Canvassing of votes.
3	Governor Rosellini's inaugural address.
4	Governor Rosellini's message.
5	Century 21 Exposition story presentation.
7	Hearing problems of state's institutions of higher learning and public schools.
8	Commending University of Washington on centennial.
9	Amendments, joint rules.
10	Legislative council study timber taxation.
11	Memorial services, deceased legislators.
13	Legislative council subcommittee, unemployment compensation.
21	Interim committee on industrial insurance.
22	Fisheries interim committee.
23	Game and Game fish, interim committee.
24	Consideration of bills, time limit.
25	Adjournment, <i>sine die</i> .



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**INDEX**

**TITLE AND HISTORY OF SENATE AND HOUSE BILLS,  
MEMORIALS AND RESOLUTIONS**

**AND**

**GENERAL TOPICAL INDEX**

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## TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
1. Senators Gissberg and Rasmussen: Relating to grand juries and the investigation and prosecution of elective public officials	18	119	641	641	649	641				
2. Senators Greive and Durkan: Raising payment to legislators in lieu of subsistence and lodging	23	38								
3. Senators Elway, Jr., Shannon and Riley (by Legislative Council request): Providing for county purchasing departments and purchasing agents	28	138, 500	193, 660	661	193 1,062	661	1,019	1,068	1,068	S.
4. Senators Riley, Shannon and Freise (by Legislative Council request): Authorizing counties to adopt by reference, statutes or recognized codes	29	139	194	194	440	194	442	442	484	S. 533
5. Senators Talley, Henry and Chytil: Regulating weather modification operations	29									
6. Senators Shannon, Riley, Cooney and Durkan (by Legislative Council request): Restricting sale and use of fireworks	29									
7. Senators Dore, Donohue and Hess: Extending law against discrimination, particularly to all housing	29	374			32					
7. (Substitute) Judiciary Committee: Extending law against discrimination, particularly to all housing	374	374								
8. Senators Thompson, Jr., Petrich and Woodall: Prohibiting the dealing in of certain narcotics	29	214	286	286	681	286	687	711	787	S. 1,018
9. Senators Angevine, Keefe and Washington: Providing parking privileges for the handicapped	29	273	387	388	394	388	1,019	1,068	1,068	S.

10. Senators Kupka, Martin and Keefe (by Legislative Council request): Relating to jails and other detention facilities, authorizing the creation and government thereof and providing procedures for commitment, discipline, employment and discharge of prisoners.....	30	418	696	696	30, 727	696	1,019	1,068	1,068	S.	
11. Senators Kupka, Freise and Keefe (by Legislative Council Request): Requiring court or jury to determine if accused in fact was armed with a deadly weapon.....	30	394	822	822	1,001 1,008	823	987	1,009	1,025	S.	
12. Senators Kupka, Freise and Keefe (by Legislative Council request): Providing a method for nominating appointees to the board of prison terms and paroles, and prescribing their qualifications .....	30										
13. Senators Kupka, Martin and Keefe (by Legislative Council request): Restoring civil rights by Board of Prison Terms and Paroles .....	30	74, 417	722	722	74	722	1,068	1,141	1,193	S.	
14. Senators Kupka, Freise and Keefe (by Legislative Council request): Transferring supervision of parolees and probationers to Director of Institutions.....	30	347	513	513	805	514	809	812	833	1,168 Vetoed	
15. Senators Woodall and Foster: Relating to standards for grades of apples .....	31	750									
16. Senators Talley, Riley and Freise (by Legislative Council request): Relating to the annexation of territory to cities.....	38	139	354 435, 490	354, 645	339 355, 356 363, 436 437, 490 500, 649	355, 645	1,069	1,069	1,141	1,193	S.
17. Senators Kupka, Keefe and Sandison (by Legislative Council request: Creates the charitable, educational, penal and reformatory institutions account in the general fund and from such, or by sale of bonds, authorizes the financing of the correctional institution established by chapter 72.13 RCW.....	38	74 518, 707	602 632, 729	730	75 602, 632 707, 786	730	1,019	1,068	1,068	S.	
18. Senators Gallagher and McCutcheon: Relating to election recount procedure .....	39	119	170	170	711, 750	170	710	742	787	S. 1,018	
19. Senators Keefe, Thompson, Jr. and Foley: Reducing the tobacco products tax.....	39				39						

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
20. Senators Bargreen, Gallagher and Riley: Exempting certain raw materials from ad valorem taxation.....	39									
21. Senators McCutcheon and Dore: Relating to construction and operation of dams on tributaries to Columbia River.....	39	83	134	268, 304	40 41, 84 102, 134 270, 295 296, 372	270, 394				
22. Senators Elway, Jr., Riley and Sandison (by Legislative Council request): Relating to county cumulative reserve funds....	41	139	458	458	437	458	1,019	1,068	1,068	S.
23. Senators Dore and Petrich: Restricting modifications or waivers of seller's implied warranties.....	41	500			41, 42					
24. Senator McCutcheon: Raises salaries of town officers.....	41	139								
25. Senators Talley, Donohue and Woodall: Relating to state aid to county probation services, making an appropriation and increasing emergency percentage payable by state.....	41	180, 829	861	861	180, 928 1,054 1,055 1,083 1,164	861 1,178	1,054 1,103 1,164 1,178	1,202	1,203	S.
26. Senators Hallauer, Hess and Cooney: Relating to teachers under Washington contracts and defining their residency qualification for game licenses.....	41									
27. Senators Morgan, Rasmussen and Martin: Providing display at Century 21 of articles produced at state institutions.....	42	273	589	589		589	1,019	1,068	1,068	S.
28. Senators Morgan, Rasmussen and Greive: Establishing minimum salary for certain employees of state institutions.....	42	395				395, 871				

28. (Substitute) Committee on Ways and Means: Establishing minimum salary for certain employees of state institutions.....	396	395	872	872, 877	871, 872	877 944, 968	943	968	988	S.
29. Senators Elway, Jr., Riley and Sandison (by Legislative Council request): Authorizing county commissioners to initiate an election on the proposal to establish a sanitary district.....	42	140								
30. Senators Rasmussen, DeGarmo and Ryder (by Legislative Council request): Prescribing certain equipment for and regulating motorboats .....	42									
31. Senators Rasmussen, Talley and Foster: Relating to cremating duties of fiscal agency in New York.....	42	214	455	455	437, 518 1,008	455	987	1,000	1,025	S.
32. Senators Rasmussen, Woodall and Riley: Providing parents with notice of traffic citations of their minor children.....	43	214	389	389	44	389				
33. Senators Foster and McCutcheon: Providing for the assumption of jurisdiction over Indians.....	43	348	634		44					
33. (Substitute) Judiciary Committee: Providing for the assumption of jurisdiction over Indians.....	348	348	634, 670	673	673, 680	673				
34. Senators Talley, Elway, Jr. and Bailey: Amending provisions relating to calls for bids by 2nd, 3rd and 4th class cities and towns .....	43	274			102					
35. Senators Talley, Hofmeister and DeGarmo: Providing tax exemptions for veterans.....	43	309								
36. Senators Talley, Hofmeister and DeGarmo: Benefiting disabled war veterans .....	43									
37. Senators Talley, Chytil and Knoblauch: Amending procedure for determination of population of territory annexed to cities and towns .....	43	140	175	175	681	175	687	711	787	S. 1,018
38. Senators Talley, Dore and Rasmussen: Permitting the amendment of subsections of codifications of city ordinances.....	43	140	456	456	437, 805	456	809	812	833	S. 1,167
39. Senators Talley, Elway, Jr. and Bailey: Changing budgeting dates in cities and towns under three hundred thousand population .....	43									
40. Senators Keefe, Cowen and Cooney: Authorizing the transfer of certain properties in Riverside State Park, Spokane county to the City of Spokane.....	44	215								

## TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
41. Senator McCutcheon: Changes psychology certification requirements .....	45	593								
41. (Substitute) Committee on Medicine and Dentistry: Changes psychology certification requirements.....	593	593								
42. Senator Gissberg: Authorizing water districts to convey system to other water districts.....	46	159	528	529	516, 542	529				
43. Senators Thompson, Jr., Hess and Knoblauch: Relating to the superintendent of school supplying additional programs for students of superior capacity.....	16	401	596	596	612 1,008	596	987	1,009	1,025	S.
44. Senators Rasmussen, Happy and Gallagher: Making provisions as to refunds of and exemptions from the motor vehicle fuel tax for urban transportation systems permanent.....	46	365, 464	509	512	416, 518 1,008	512	987	1,009	1,025	S.
45. Senators Sandison, Elway, Jr., and Riley (by Legislative Council request): Amending procedures relating to the taxation of property.....	46									
46. Senator Gissberg (by Legislative Council request): Establishing a state air pollution control board.....	46	253, 829	887	887	253, 864 879, 928	888	1,068	1,141	1,193	S.
47. Senators Thompson, Jr., Keefe and Foley: Making it a crime to receive shipment of tobacco products to avoid tax.....	46									
48. Senators Cooney and Greive: Relating to obscene literature.....	46									
49. Senators Hallauer, Woodall and Hanna: Providing for disposition of inactive funds.....	47									
50. Senators Chytil and Knoblauch: Exempting baby chicks, layers, etc. from the sales and from the use tax.....	47	150			180					

51. Senators Elway, Jr., Sandison and Riley: Requiring budgets for taxing districts to contain estimates of cash balances at beginning and end of budget period.....	47	140	211	211	681	211	687	711	787	S. 1,018
52. Senators Sandison, Talley and Elway, Jr. (by Legislative Council request): Permitting counties to abolish townships throughout the county by means of a single election.....	47	141	246	246	178 191, 206 518, 681	246	687	711	787	S. 1,018
53. Senators Angevine, Gissberg, Cooney, Neill, Hess, Morgan, Hofmeister, Kupka, Moriarty, Jr. and DeGarmo (by Executive request): Regulating retail installment sales of goods.....	47	464	694	695	48 1,066	695				
54. Senators Talley, Knoblauch, Hofmeister, Moriarty, Jr., Durkan, Elway, Jr., Morgan, Raugust, Thompson, Jr., DeGarmo and Gallagher (by Executive request): Requiring registration of home improvement contractors.....	47				48					
55. Senators Bargreen, Petrich, Dore, Hanna, Angevine, DeGarmo, Washington and Neill (by Executive request): Relating to consumer protection; prohibiting restraints of trade, unfair competition, and unfair or deceptive acts or practices in trade or commerce.....	47	215	285	288	48 286, 297	288 1,161	1,159	1,202	1,203	S.
56. Senators Morgan, Raugust, Durkan, Greive, Neill and DeGarmo: Regulating vehicle salesmen.....	47	464			48					
57. Senators DeGarmo, Hess, Hanna, Talley, Neill, Kupka, Dore, Elway, Jr. and Thompson, Jr. (by Executive request): Prohibiting false, deceptive and misleading advertising.....	48	297	341	341	48, 364 1,059	341 1,059	1,058	1,141	1,193	S.
58. Senator Bargreen: Providing assistance program for parolees and discharged prisoners.....	48	150, 612	725	726	150 725, 786 1,134	726 1,134	1,133	1,202	1,203	S.
59. Senators Talley and McCormack: Amending powers of 3rd class cities with respect to leasing of municipally owned real property.....	48	141								
60. Senators Foley, Petrich and Neill (by Judicial Council request): Increasing and eliminating certain supreme court fees.....	51	150								
61. Senators Foley, Petrich and Neill (by Judicial Council request): Relating to jury fees.....	51	150								
62. Senators Foley, Petrich and Woodall (by Judicial Council request): Authorizing subpoena to witnesses to extend throughout state.....	51	151								

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
63. Senators Foley, Petrich and Woodall (by Judicial Council request): Providing for survival of actions.....	51	151	207	207	.....	207 945, 968	944	968	988	S.
64. Senators Rasmussen, Henry and Raugust (by Legislative Council request): Transferring administration of farm labor contractor act to commissioner of employment security, providing penalties and making an appropriation.....	52	274	.....	.....	.....	.....	.....	.....	.....	.....
65. Senators Rasmussen, Riley and Neill: Abolishing discriminatory wage rates based on sex.....	52	180, 923	390	.....	390	.....	.....	.....	.....	.....
66. Senators Hallauer and Cooney: Prohibiting use of depth sounders in sport fishing.....	52	.....	.....	.....	.....	.....	.....	.....	.....	.....
67. Senator Hallauer: Relating to lowering the annual license fee of egg dealers.....	52	151	176	177	681	177	687	711	787	S. 1,018
68. Senators Sandison, Elway, Jr. and Knoblauch: Expanding courses of instruction at Washington State University to include forest management.....	52	215	386	386	805	387	809	812	833	S. 1,167
69. Senators Shannon, Riley and Moriarty, Jr.: Providing for selection of candidates for designation as official party candidates on primary election ballots.....	52	.....	.....	.....	.....	.....	.....	.....	.....	.....
70. Senators Washington, Knoblauch and Lennart: Increasing teacher retirement benefits.....	52	109	.....	.....	108, 109	.....	.....	.....	.....	.....
71. Senators Gallagher, Greive and Gissberg: Removing requirement that names be staggered on ballots.....	52	215	260	260	.....	261	.....	.....	.....	.....
72. Senators Dore, Petrich and Neill: Enacting a uniform commercial code .....	52	477	763 813, 837	.....	763 814, 837 876, 883	.....	.....	.....	.....	.....

73. Senators Kupka, McCormack and Elway, Jr.: Regulating boiler operation .....	53	681								
74. Senator Rasmussen: Restricting type of structures adjacent to airports to insure public safety.....	53									
75. Senators Kupka, Keefe and Freise (by Legislative Council request): Redefining "sale at retail" or "retail sale" to lessen tax impact on manufacturers.....	53									
76. Senators Kupka, Keefe and Freise (by Legislative Council request): Exempting from property tax personal property stored within state, destined for out of state.....	53									
77. Senators Greive, Kupka, Keefe and Freise (by Legislative Council request): Creating a Washington industrial finance authority .....	53	297, 649	321, 821		53 84, 321 821, 876 899, 905	913				
78. Senators Foley, Hallauer and Angevine: Making appropriations for expenses for bill drafting.....	54		54	54	64	54	63	64	65	S. 75
79. Senators Foley and Hallauer: Making appropriations for legislative expenses .....	54		54	54	64	55	63	64	65	S. 75
80. Senators Foley and Hallauer: Making appropriations for legislative printing .....	55		55	55	64	55	63	64	65	S. 75
81. Senators Shannon, Cooney, Kupka, McCormack and Freise: Relating to civil engineers and land surveyors.....	58	215	316	318	58 303, 328 1,019 1,081	318 1,021	1,019	1,082	1,165	S.
82. Senator Elway, Jr.: Making minors liable as adults as to traffic offenses .....	58									
83. Senators Angevine, Cooney and Gissberg: Relating to the licensing and regulation of ambulances and ambulance operators .....	58	535								
84. Senators Bailey, Hallauer and Elway, Jr.: Publishing notice for control of forest insects and diseases.....	58	151	192	192	200, 805	192	809	812	833	S. 1,167
85. Senators Donohue, Moriarty, Jr. and Martin: Authorizing county commissioners to transfer surplus public health funds to public hospital districts.....	58	159	697, 715	716	697, 736	716				

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
86. <b>Senator Martin:</b> Authorizing withdrawal of certain tidelands from lease and sale.....	59	253	338	338	324, 364 1,059	338 1,059	1,059	1,141	1,193	S.
87. <b>Senators Washington, Raugust and Martin (by Highway Interim Committee request):</b> Excluding tangible personal property consumed in construction of public streets and bridges from sales tax provisions.....	59	309								
88. <b>Senators Henry, Donohue and Foster (by Highway Interim Committee request):</b> Abolishing right to obtain occupational driver's license under chapter 46.28 RCW.....	59	348								
89. <b>Senators Henry, Connor and Martin:</b> Making uniform the law relating to yielding the right of way on left turns at intersections.....	59	159	206	206	195 1,008	206	988	1,009	1,025	S.
90. <b>Senators Henry, Freise and Donohue (by Highway Interim Committee request):</b> Repealing present procedural section regarding visually defective persons seeking motor vehicle operators' licenses.....	59	159	207	207	1,008	207	988	1,009	1,025	S.
91. <b>Senators Henry, Raugust and Lennart (by Highway Interim Committee request):</b> Removing thirty-five mile an hour limitation at intersections when on certain arterial highways.....	59	160	195	195	1,008	195	988	1,009	1,025	S.
92. <b>Senators Woodall, Greive and Henry:</b> Limiting juvenile court jurisdiction in traffic cases.....	60	216	495	495		495				
93. <b>Senators Nunamaker and Greive:</b> Preventing ratable reductions.....	60	542								
94. <b>Senators Greive, Angevine and Bailey:</b> Modifying provisions of police pension fund in cities of the first class.....	60	274	553, 582	583	535 556, 611	583	1,083	1,141	1,193	S.

95. Senators Hess, Elway, Jr. and Greive: Creating a joint legislative committee on urban area government.....	60	141	171	172	199, 440	174	442	442	484	P.V. 578
96. Senator McCutcheon: Raises award in lieu of and in addition to homestead from 6 to 10 thousand dollars.....	60									
97. Senator McCutcheon: Changes exemptions of property from execution and attachment.....	60									
98. Senators Thompson, Jr. and Durkan: Authorizing merger of certain water districts.....	60	141	177	177	440	177	442	442	484	S. 533
99. Senators Sandison and Riley (by Legislative Council request): Relating to appeals from the county board of equalization.....	61									
100. Senator Hess: Authorizing recreational use of certain portions of streets, alleys and roads.....	61	141								
101. Senators Freise and Henry: Exempting counties having electrical installation codes from state regulations.....	61	216			290, 302					
102. Senators Herrmann, Cooney and Keefe: Relating to fire protection district tax levies.....	61									
103. Senator McCutcheon: Raises salary exemption from garnishment .....	61									
104. Senators McCormack, Connor and Cooney: Providing for portion of horse racing fees to be distributed to counties for park and recreation purposes.....	61	464								
105. Senators McCormack, Thompson, Jr. and Sandison: Relating to public lands.....	61	216	340, 368	369	342 374, 805	369	809	812	833	S. 1,167
106. Senators Dore and Petrich: Restricting employment of former public service commission personnel.....	62	309								
107. Senators Dore, Durkan and Petrich: Relating to subpoena power of legislative committees.....	62				313					
108. Senators Greive, Hess and Ryder: Increasing number of superior court judges.....	62									
109. Senator McCutcheon: Raises homestead allowance from 6 to 10 thousand dollars.....	62									

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
110. Senators Dore and Petrich (by Legislative Council request): Relating to traffic law enforcement.....	62									
111. Senators Dore and Petrich (by Legislative Council request): Reorganizing the justice court system.....	62	575	662							
					662 693, 715 745, 771 798, 801 1,048 1,064 1,066					
111. (Substitute) Judiciary Committee: Reorganizing the justice court system .....	575	575	662 693, 715 743, 765 771, 788	797		798 1,158	1,048 1,142	1,202	1,203	P. V.
112. Senators Petrich and Dore (by Legislative Council request): Relating to justice court procedure.....	63									
113. Senators Gissberg, Sandison and Hess: Establishing an office of Indian affairs.....	66									
114. Senators Gissberg and Shannon: Permitting port districts to provide fire protection for airports and exempting it from tort liability while so doing.....	66	160	321	321	742 743, 786	821	742	788	833	S. 1,167
115. Senators Cooney, Herrmann and Woodall: Relating to dam- ages for death of child.....	66	216								
115. (Substitute) Judiciary Committee: Relating to damages for death of child.....	263	263	263	263		263				
116. Senators Hess, Washington and Thompson, Jr.: Abolishing capital punishment .....	66									

117. Senators Foster and Henry: Modifying notice provisions for franchise on county roads and bridges.....	67	142	209	210	214, 681	210	687	711	787	S. 1,018
118. Senators Riley and Keefe: Relating to parental financial responsibility .....	67									
119. Senators Nunamaker, Papajani and Rasmussen: Relating to common carriers to transport game and game fish illegally offered for sale.....	67	348	493	493	71, 805	494	809	812	833	S. 1,167
120. Senators Glssberg, Kupka, Happy and Lennart: Deed of trust act .....	67									
121. Senators Keefe, Herrmann and Cooney: Relating to limited access facilities within cities and towns.....	67									
122. Senators Petrich, Moriarty, Jr. and Dore: Relating to increasing number of superior court judges in King and Pierce counties .....	67									
123. Senators Rasmussen and Talley: Permits issuance of local improvement district installment notes in cities and towns.....	67	142	322, 336	337	323, 364 1,008	337	988	1,009	1,025	S.
124. Senators Greive, Angevine and Nunamaker: Redefining "resource" in public assistance law.....	67	217								
125. Senators Rasmussen and Talley: Relates to budgets in certain cities and towns.....	67	142	597	597	1,008	597	988	1,009	1,025	S.
126. Senators Angevine, Greive and Nunamaker: Exempting public assistance from budget and accounting act.....	68				68					
127. Senators Cowen, Ryder and Neill: Relating to the limiting of stock ownership in one bank by another.....	68	310	354	354	339, 707	354	710	711	787	S. 1,019
128. Senators Talley, Hanna and Hess: Including elected county officials under group insurance for county employees.....	68									
129. Senators Bailey, Washington, Sandison and Raugust (by Highway Interim Committee request): Changing membership of Washington toll bridge authority; modifying its powers and duties .....	68	461			73					
129. (Substitute) Committee on Highways: Changing membership of Washington toll bridge authority; modifying its powers and duties .....	461	461	603, 605	605	603 1,008	605	988	1,009	1,025	P. V.

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
130. Senators Dore, Morgan and Donohue: Modifying law relating to deaths and dead bodies.....	68									
131. Senators Cooney, Rasmussen, McCormack, Keefe and Herrmann: Providing penalties for failure of railroad companies to comply with employee sanitation and shelter regulations....	68	217	283	306	68, 263 1,021 1,081	306 1,022	1,021	1,082	1,165	S.
132. Senators Gissberg and Durkan: Relating to blind made products .....	69	142	188	191	177 200, 681	191	687	711	787	S. 1,018
133. Senators Gissberg and Bailey: Raising contributions to volunteer firemen's relief and pension fund.....	69	160, 200			200					
134. Senators Gissberg and Bailey: Modifying provisions of volunteer firemen's relief and pension act.....	69	161	284	284	263 685, 707	284	685	711	787	S. 1,018
135. Senators Foley, Hallauer and Angevine: Making an appropriation for legislator's subsistence while in attendance at thirty-seventh legislature .....	69		69	69	92	70	86	93	100	S. 108
136. Senators Woodall, Sandison and Keefe: Prohibiting leaving parked vehicle with motor running unless licensed operator therein .....	75	217	320	320	76, 328	320				
137. Senators Raugust, McCormack and Washington: Regulating damage claims against irrigation districts.....	75	217	494	494		494	1,019	1,068	1,068	S.
138. Senators DeGarmo, Talley and Thompson, Jr.: Raising teacher retirement benefits .....	75									
139. Senators Rasmussen and Gissberg (by Legislative Council request): Repealing certain electrical construction rules.....	75	180								

140. Senators Foster, Hanna and Hallauer (by Departmental request): Relating to operation of controlled atmosphere storage warehouses .....	76	151	211	212	214, 440	212	442	442	484	S. 533
141. Senators Hofmeister, Talley and DeGarmo: Prohibiting meetings by organizations which refuse allegiance to U.S.A. ....	76									
142. Senators Bargreen and Gissberg: Relating to joint utilities by city and PUD.....	76	275	337, 386	386	324 337, 394	386				
143. Senators Neill and McCormack: Authorizing exchanges and leases of certain real property by the board of regents of WSU .....	76	217	496	496	805	496	809	812	833	S. 1,167
144. Senator Gissberg: Relating to apprenticeship council and providing for a supervisor of apprenticeship.....	76	275	370	370	345, 968	370, 945	945	968	988	S.
145. Senators Ryder, Sandison and Papajani: Relating to the insurance program in the state public school system.....	76	348, 464	894		147					
146. Senators McCormack, Thompson, Jr. and Hallauer: Provides for use of school buses for extra-curricula activities.....	77									
147. Senators Rasmussen and Chytil (by Legislative Council request): Adding administrative charge to public lands sales contracts and leases.....	77	310	720							
147. (Substitute) Committee on State Government, Military Affairs and Civil Defense: Adding administrative charge to public lands sales contracts and leases.....	310	310	761, 834	834	720 761, 805 1,066 1,081	835	1,019	1,062	1,165	S.
148. Senators Greive, Kupka, Petrich, Dore and Keefe (by Legislative Council request): Relating to obscene literature, objects and performances and providing penalties.....	77	395	472	472	78 437, 500 1,175	474 1,176	1,175	1,202	1,203	S.
149. Senators Greive, Petrich, Dore, Keefe and Kupka (by Legislative Council request): Creating a publications review board to assist in enforcement of obscene materials law.....	77	395	474	529	78, 437 516, 518 532, 541 1,066	531				
150. Senator Gissberg: Abolishes toll bridge authority.....	78				80					
151. Senators McCormack, Henry and Hofmeister: Extends secondary state highway 11A from Vernita Ferry to Richland.....	78									
152. Senators Rasmussen and Dore: Placing legislators under code of ethics for public officers and employees.....	78	310								

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
153. Senators McCormack, Washington and Raugust: Providing for director divisions in irrigation districts.....	78	218	699	699	.....	699	1,107	1,141	1,198	S.
154. Senators Morgan, Bailey and Washington (by Executive request): Appropriating moneys for completing Hood Canal Bridge .....	78	109	124	124	124, 214	124	245	245	255	S. 312
155. Senators Henry, Talley and Neill: Authorizing police officers of municipal corporations of the second and fourth classes to pursue and arrest violators of city ordinances beyond the city limits .....	79	417	552	552	535, 574	552	.....	.....	.....	.....
156. Senators Sandison and Bailey: Relating to log patrols.....	79	253	.....	.....	.....	.....	.....	.....	.....	.....
157. Senators Sandison and Bailey: Relating to exchanges of land..	79	253	390	390	805	390	809	812	883	S. 1,168
158. Senator Gissberg: Relating to highways—15A and 15B.....	79	.....	.....	.....	.....	.....	.....	.....	.....	.....
159. Senators Moriarty, Jr., Kupka and Woodall: Authorizing employment or continuation thereof of prisoners.....	86	.....	.....	.....	.....	.....	.....	.....	.....	.....
160. Senators Gallagher, Hallauer and Rasmussen: Authorizing straight party voting, eliminating staggering of names, etc.....	86	465	.....	.....	.....	.....	.....	.....	.....	.....
161. Senators Hanna and Hallauer: Providing for the counting of absentee ballots, filling vacancies on ballot, etc.....	86	.....	.....	.....	.....	.....	.....	.....	.....	.....
162. Senators Hanna and Freise: Relating to compensation of juvenile probation counselors.....	87	299, 395	.....	.....	.....	.....	.....	.....	.....	.....
163. Senators Martin, Freise and Sandison (by Departmental request): Allowing transfer to state hospital from state residential school for mentally deficient persons.....	87	395	.....	.....	.....	.....	.....	.....	.....	.....

164. Senators Martin, Kupka and Sandison (by Departmental request): Authorizing transfer of equipment, livestock and supplies between institutions.....	87	396	888	888	928	888	1,083	1,141	1,193	S.
165. Senator Riley: Relating to grounds for divorce.....	87									
166. Senators Hallauer and Hanna: Eliminating vote requirement for town park land purchase.....	87	161	339	340	681	340	687	711	787	S. 1,018
167. Senators Connor, Cooney and Gallagher: Relating to policemen's pensions .....	87	477	512 527, 562	562	88, 512 516, 528 535, 595	563	1,019	1,068	1,068	S.
168. Senators Martin, Freise and Sandison (by Departmental request): Modifying law relating to state hospitals for mentally ill, sexual psychopaths and psychopathic delinquents.....	87	396	889	880	928	890				
169. Senator Woodall: Requiring relatives, other than children, of inmates to bear cost of care and custody.....	88									
170. Senators Gallagher, Gissberg, Durkan and Papajani: Providing that certain absentee ballots need not be tabulated.....	88	218	262, 319	262, 319	88 263, 267 268, 301 328, 805	262, 319	809	812	883	S. 1,168
171. Senators Rasmussen, DeGarmo, Ryder, Papajani and Gallagher (by Legislative Council request): Relating to the appraisal of estates and gifts for inheritance and gift tax purposes.....	88	681			88					
172. Senators Elway, Jr. and Gallagher: Relating to confirmation and removal of city officers.....	88				89					
173. Senators Rasmussen, Kupka, Hallauer and Gissberg: Removing state auditor from agencies he is required to audit.....	89	119	171	171	1,107	171 1,107	1,106	1,202	1,203	S.
174. Senators Rasmussen, Kupka and Moriarty, Jr.: Requiring safety measures in excavations.....	93	275	882		883, 899					
175. Senators Petrich and Neill: Relating to service of justice court garnishments .....	93	218	934	934	1,164	934 1,164	1,164	1,202	1,203	S.
176. Senators Henry, Washington, Thompson, Jr. and Gissberg (by Highway Interim Committee request): Providing a program of driver education.....	93	558			93, 316					
177. Senators Hallauer, Foley, Washington and Chytil: Relating to investment of accumulated PUD funds.....	94	275	391	391	94, 107	391				

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
178. <b>Senators Rasmussen, Papajani and Gissberg:</b> Relating to collection agencies .....	94									
179. <b>Senators Gissberg and Rasmussen:</b> Increasing county travel expense .....	94	161	371	371	345, 806	371	809	812	833	S. 1,168
180. <b>Senators Cooney and Happy:</b> Ratifying the Columbia Interstate Compact and providing for the appointment of compact commissioners .....	94				580, 582					
181. <b>Senators Rasmussen, Henry and Gissberg (by Legislative Council request):</b> Expanding jurisdiction of Division of Safety and incorporating procedure of Administrative Procedure Act.	94	542								
182. <b>Senators Dore and Foley (by Departmental request):</b> Relating to public service commission.....	95	374	626, 652	659	587, 626 860, 674 1,052	659	1,019	1,068	1,068	S.
183. <b>Senators Hallauer, Hess and Thompson, Jr:</b> Authorizing school districts to make up days lost because of emergency closures..	95	396	601, 631	632	601, 649	632				
184. <b>Senators Cooney and Herrmann:</b> Reconciling rate for filing chattel mortgages to rate charged in later enactments.....	95	396	662	662		662				
185. <b>Senators Hallauer, Hess and Thompson, Jr.:</b> Providing single elections for consolidation of school districts and insurance of bonds by new district.....	95	143	193	193	200	194, 849	849	892	946	S.
186. <b>Senators Greive, Petrich and Dore (by Legislative Council request):</b> Establishing statewide justice court process in desertion and nonsupport cases.....	95	575								

187. Senators Greive, Petrich and Dore (by Legislative Council request): Requiring hearing when court dispenses with agency consent to adoption.....	95	396	859	860	928	860				
188. Senators Petrich and Dore (by Legislative Council request): Requiring annual reports by child custody agencies.....	95									
189. Senators Angevine, Cooney, Cowen, DeGarmo, Donohue, Elway, Jr., Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Neill, Nunamaker, Rasmussen, Raugust, Riley, Ryder, Shannon, Thompson, Jr. and Woodall: Relating to outdoor advertising along highways.....	95	461			96					
189. (Substitute) Committee on Highways: Relating to outdoor advertising along highways.....	461	461								
190. Senators Thompson, Jr. and Hess: Relating to the licensing of certain schools and their representatives.....	96	476	933	933	96 97, 938 1,066	933				
191. Senators Riley, Connor and Happy: Relating to the regulation of certain sales of spirituous, vinous and malt liquors.....	96	109	126		96, 124 131, 199					
192. Senators McCutcheon, DeGarmo and Hallauer: Providing that the office of state representative be numbered positions and eliminating staggering of names.....	98									
193. Senators Herrmann, Woodall and Cooney: Relating to historical markers.....	98	465	601	602	611 1,008	602	988	1,009	1,025	S.
194. Senators McCormack and Petrich (by Departmental request): Relating to conveying certain lands to Benton County by the state of Washington.....	98	151	210	210	681	210	687	711	787	S. 1,019
195. Senators Cooney, Gallagher and Durkan: Relating to fireworks.....	98									
196. Senators Thompson, Jr. and Morgan: Relating to beauty culture.....	98	536								
197. Senators Keefe and Cowen: Creating secondary state highway No. 6C.....	99									
198. Senators Talley, Bailey and Lennart: Appropriating \$20,000 for operations of Westport ferry.....	99									

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
199. Senators Durkan, Cooney and Raugust: Relating to legislative redistricting .....	99									
200. Senator Knoblauch: Appropriation for paving portion of primary state highway No. 5.....	104									
201. Senators Nunamaker, Greive and Bargreen: Permitting state burial with friends' assistance.....	104									
202. Senators Hanna, Foley and Hallauer: Raising the ceiling to \$5,000 per year for salary payments to PUD commissioners.....	104	275								
203. Senators Papajani, Happy and DeGarmo (by Insurance Commissioner request): Relating to insurance.....	104	181	369	369	209 260, 301 319, 339 353, 374	369	1,083	1,141	1,193	S.
204. Senators Petrich, Henry and Gallagher (by Insurance Commissioner request): Providing for reimbursement for examination of welfare trust fund records not maintained in this state .....	104	181	208	208		208	1,019	1,068	1,068	S.
205. Senators Riley, Thompson, Jr. and Kupka: Registration of contractors .....	104	542								
205. (Substitute) Committee on Commerce, Manufacturing and Licenses: Registration of contractors.....	542	542								
206. Senators Herrmann, Ryder and Riley: Relating to mutual savings banks .....	104	253	291	291	297 751, 786	291	751	788	833	S. 1,168
207. Senators Moriarty, Jr., Petrich and Neill: Authorizing inheritance tax valuation to be adjusted to federal appraisalment....	105	611	669	669		669				

208. Senators Moriarty, Jr. and Angevine: Relating to group health care insurance .....	105	575			481						
209. Senators Petrich, Angevine and Woodall: Relating to raising salaries of court reporters.....	105	349	597								
209. (Substitute) Judiciary Committee: Relating to raising salaries of court reporters.....	349	349	597, 629	630	597 1,008	630	988	1,009	1,025	S.	
210. Senators Talley, Henry and Chytil: Relating to part time third class city engineers.....	105	161	488	488	437 477, 805	489	809	812	883	S. 1,168	
211. Senators Petrich and Lennart: Relating to limited access highway facilities through cities and towns and providing for law enforcement thereon by the state patrol, sheriff and local police officers .....	105	276	389	389	1,008	389	988	1,009	1,025	S.	
212. Senators DeGarmo, Hallauer and Rasmussen (by Departmental request): Authorizing the acquisition and development of the east capitol site.....	105	396	597, 630	630	598, 649 1,008	631	988	1,009	1,025	S.	
213. Senators Foster, Chytil, Hanna and Hallauer: Excluding certain agricultural and horticultural commissions from civil service act .....	105	218	508, 526	527	106 498, 508 516, 542 1,022 1,081	527 1,022	1,022	1,082	1,165	S.	
214. Senators Henry, Shannon and Washington (by Executive request): Enacting drivers' license compact.....	106	161	191		191						
215. Senators Woodall, Hanna and Moriarty, Jr.: Relating to enforcement of obligations against marital community.....	106										
216. Senators Angevine, Gallagher and Cooney: Authorizing certain political activities by employees covered by Initiative No. 207 .....	106	536	723, 746		723						
217. Senators Durkan, Thompson, Jr. and Cooney: Placing garbage collection agencies under public service commission.....	106	219	342	344	345 346, 364	344, 347	1,019	1,068	1,068	S.	
218. Senators Hanna, Hallauer and Elway, Jr.: Relating to inter-county rural library districts.....	112	276	457	457	437, 805	457	809	812	883	S. 1,168	
219. Senators Hanna, Knoblauch and Raugust: Modifying provisions of motor vehicle excise fund relating to allotments therefrom to University of Washington bureau of governmental research .....	112	162	302	302	292, 868	302, 810	810	868	946	S.	

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
220. Senator Riley: Relating to tuition fee in colleges of education.	112									
221. Senators Rasmussen, Ryder and Donohue: Establishing a state investment council	112	543								
221. (Substitute) Committee on State Government, Military Affairs and Civil Defense: Establishing a state investment council.	543	543	635	635	649	635				
222. Senators McCormack, Washington and Raugust: Relating to special permits to exceed 18,000 gross weight on a single axle whenever Congress allows on national interstate roads.	112	417								
223. Senators Washington, Raugust and Hofmeister: Providing procedures for long range comprehensive road plans for counties and cities	112	310	668	668		668	1,068	1,141	1,193	S.
224. Senators Woodall, Herrmann and Greive: Extending judgment enforcement	112									
225. Senators Woodall, Herrmann and Greive: Creating new automobile owners' liability.	113									
226. Senators Bargreen and Washington: Regulating wrecking yard fences	113	219	286, 290	286, 290	288 290, 297	290				
227. Senators Elway, Jr. and Bailey: Relating to traffic control on ocean beach highways.	113	276								
228. Senators Sandison, Papajani, Woodall and Talley: Prohibiting discrimination by reason of age.	113	397, 845			113, 397					
229. Senators Riley and Shannon: Relating to enforcing of judgments, execution sales and redemption of property.	113	481	598	749	786	749	1,068	1,141	1,193	S.

230.	Senators Knoblauch and Gissberg: Relating to honey and removing the requirement of a state seal.....	113	152	321	322	681	322	687	711	787	S. 1,019
231.	Senators Moriarty, Jr., Petrich and Ryder: Relating to civil procedure and the filing of lis pendens notices where actions are in U. S. district court.....	113	219	552	552	535	552				
232.	Senator Riley: Relating to public works and bidding preference of residents of Washington.....	114									
233.	Senators Thompson, Jr. and Durkan: Relating to secondary state highways 2D and 2E.....	120									
234.	Senators Kupka, Henry, Shannon, Talley, Bailey, Knoblauch, Petrich and Gissberg: Relating to industrial development districts .....	120	375	508	509	121	509				
235.	Senators Bailey, Knoblauch and Lennart (by Departmental request): Relating to the state retirement system.....	121	297			298					
236.	Senators Washington, Henry and Raugust (by Highway Interim Committee request): Establishing new procedures for enforcement of traffic offenses.....	121	311								
237.	Senator Riley: Relating to medical assistance for the aged....	122									
238.	Senators Sandison and Chytil (by Insurance Commissioner request): Regulating issuance of credit life insurance and credit accident and health insurance.....	122	181	353	353	324 339, 364	353 1,133	1,133	1,202	1,203	S.
239.	Senators Washington, Shannon and Durkan (by Departmental request): Relating to further enumerating standards for signs posted in highway construction areas.....	122	200	290	290		290				
240.	Senators Donohue, McCormack and Woodall (by Departmental request): Repealing earlier law dealing with sanitary and working conditions in bakeries.....	122	181								
241.	Senators McCormack, Donohue and Woodall (by Departmental request): Amending bakery and bakery products law as to health permits and sanitary inspection.....	122	181	608							
242.	Senators Donohue, McCormack and Woodall (by Departmental request): Amending law relating to health permits of confectionery workers .....	122	182								

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243. Senators Washington, Elway, Jr. and Hallauer (by Departmental request): Striking mandatory twenty-day limitation for successful bidders to enter into contract and furnish bond in highway construction contract.....	122	200	330	339		339				
244. Senators Lennart, Martin and Hanna (by Departmental request): Relating to the improvement and certification of planting stock used for propagation purposes.....	122	219	289	289	805	290	809	812	833	S. 1,168
245. Senators Cooney and Herrmann: Relating to use of state owned lands for game and fish.....	122	501								
246. Senators Herrmann, Cooney and Ryder: Relating to banks and trust companies .....	123	365	590	591	611 1,023 1,081	591 1,023	1,022	1,082	1,165	S.
247. Senators Bailey and Riley: Prohibiting professional strike-breaking .....	123	612	698		698					
247. (Substitute) Committee on Labor and Industrial Insurance: Prohibiting professional strikebreaking.....	612	612	716	717	787 1,023 1,081	717 1,023	1,023	1,082	1,165	S.
248. Senators Bailey, Henry and Woodall: Reestablishing Columbia River Boundary Commission.....	123	805								
249. Senators DeGarmo, Woodall and Papajani: Omitting necessity of showing alcoholic content on packages of malt liquor.....	123	375								
250. Senators Rasmussen, Hofmeister, Washington, Morgan and Foster (by Highway Interim Committee request): Creating toll facility aid districts.....	123	328	487	487	123, 437 477, 500 1,081	487	1,019	1,082	1,165	S.
251. Senators Washington, Lennart and Bargreen (by Departmental request): Striking provision that highway franchise hearings have to be held in the transportation building at state capitol..	123	201	370	370	345	370				

252. Senators Woodall, Herrmann and Greive: Creating state torts claims .....	123									
253. Senators Greive and Herrmann: Changing venire procedure...	123									
254. Senators Woodall, McCormack and Donohue (by Departmental request): Amending law relating to health permits for macaroni workers .....	124	182	209	209	440	209	442	442	484	S. 533
255. Senators Rasmussen, Donohue and DeGarmo: Authorizing the establishment of county service areas to provide governmental services .....	143	846								
256. Senators Woodall, Happy and Foster: Relating to intoxicating liquors and liquor salesmen.....	143									
257. Senators Herrmann, Gissberg and Cooney: Relating to contractual limitations of actions on insurance policies.....	143									
258. Senators Kupka, Gissberg and Bailey: Exempting boom, dock, toll logging road, and wharf businesses serving a single industry from public utility tax.....	144	298			298					
259. Senators Cowen, Ryder and Martin (by Insurance Commissioner request): Modifying law relating to health care services.....	144	375	553	553	535	553	1,068	1,141	1,193	S.
260. Senators Cooney, Herrmann and Gallagher: Relating to public accounting; making licensed public accounting a permanent profession; and limiting bookkeeping and preparation of tax reports for more than one employer, etc.....	144	923								
261. Senator Hess (by Departmental request): Modifying law relating to aid to blind students.....	144	397	639	639		639				
262. Senators Bargreen and Gissberg: Relating to state and local participation in flood control.....	144	311	388	388	805	388	809	812	833	S. 1,168
263. Senators Kupka, Cooney and Gissberg: Providing apprenticeship training for barbers.....	144	559								
264. Senators Thompson, Jr. and Bailey: Relating to secondary highways 1A and 1B.....	145									
265. Senators Rasmussen, Morgan and Martin: Prohibiting vivisection in public schools.....	145									
266. Senators Hallauer, Durkan and Freise: Authorizing assessors to audit tax list, statement, or schedule.....	145	612								



278.	Senators Hallauer and Greive: Prohibiting discrimination because of race, creed, color or national origin by real estate brokers and salesmen.....	153									
279.	Senators Connor, Elway, Jr. and Gallagher: Providing for state licensing and regulation of trading stamp companies and pre-empting the field and repealing existing legislation.....	153									
280.	Senators Gissberg, Petrich and Elway, Jr.: Authorizing publication of legal notices by television.....	153	349	456	457	437 518, 805	457	809	812	833	S. 1,168
281.	Senators Thompson, Jr., Chytil and Hallauer: Relating to trading stamps .....	153									
282.	Senators Dore, Petrich and Martin: Relating to cemetery discrimination .....	153									
283.	Senators Talley, DeGarmo and Hanna: Authorizing the appointment of boards of park and recreation commissioners in cities of the 2nd, 3rd and 4th class.....	153	375								
284.	Senators Talley, Dore and Sandison: Relating to local improvements in cities and towns and unpaid local improvement bonds and warrants issued in relation thereto.....	153									
285.	Senator Gissberg: Establishing liens for contributions to employee benefit plans.....	153	440	492	492	805	492	809	812	833	S. 1,168
286.	Senators Talley, Henry and Raugust: Relating to interest in contracts by officials in 3rd and 4th class cities and towns.....	154	276	324	324		324				
287.	Senators Hofmeister, Knoblauch and Lennart (by Departmental request): Enacting new law relating to horticultural plants and nursery inspection.....	154	220	495 508, 527 561, 563	565	495, 498 508, 516 527, 535 562, 595 1,070	565 1,070	1,069	1,202	1,203	S.
288.	Senators Washington, Hofmeister and Raugust (by Highway Interim Committee request): Relating to acquisition of land for highways .....	154	417	664	665	1,081	665	1,019	1,082	1,165	P. V.
289.	Senators Gissberg, Cooney, Dore, Hallauer, Herrmann, Talley, Happy and Martin (by Executive request): Increasing membership on the state highway commission.....	154				154					
290.	Senators Hofmeister, Knoblauch and Talley: Authorizing stopping of vehicles to inspect drivers' licenses.....	154									

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
291. Senators Greive and Hallauer: Making violation of the law against discrimination on unfair practice in real estate business .....	154									
292. Senators Washington and Sandison: Relating to allocations of tax revenues .....	154									
293. Senators Kupka, Durkan and Thompson, Jr.: Relating to licensing of certain contractors.....	155	575								
294. Senators Hallauer, Thompson, Jr., Ryder and Hess (by request of Interim Committee on Education): Relating to education....	155				155					
295. Senators Thompson, Jr., Ryder, Hess and Sandison (by request of Interim Committee on Education): Authorizing investment of school funds.....	155	397	609	669	155 1,008	670	988	1,009	1,025	S.
296. Senators Hess and Thompson, Jr. (by request of Interim Committee on Education): Authorizing the establishment of community colleges .....	155	365	303	904	938	904 1,066	1,069	1,141	1,193	S.
297. Senators Henry, Greive and Chytil: Regulating optometrists professional discipline .....	165	465	870, 879	882	871, 928	882				
298. Senators McCutcheon and Talley: Establishing municipal courts in cities and towns.....	165									
299. Senators Henry, Foley and Raugust: Lowering inhabitant requirement of cities.....	165	277	496, 507	507	496	507				
300. Senators Henry, Foley and Talley: Adding to secondary state highway No. 1S.....	166									
301. Senators Greive, Foster and Rasmussen (by Executive request): Relating to the establishment of salaries of appointive state officers .....	166	846, 890			846					

302. Senators Thompson, Jr. and Dore: Relating to the use of fluorides by water districts.....	166	466			166						
303. Senators Henry, Foley and Ryder (by Departmental request): Authorizing the lease of certain property with proceeds thereof for benefit of medical aid fund.....	166	277	937	937	938 1,066	937	1,083	1,141	1,193	S.	
304. Senators Cooney, Happy and McMillan: Extending secondary state highway No. 3S.....	166										
305. Senators Donohue, Raugust and Henry: Relating to a state wheat commission .....	167	277	323	323	328, 805	323	809	812	833	S. 1,168	
306. Senators Dore, Gallagher and Durkan: Relating to regulation of firearms and prescribing penalties.....	167	481	509 525, 526	526	509 525, 542 1,008	526	988	1,009	1,025	S.	
307. Senators McCormack and Henry: Relating to removing the civil service requirement of residency before taking police and fire department examinations.....	167										
308. Senators Bargreen and Lennart: Relating to blind or partially blind .....	167	466									
308. (Substitute) Committee on Highways: Relating to blind or partially blind .....	466	466									
309. Senators Martin and Nunamaker: Extending terminal date for commercial net fishing in Puget Sound to December 31.....	167	329									
310. Senators Durkan, Ryder and Riley: Exempting bailments from use tax .....	167										
311. Senators Hallauer, Gissberg and Foster (by Departmental request): Modifying law relating to commission merchants.....	167	349	902	902		902					
312. Senators McMillan, Raugust and Chytil (by Departmental request): Modifying law relating to public livestock markets....	168	350	588, 629	629	589, 590 629, 649 1,081	629	1,019	1,082	1,165	S.	
313. Senators Henry, Washington, Sandison and Raugust (by Highway Interim Committee request): Making mandatory chemical tests for determination of alcoholic content in blood.....	168	727			168						
314. Senators Hanna, Knoblauch and Neill: Establishing standards for investment of teachers' retirement funds.....	168	462	526, 551	551	510, 526 535, 574 1,024 1,081	551 1,024	1,024	1,082	1,165	S.	

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
315. Senators Papajani, Balley and Riley (by Insurance Commissioner request): Modifying law relating to insurance rates....	168	462	698 717, 761		698 717, 786					
316. Senators Gissberg and Bargreen: Permitting cities to sell water outside its boundaries on firm contract.....	168	376	699	700	1,008	700	988	1,009	1,025	S.
317. Senators Talley and Henry: Prohibiting all fireworks with certain exceptions .....	185									
318. Senators Bargreen and Henry: Requiring certain diesel operated vehicles to have exhaust pipes extending to top of vehicle .....	186									
319. Senators Cooney and Cowen: Prohibiting transfer of liquor identification to minor.....	186	418	640	640	1,170	640 1,170	1,170	1,202	1,203	S.
320. Senators Hallauer, Cooney, Hanna, Gissberg, Woodall, Freise and Foley: Placing a portion of liquor revolving fund moneys in state treasury for administrative expenses of board.....	186	612	930		186, 930					
320. (Substitute) Committee on Ways and Means: Placing a portion of liquor revolving fund moneys in state treasury for administrative expenses of board.....	612	612	930	931	938 1,066	931				
321. Senators Rasmussen, Riley, Shannon, DeGarmo and Cowen (by Departmental request): Relating to department of general administration handling purchases, rental and leases of certain real property for state agencies.....	186	441	764, 815	816	186, 805 1,066 1,081	816	1,019	1,082	1,165	S.
322. Senators Bargreen and Washington: Requiring slow moving trucks and house trailers to pull off the road to allow overtaking vehicles to pass.....	186	376								
323. Senators Petrich and Moriarty, Jr.: Relating to reciprocal support act .....	187									

324. Senator Moriarty, Jr.: Prohibiting distribution of obscene material .....	187									
325. Senators Bailey and DeGarmo: Requiring public auction in lease of oyster lands, and allowing appeal on fixed rental value on renewal of lease.....	187	607	719							
325. (Substitute) Committee on Natural Resources: Requiring public auction in lease of oyster lands, and allowing appeal on fixed rental value on renewal of lease.....	607	607	719	719	787	719				
326. Senators Connor and Dore: Allowing auto stages of 45 feet in length .....	187	805								
327. Senators Gallagher and Bailey: Relieving county officers of responsibility for deputies appointed under civil service.....	187	277	335	336	319, 364	336				
328. Senator Riley: Nominating primaries for general elections to be held in November.....	201									
329. Senators Cooney and Herrmann: Relating to creation of county park service areas.....	202	785	884	884		885				
330. Senators Kupka, Ryder and Dore: Relating to accountancy....	202	518	633	633	1,008	633	988	1,009	1,025	S.
331. Senators Thompson, Jr., Hallauer and Connor: Providing for juvenile homes in King county to be established on publicly owned land .....	202	575, 650	864	866	576, 928 1,081	866	1,019	1,082	1,165	S.
332. Senators Morgan, McCutcheon and Greive: Providing procedures for absentee voting and counting of absentee ballots on election day.....	202									
333. Senators Greive and Rasmussen: Protecting criminal suspects.....	202	681								
334. Senator Rasmussen: Abolishing present coroners and establishing district coroners and medical examiners.....	202									
335. Senators Rasmussen and Donohue (by Legislative Council request): Abolishing certain state agencies whose functions are now superfluous .....	202	311								
336. Senators Martin, Foster, Donohue and Chytil: Enacting a milk marketing act.....	203	622	668, 693 715, 736	738	203 668, 693 715, 787	738	1,083	1,141	1,193	S.

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
337. Senators Henry, Talley and Chytil: Relating to third class city and use of parking meter revenues as a base of revenue bonds .....	203	376								
338. Senators Bargreen, Gissberg and Ryder: Authorizing fourth class counties under certain conditions to levy nine mills within the forty-mill limit.....	203	376	494	495	1,024 1,081	495 1,024	1,024	1,082	1,165	S.
339. Senators Bargreen and Petrich: Extending filing on conditional sales .....	203	607	668	668		668				
340. Senators Rasmussen and Morgan: Regulating animal slaughter.	203	593	856	856	928	856				
341. Senators DeGarmo, Gallagher and Bargreen: Prohibiting fake campaign advertising .....	203				348					
342. Senator Hallauer: Providing for attendance of witnesses in industrial insurance court appeal.....	203	278								
343. Senator Hallauer: Prohibiting recording of instrument of transfer until sales or use tax is paid on personal property....	203									
344. Senators Petrich, Foster and Greive: Creating exemplary damages .....	204	481	603 641, 660	660	603, 632 641, 645 1,190	660 1,190	1,108 1,190	1,202	1,203	P. V.
345. Senators Petrich and Martin: Prohibiting sales of young fowl and rabbits as toys.....	204	377	724, 726	726, 749	724 727, 787	749				
346. Senators McMillan, Morgan and Donohue: Relating to names of new school districts.....	204	397	585	586	612	586				
347. Senators Herrmann, Cooney and Keefe: Relating to fire protection district levies.....	204									

348. Senators Washington and Henry: Relating to conservation of archaeological and historical resources.....	204	466								
349. Senators Washington and Bailey (by Highway Interim Committee request): Modifying provisions of motor vehicle operators' licensing act.....	204									
350. Senator Rasmussen: Authorizing creation of office of public defender in counties.....	221									
351. Senators Petrich and Riley: Raising age for motor vehicle operators' licenses to eighteen years but allowing permits for those younger .....	221									
352. Senators Thompson, Jr. and Hess: Modifying attendance credit laws as to school districts.....	221	462	884	884	884	1,019	1,068	1,068	S.	
353. Senators Riley, Thompson, Jr. and Kupka: Changing law relating to notice given of materialmen's lien.....	221									
354. Senators Herrmann, Cooney and Ryder: Relating to savings and loan associations.....	221	365	458	458	437, 518 1,165	460	1,164 1,193	1,202	1,203	S.
355. Senators Herrmann, Cooney and Keefe: Relating to allowing fire district commissioners to initiate local improvement districts .....	222									
356. Senators Herrmann, Cooney and Keefe: Relating to fire protection district tax levies.....	222									
357. Senators Durkan, Neill and Hanna: Providing form of primary and election ballots, position of names.....	222									
358. Senators Hanna and Neill: Relating to municipal courts.....	222									
359. Senators Elway, Jr., Sandison, Knoblauch and Thompson, Jr.: Permitting municipal corporations to withdraw from the employees' retirement system to join the state-wide city employees retirement system.....	223	536	588	588	223, 611 1,173	588 1,173	1,173	1,202	1,203	S.
360. Senator Petrich: Changing penalty provision of uniform narcotic drug act.....	223	707	905	906, 929	906	929				
361. Senator Rasmussen: Permitting nonresident noncommercial passenger vehicles in state without additional licensing.....	223									
362. Senator Rasmussen: Relating to joint school districts.....	223	462								

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
362. (Substitute) Committee on Education: Relating to joint school districts .....	462	462								
363. Senators Washington and Hofmeister (by Highway Interim Committee request): Court to report to director of licenses person who violates promise to appear in court or to post bond .....	223	350								
364. Senators Sandison, Knoblauch and Lennart: Modifying provisions of present state patrol retirement system .....	223	311								
365. Senator Gallagher: Providing for municipal police experience in lieu of residence requirement under civil service .....	255									
366. Senators Gallagher, Hofmeister and Talley: Prohibiting action on incorporation of annexation petition of city or town pending final disposition of similar petition .....	255	650	693	693		694	1,107	1,141	1,193	S.
367. Senators Dore, Petrich and Moriarty, Jr.: Relating to criminal appeals from justice court .....	255									
368. Senators Dore and Petrich: Relating to claims against estates .....	256	501								
369. Senators Papajani, Shannon and Greive: Authorizing scenic protection .....	256	377	486	533, 535	437, 477, 489, 500, 516, 533, 542	535				
370. Senators Riley, Thompson, Jr. and Kupka: Relating to public construction contracts .....	256									
371. Senators Thompson, Jr. and Riley: Relating to special license plates for use of consul or other representative of foreign governments .....	256	466	537	537	535	537	1,069	1,141	1,193	S.

372. Senator Bargreen: Modifying licensing requirements of wreckers or tow trucks.....	256	543	901	901	938 1,066	901				
373. Senators Thompson, Jr., Riley and Papajani: Relating to sales by insurance companies and common carriers to licensees of alcoholic beverages in damaged containers.....	256									
374. Senators Hallauer and Foley: Appropriating funds for temporary publication of session laws and permitting style to differ from permanent volume.....	256	278	303	303	328	303	331	331	366	S. 401
375. Senator Riley: Relating to medical care for the aged.....	256									
376. Senators Sandison and Riley: Relating to actuarial help for the insurance commissioner and other state agencies.....	256	463								
377. Senators Petrich and Durkan: Repealing industrial loan company statutes.....	256	482								
377. (Substitute) Committee on Banks and Financial Institutions: Repealing industrial loan company statutes.....	482	482								
378. Senators Durkan, Herrmann and Cooney: Providing for the licensing and regulation of bail bondsmen, agents and solicitors.....	257									
379. Senators Durkan, Herrmann and Elway, Jr.: Repealing authority for department of natural resources to sell certain real property to city of Seattle.....	257	329	512	512		513				
380. Senators Hanna, Foster and Herrmann: Relating to outdoor advertising.....	257				259					
381. Senators Durkan, Herrmann and Thompson, Jr: Requiring a registration fee of \$5,000 for listing of items with the liquor control board.....	257									
382. Senators Herrmann, Connor, DeGarmo and Thompson, Jr.: Relating to state liquor control board.....	257	377	436	436	257, 436 1,084	437	1,084			
383. Senators McCutcheon and McCormack: Adding new requirements for qualification as legal newspaper.....	257	467	640, 642	642	257, 640	642	1,019	1,068	1,068	S.
384. Senators McCutcheon and McCormack: Implementing constitutional amendment requirements relative to publication of notice.....	257	467	640, 643	643	640, 649	643	1,019	1,068	1,068	S.
385. Senators Angevine, Papajani and Greive: Modifying unemployment compensation laws.....	280	543			543					

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NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	Action by Governor S—Approved
386. Senators Durkan, Herrmann and Cooney: Subjecting tow-truckers to jurisdiction of public service commission.....	280	785								
387. Senator Moriarty, Jr. Requiring escrow agents to register with department of licenses.....	280									
388. Senators Lennart and Hallauer: Relating to aid to dependent children .....	280									
389. Senators Foley, Petrich and Dore: Adding attorney general to the judicial council.....	281	501								
390. Senators Herrmann, Durkan and Cooney: Protecting automobile insureds .....	281									
391. Senators Gallagher, Cooney and Angevine: Providing election judges, inspectors and ballot form be determined by gubernatorial elections .....	281	467								
392. Senators Durkan, Happy and Dore: Requiring continuation of pension rights when PUD buys private utility.....	281	519	584, 627	628	585, 649 1,008	628	988	1,009	1,025	S.
393. Senators Hallauer and Gissberg: Establishing a state employees' merit award system.....	281	622								
394. Senators Washington, Cooney and Lennart: Modifying law relating to old age and survivors' insurance for teachers at state colleges of education.....	281	613	878	879	858 862, 928	879	1,107	1,141	1,193	S.
395. Senators Bailey and Elway, Jr: Permitting issuing officer to refuse to issue license to carry pistol and requiring applicant for license to be over 21; and making violation of firearms law a gross misdemeanor.....	281									
396. Senators Bailey and Elway, Jr.: Prescribing sheriffs' uniforms.	281	707								

397. Senator Riley: Making Good Friday a legal holiday.....	282	727								
398. Senators Papajani, Gissberg and Durkan: Redefining insurance "premium" .....	282	377, 467								
399. Senators Henry, Donohue and Foster: Excluding certain Bartlett pears from definition of soft tree fruits.....	290									
400. Senators Henry, Donohue and Foster: Excluding certain apples from assessments under apple advertising commission assessment .....	299	418								
401. Senators Hofmeister, Washington and Bailey (by Highway Interim Committee request): Regulating display of stop sign and flashing lamps on school buses.....	299	544	723	723		723	1,083	1,141	1,193	S.
402. Senators Greive and Rasmussen: Regulating insurance.....	299									
403. Senators Thompson, Jr. and Petrich: Providing civil penalty for issuance of check with insufficient funds.....	300									
404. Senators Hofmeister, Martin and Rasmussen: Changing requirement that applicant for civil service job in city must be resident of city for one year to state residence for one year...	300	501								
404. (Substitute) Committee on Cities, Towns and Counties: Changing requirement that applicant for civil service job in city must be resident of city for one year to state residence for one year .....	501	501	586, 606	586, 606	586, 596	606				
405. Senators Washington and Raugust: Clarifying provisions of the highway code relating to the toll bridge authority revolving fund and repealing certain obsolete or superseded sections relating to toll roads and to ferry service at Tacoma Narrows .....	313									
406. Senators Washington, Bailey and Raugust: Providing for budgets relating to highway construction from state highway commission .....	313	468								
407. Senators Sandison and Gissberg: Extending secondary state highway no. 9A.....	313									
408. Senators Freise, Hallauer and Nell: Relating to registered mail .....	314	418	601	601		601	1,107	1,141	1,193	S.
409. Senator Gissberg: Allows agent of title insurer to own the tract index .....	314	563								

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410. Senator Gissberg: Providing for physical education in high schools and state colleges and universities as prescribed by state board of education.....	314	401								
411. Senators Ryder, Gallagher and Neill: Relating to signing vouchers by certain public employees.....	314	418	661	661	649	661	1,107	1,141	1,193	S.
412. Senators Rasmussen, Chytil and Donohue: Including judges of supreme and superior court in state employees' retirement system .....	314									
413. Senators Herrmann, Cooney and Gallagher: Regulating logging near highways.....	331	576								
414. Senators Herrmann, Gallagher and Freise: Eliminating right of redemption in foreclosure of mortgages insured by FHA where premises are abandoned.....	331	594	604	604	331, 611 1,045 1,052	605	1,045			
415. Senator Greive: Opening small loans records.....	331									
416. Senator Talley: Modifying boundary lines of Clark and Cowlitz counties .....	331	738								
417. Senator Thompson, Jr.: Relating to school site acquisition.....	332	401, 418								
418. Senators Rasmussen, Kupka and Petrich: Protects pension rights of employees of urban transportation system taken over by a first class city.....	332	519								
419. Senators DeGarmo, Rasmussen, Bargreen and Elway, Jr.: Appointing commission to study feasibility of water-canals connecting Hood Canal, Puget Sound and Grays Harbor.....	332	468	699, 717	718	332 699, 787 1,081	718	1,019	1,082	1,165	S.

420. Senators DeGarmo and Talley: Relating to lunch periods for public school teachers.....	332									
421. Senator DeGarmo: Requiring reports of election campaign receipts and expenditures.....	332									
422. Senators Freise, Hallauer and Angevine: Relating to public assistance .....	332	419	561	561	585	561	1,107	1,141	1,193	S.
423. Senators Angevine, Durkan and Morgan: Regulating hazardous substance labels.....	332	681								
424. Senator Hanna: Allowing destruction of abandoned vehicles of value under \$50.00.....	332	708								
425. Senators Angevine, Dore, Durkan, Greive, Papajani, Kupka, Connor, Morgan, Nunamaker, Gallagher, McCutcheon, Bailey, Hofmeister, Cooney, Knoblauch, DeGarmo, Petrich and Martin (by Executive request): Creating a minimum wage and hour act .....	332	846	913	922	332 1,001 1,171 1,180 1,192	922	1,171 1,179 1,189 1,191			
426. Senator Hanna: Relating to controlling ragweed.....	332	419	698	698		698				
427. Senators McCormack, Rasmussen and Thompson, Jr. (by Executive request): Providing for the development, regulation and utilization of sources of ionizing radiation.....	333	750			909					
427. (Substitute) Committee on Natural Resources: Providing for the development, regulation and utilization of sources of ionizing radiation .....	750	750	909	909		910	1,083	1,141	1,193	S.
428. Senators Durkan, Hanna, Gissberg, Thompson, Jr., Herrmann and Cooney: Requiring wholesalers to mark beer prices up twenty-five percent over cost to them.....	333	482	595, 627	673	333 586, 649 676, 678	676				
429. Senator Thompson, Jr.: Providing for exemption of nonhabit forming narcotics .....	351	468								
430. Senators Petrich and Moriarty, Jr.: Providing for the filing of a restatement of articles of incorporation of business corporations .....	351	502	857	857		857	1,083	1,141	1,193	S.
431. Senators Bailey, Talley and Elway, Jr.: Providing for lower Columbia river toll bridge.....	351	728	862							
431. (Substitute) Committee on Highways: Providing for lower Columbia river toll bridge.....	728	728	862	862	863	862, 863	1,083	1,141	1,193	S.



443. Senators Riley, Rasmussen and Shannon: Relating to study authorized of toll bridge between Fletcher Bay on Bainbridge Island and Brownsville on Kitsap Peninsula.....	381									
444. Senators Thompson, Jr., Sandison and Hallauer (by request of Interim Committee on Education): Relating to purchase and repair of school property and supplies and requesting bids.....	381	478	603	603	1,133 1,174 1,189 1,191	604 1,191	1,132 1,174 1,189 1,191	1,202	1,203	S.
445. Senators Durkan, Herrmann and Cooney: Prohibiting the business of budget planning.....	381									
446. Senators Foley, Durkan and Neill: Relating to education and apportionment of state funds.....	381									
447. Senators Nunamaker, Bailey, Dore, Lennart and DeGarmo: Authorizing Bellingham-Sidney ferry service.....	383									
448. Senators Kupka, Thompson, Jr. and Gallagher: Prohibiting credit card frauds.....	383	519								
449. Senators Rasmussen, Ryder and Cowen: Modifying law relating to certain deposits in banks and trust companies or mutual savings banks.....	383	482								
450. Senators Gissberg, Ryder and Bargreen: Permitting annexation of unincorporated areas by cities and towns not located in the same county.....	383	872								
451. Senators Gissberg and Bargreen: Relating to highways and making an appropriation.....	383									
452. Senators Henry, Angevine and Thompson, Jr.: Directing that a plan be submitted on classification and minimum salaries for noncertificated public school employees.....	383									
453. Senators Hess, Hallauer, Ryder, Sandison and Thompson, Jr. (by request of Interim Committee on Education): Relating to joint committee on education.....	384	463	665	667	1,062	667, 989	989 1,070	1,068	1,068	S.
454. Senators Happy, Riley and Neill: Relating to board of education study.....	384									
455. Senators Gallagher, Riley and Happy: Relating to liquor sales.....	384	441								
455. (First Substitute) Committee on Liquor Control: Relating to liquor sales.....	750	750, 757			750					

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455. (Second Substitute) Committee on Liquor Control: Relating to liquor sales .....	757	757	839	840	757	840	.....	.....	.....	.....
456. Senators Gallagher, Bargreen and Knoblauch: Relating to Century 21 .....	402	923	953	953	932, 953	953	1,083	1,141	1,193	S.
457. Senators Hanna, Woodall and Dore: Removing time limitation as to when a judgment entered by consent may be vacated for fraud, misrepresentation, etc.....	402	502	558	558	535 574, 805	558	809	812	833	S. 1,168
458. Senators Durkan, Thompson, Jr. and Henry: Establishing procedures for counting or rejecting voting ballots which have been challenged .....	402	607	720	721	1,174	721 1,174	1,174	1,202	1,203	S.
459. Senators Washington and Shannon: Modifying law relating to bonds of the state and political subdivisions thereof.....	402	636	817	817	.....	817	1,019	1,068	1,068	S.
460. Senator Dore: Extending firemen's pension benefits to fire department doctors .....	403	708	.....	.....	.....	.....	.....	.....	.....	.....
461. Senator McCormack: Allowing cities and towns to fix certain utility charges in excess of amount required to own and operate such utilities.....	403	478	.....	.....	.....	.....	.....	.....	.....	.....
462. Senator Bargreen: Providing for coins commemorating the Century 21 Exposition.....	403	537	634	634	1,008	634	988	1,009	1,025	S.
463. Senators DeGarmo, Hallauer and Kupka: Acquiring Jones Salt Water State Park.....	424	519	.....	.....	.....	.....	.....	.....	.....	.....
464. Senators Martin and Kupka: Creating new division in department of institutions.....	425	636	900	900	.....	900	1,083	1,141	1,193	Vetoed

465. Senators Keefe, Rasmussen and Sandison: Preventing retired appointive officials and public employees from receiving both pensions and public salaries.....	425	623	722, 762	763	722, 786	763				
466. Senators Riley and Sandison: Relating to oysters.....	425									
467. Senators Herrmann, Ryder and Riley: Permitting mutual savings banks to transfer assets and liabilities to other than another mutual savings bank.....	425	483	936	936		936				
468. Senators Ryder, Neill and Riley: Relating to available funds of bank and trust companies.....	425									
469. Senators DeGarmo and Bailey: Relating to pollution control...	425									
470. Senator Rasmussen: Providing for special commemorative license for restored vehicles 1930 and older.....	426									
471. Senators Washington and Hallauer: Redefining "resident" for game and game fish regulatory purposes.....	426	502								
472. Senators Washington and Raugust: Modifying law relating to investment of funds by certain cities.....	426									
473. Senator Washington: Limiting purchase by state agencies of revenue bond issues.....	426									
474. Senators Durkan and Ryder: Requiring compliance by financial institutions with savings and loan law.....	426									
475. Senators Bargreen and Hofmeister: Relating to the militia...	426	923	932	932	938 1,066	932	1,063	1,141	1,193	S.
476. Senators DeGarmo and Bailey: Relating to a fee for dumping into waters of the state.....	426				452					
477. Senators Greive and Durkan: Transfer of supervision over electrical installation and construction to insurance commissioner.....	426									
478. Senators Durkan and Keefe: Prohibiting garbage disposal in fill areas.....	427									
479. Senators Gallagher, Durkan and Bargreen (by Executive request: Removing requirement that ballot must be rejected if identifying mark thereon.....	427	607	721	721	787	722				

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480. Senators Hallauer and Foley (by Executive request): Adopting the budget and making appropriations for the operation of state agencies for fiscal biennium 1961-1963.....	427									
481. Senators Hallauer and Foley (by Executive request): Providing for financing of capital improvement projects through bonds repayable from retail sales tax.....	427									
482. Senators Washington, Foley and Hallauer (by Executive request): Making appropriations and reappropriations for operation of highway commission and toll bridge authority.....	427	979								
482. (Substitute) Committee on Highways: Making appropriations and reappropriations for operation of highway commission and toll bridge authority.....	979	979								
483. Senators Hallauer and Foley (by Executive request): Adopting the capital budget for state government.....	427									
484. Senators Hallauer and Foley (by Executive request): Providing funds for the construction of public school plant facilities.....	427									
485. Senators Durkan, Cooney and Petrich: Making false credit rating libelous, and prohibiting discriminating references in credit ratings.....	427									
486. Senators Washington, Petrich and Raugust: Enacting federal conspiracy law as to state governmental entities.....	428	682	821	821	428 805, 868 1,066	822	1,063	1,141	1,193	S.
487. Senators Washington, Petrich and Raugust: Enacting a general obstruction of justice law and increasing penalties therefor....	428				428					
488. Senators Washington, Petrich and Raugust: Extending statute of limitations as to certain criminal offenses.....	428				428					

489.	Senators Washington and Raugust: Permitting irrigation districts to become irrigation and rehabilitation districts.....	428	697	697	697	428 1,047 1,080 1,084 1,105 1,132	697 1,132	1,046 1,106 1,131	1,202	1,203	S.
490.	Senators Dore, Moriarty, Jr. and Ryder: Relating to school districts .....	442	830								
491.	Senator Washington: Regulating highways.....	443									
492.	Senator Washington: Regulating underground work.....	443									
493.	Senators Riley and Shannon: Relating to city excise tax on motor vehicles .....	443	846								
494.	Senators Kupka, Herrmann and Thompson, Jr.: Modifying law relating to investment of pension funds in certain securities by cities and towns.....	443	738	900	900	576	900	1,107	1,141	1,193	S.
495.	Senator Washington: Establishing public prehistoric museum..	443	682								
496.	Senator Gissberg: Extending teachers' time for filing for retirement .....	443	806								
497.	Senator Bargreen: Providing for license tabs to advertise Century 21 .....	443	537	635	635		635				
498.	Senators Cooney and Durkan: Relating to alcoholic beverage control .....	443									
499.	Senators Cooney and Durkan: Raising per diem for members of state parks and recreation commission.....	443	847								
500.	Senators Talley, Elway, Jr. and Connor: Increasing salaries of county officers.....	444	708								
501.	Senators Angevine, Henry and Bailey: Providing for the extension of unemployment compensation beyond present limited duration .....	444	544			544					
502.	Senators Kupka, Greive and Thompson, Jr.: Regulating manufacture, sale and use of fireworks.....	444									
503.	Senators Gallagher, Moriarty, Jr. and Riley: Relating to municipal courts .....	444	682	816	816		816	1,107	1,141	1,193	S.



513. Senators Hofmeister, Foster and Knoblauch: Relating to the Naches Pass toll tunnel and highway; and making an appropriation .....	445								
514. Senators Washington, Petrich and Raugust: Providing grand jury process may extend state-wide.....	445	708							
515. Senators Hess, Petrich and Raugust: Modifying law relating to organization of third class school districts.....	445				447				
516. Senators Talley, Petrich and Raugust: Relating to revenue and taxation .....	445				447				
517. Senators Gissberg, Petrich and Raugust: Providing alternative method of consolidating county superintendent's offices.....	445				447				
518. Senators Washington, Petrich and Raugust: Authorizing service of subpoenas in foreign country and prescribing procedures .....	445				447				
519. Senators Washington, Petrich and Raugust: Relating to public works .....	446				447				
520. Senators Gallagher, Petrich and Raugust: Providing for a board hearing before a beer or wine wholesaler's contract may be cancelled .....	446	753			447				
521. Senators Washington, Petrich and Raugust: Relating to motor vehicle operators' licenses.....	446				447				
522. Senators Washington, Petrich and Raugust: Relating to public officers and employees.....	446	623			447				
523. Senators DeGarmo, Petrich and Raugust: Providing for the protection and control of beavers.....	446	708			447				
524. Senators Washington, Petrich and Raugust: Relating to surety bonds of public officers.....	446				447				
525. Senators DeGarmo, Petrich and Raugust: Prohibiting the use of poisons in the taking of wild life except in connection with rodent control .....	446	709			447				
526. Senators Gallagher, Petrich and Raugust: Creating commercial driving schools .....	446	545			447				



536. Senator Washington: Creating "building facilities division" of board of education to facilitate basic school construction plans.	448									
537. Senators Durkan and Cooney: Prohibiting mechanics' and materialmen's liens to suppliers of certain contractors.....	448									
538. Senator Sandison: Providing for the assessment and equalization of property taxes levied on property within cities and towns .....	448									
539. Senators Connor and Gallagher: Relating to transportation....	448									
540. Senator Gallagher: Relating to state trade fairs.....	448	608								
541. Senator Sandison: Relating to fire protection districts.....	448									
542. Senator Washington: Authorizing examination of attorney as witness in certain offenses.....	448									
543. Senators Washington, Petrich and Raugust: Authorizing depositions in grand jury proceedings.....	448									
544. Senators Morgan and Thompson, Jr.: Relating to practice of nursing; regulating professional nursing and practical nursing.	448	709								
545. Senators Donohue, Cooney and Herrmann (by Insurance Commissioner request): Relating to standard form fire insurance policies .....	449	739								
546. Senator McCormack: Permitting cities and towns to issue motor vehicle licenses.....	449	831								
547. Senator Dore: Relating to vacation of streets in first class tidelands .....	449	872			902, 907 911, 928					
548. Senator McCormack: Providing for control of mosquitoes on state-wide basis .....	449	637	824, 875	825, 875	827, 928	875	1,107	1,141	1,193	P. V.
549. Senators Hallauer and Foley: Authorizing new university buildings .....	449									
550. Senators Durkan and Henry: Defining "selling price" for purposes of sales through vending machines.....	449									
551. Senator Dore: Relating to public defenders.....	450									



**TITLE AND HISTORY OF SENATE JOINT MEMORIALS**

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	
1. <b>Senator Kupka:</b> Memorializing Congress to enact legislation to provide for a youth conservation corps.....	23	102	102	102	440	102	442	442	484	.....
2. <b>Senator Rasmussen:</b> Memorializes Congress to abolish electoral college .....	31									.....
3. <b>Senator Rasmussen:</b> Memorializes Congress to repeal restriction of president to two terms.....	31	468								.....
4. <b>Senators Papajani, Nunamaker and Thompson, Jr.:</b> Memorializing Congress for fishermen's tax benefits.....	55	254								.....
5. <b>Senators McCutcheon and Gissberg:</b> Memorializes Congress for federal aid to education.....	55	397								.....
6. <b>Senator Riley:</b> Relating to earnings of persons receiving public assistance .....	70	220	391	391		391				.....
7. <b>Senators DeGarmo, McCutcheon and Bailey:</b> Memorializing Congress to enact legislation establishing a pollution control research laboratory in this state.....	79	102	103	103		103				.....
8. <b>Senators Hallauer, Washington and Hanna:</b> Memorial to Congress urging building of Oroville-Tonasket Unit, Chief Joseph Dam Project .....	79	110	125	126		126				.....
9. <b>Senators Hess and Bailey:</b> Memorializing Congress re Taft-Hartley Act .....	99	182								.....
10. <b>Senator Riley:</b> Extending felicitations to President Kennedy and the new national administration.....	99		99	99		99				.....
11. <b>Senators McCormack, Washington and Raugust:</b> Memorializing Congress and President urging action to raise single axle gross weight limits on national highway system.....	114	201								.....

TITLE AND HISTORY OF SENATE JOINT MEMORIALS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	
12. Senator Hanna: Relating to navigation channel from McNary Pool to Rock Island Dam.....	169									
13. Senators Sandison and Gissberg: Relating to a new highway from LaPush to Neah Bay.....	169	378	525	525	516	525	1,107	1,141	1,193	.....
14. Senator Gissberg: Memorializing Congress to issue a stamp commemorating the 50th Anniversary of Washington's Workmen's Compensation Act.....	204	278								.....
15. Senators Bailey and Elway, Jr.: Memorializing Congress to reconstruct Grays Harbor South Jetty to breakwater standards.....	223		223	224	263	224	264	264	280	.....
16. Senators Greive, McCormack and Raugust: Relating to a decision and determination of value of lands on the Wahluke Slope Irrigation project.....	300	329	589	589	.....	589	1,107	1,141	1,193	.....
17. Senators Hallauer, Martin and Lennart: Memorializing Congress to kill Senate Bill No. 174.....	314	469								.....
18. Senators DeGarmo, Nunamaker and Bailey: Petitioning Congress to pass Senate Bill No. 323 with suggested additions thereto.....	333	469								.....
19. Senators Riley, Greive and Cooney: Memorial against obscene literature.....	367									.....
20. Senator McCormack: Memorializing Congress to modify the income tax for agricultural producers.....	428	502								.....
21. Senators Hofmeister, Cooney, Herrmann, Rasmussen, Angevine, Papajani, Morgan, Keefe, Gissberg, Greive, Nunamaker, Kupka, Donohue, Sandison and Henry: Relating to proposed mergers of railroads.....	428		429	429	428 429, 438 1,008	429	988	1,009	1,025	.....

22. <b>Senators McMillan, Donohue and Lennart:</b> Memorial on foreign imports of zinc, lead and beef.....	450		450	450		450			
23. <b>Senator Dore:</b> Memorial on Northwest airline strike.....	450		450	450	450 1,008	450	988	1,009	1,025
24. <b>Senators Nunamaker, Sandison, Connor, Hess and DeGarmo:</b> Relating to Blaine Freeway.....	451	545			451				
25. <b>Senators Lennart and Durkan:</b> Requesting that a national monument be established at Point Roberts.....	505								

**TITLE AND HISTORY OF SENATE JOINT RESOLUTIONS**

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	
1. <b>Senators Gissberg and Dore:</b> Relating to ratifying proposed amendment to U. S. Constitution regarding elections in the District of Columbia.....	23	119	175	175	328	175	330	540	577	.....
2. <b>Senators Woodall, Foster and Neill:</b> Amending the Constitution to give the legislature power to determine gubernatorial succession .....	31									.....
3. <b>Senators Angevine, Morgan and Papajani:</b> Constitutional amendment providing for school district excess levies for more than one year.....	31									.....
4. <b>Senators Rasmussen, Hallauer and Thompson, Jr.:</b> Amending Article 7, Section 2 to permit state to levy over forty mill limit upon vote of people.....	56									.....
5. <b>Senators Greive, Kupka and Keefe (by Legislative Council request):</b> Proposing constitutional amendment to permit state tax deferrals to new industries.....	56									.....
6. <b>Senators Greive, Kupka and Keefe (by Legislative Council request):</b> Proposing constitutional amendment to permit lending of state credit to industry.....	56	298, 651	320, 911	911	84, 320 821, 876 899, 905	912				.....
7. <b>Senators Foley, Petrich and Neill (by Judicial Council request):</b> Authorizing judges, retired judges, former judges of record courts in this state to perform temporarily judicial duties in courts of record.....	63									.....
8. <b>Senators Hess, Connor and Talley:</b> Providing for annual sessions of legislature.....	63									.....
9. <b>Senators McCormack, McCutcheon and Neill:</b> Relating to distribution of voters' pamphlet.....	70	120	392	392	394 1,081	392	1,019	1,082	1,165	.....

10. Senators McCormack, McCutcheon and Neill: Changes publication requirements for constitutional amendments.....	70								
11. Senators McCormack, McCutcheon and Elway, Jr.: Providing for change in publication of city charters.....	70	120	723	723	750 1,066	724			
12. Senator Riley: Increasing terms for representatives to four years .....	70				71				
13. Senators McCormack, McCutcheon and Angevine: Constitutional amendment changing vote requirement for calling constitutional convention .....	71								
14. Senators Gissberg and Ryder (by Legislative Council request): Proposing constitutional amendment to permit special levies by school districts at a single election covering expenditures for more than one year.....	79								
15. Senator Rasmussen: Amending Article 7, Section 2 to allow school tax levy authorization for specified number of years at single election .....	79								
16. Senators Neill, Lennart and Moriarty, Jr.: Prohibiting deficit spending .....	100								
17. Senators Talley, Elway, Jr. and Henry: Providing that the legislature provide revenues when it causes cities and towns to make expenditures.....	146								
18. Senators Hess, Thompson, Jr., Sandison and Hallauer (by request of Interim Committee on Education): Amending the constitution to modify voting requirements for special levies...	155				155, 260				
19. Senators Papajani, McCormack and Dore: Eliminating forty percent requirement for school elections.....	155	728			260				
20. Senators Hofmeister, Talley and Papajani: Permitting four-year excess millage levies by school districts.....	155	398	514	515	260	515			
21. Senators Petrich, Dore, Hess, Ryder, Thompson, Jr., Moriarty, Jr., Hallauer, Lennart, Shannon, Connor, Gallagher, Knoblauch and McCormack (by Executive request): Repealing alien land law .....	156	350	640, 642	642	156, 640 1,008	642	988	1,009	1,025
22. Senators McCutcheon, Gallagher and Gissberg (by Executive request): Amending the constitution to relax residence requirements for voters.....	244	378							
23. Senator Riley: Providing annual legislative sessions.....	244	378	496	496		497	1,106		

TITLE AND HISTORY OF SENATE JOINT RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Governor
24. Senator Riley: Providing off-year election for governor and lieutenant governor .....	257								
25. Senators McCormack and McCutcheon: Relating to publication of notice of proposed constitutional amendments.....	258	469	640 642, 644	644	640, 642 1,060	644	1,060 1,105	1,141	1,193
26. Senators DeGarmo, Hofmeister, Knoblauch and Morgan: Relating to congressional medal of honor holder Dexter J. Kerstetter .....	333		333	333	394	333	402	402	422
27. Senator Papajani: Relating to bill of rights for mental freedom.....	351								
28. Senator Riley: Indorsing international boxing event at Century 21 Exposition.....	352		352	352	805	852, 785	784	812	833
29. Senator McCormack: Amending constitution to give voting franchise to 18 year olds.....	384								
30. Senator Hess: Authorizing the Constitution to be amended by initiative .....	403								
31. Senator Morgan: Removing debt ceiling.....	403				439				
32. Senator Morgan: Authorizing state to loan money.....	403				439				
33. Senators DeGarmo, Martin and Henry: Naming the dam across Deschutes waterway as George Yantis dam.....	430	520							
34. Senators Riley and Papajani: Commending house un-American activities committee.....	430				430				
35. Senators Riley and Lennart: Relating to commendation of Dag Hammarsjold .....	578		578	578		578			
36. Senators Bargreen, Papajani, Riley, Shannon, Dore, Connor, Raugust, Martin, Freise, Talley, Donohue, Sandison, Knoblauch and Hofmeister: Commending the promoters, producers and publishers of "Communism on the Map", and declaring it a proper subject for display in public schools.....	616		827	828	868 1,066	828			

**TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS**

NUMBER, AUTHOR AND SUBJECT	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage	Message from House	Signed by President	Signed by Speaker	
1. Senators Kupka, Freise and Keefe (by Legislative Council request): Providing for a joint meeting of Senate and House committees to determine site for correctional institution.....	31	.....	.....	.....	.....	.....	.....	.....	.....	.....
2. Senators Dore, Donohue and Petrich: Proclaiming January 15-21, 1961 as JAYCEE WEEK.....	63	.....	63	63	74	63	66	74	98	.....
3. Senators Lennart, Moriarty, Jr. and Petrich: Providing for legislative review of administrative rules and laws relating thereto .....	89	483	.....	.....	.....	.....	.....	.....	.....	.....
4. Senators Greive, Rasmussen and McCormack: Relative to planning for conversion of state's economy to nonmilitary production .....	114	312	.....	.....	.....	.....	.....	.....	.....	.....
5. Senators Greive, Elway, Jr. and Hanna: Creating joint interim committee on governmental cooperation.....	451	.....	451	451	518, 868	451, 811	811	868	946	.....
6. Senators Greive, Thompson, Jr. and Balley: Authorizing youth legislature to use legislative chambers and facilities.....	452	.....	452	452	504	452	504	504	548	.....
7. Committee on Rules and Joint Rules: Relating to terminal dates for the consideration of certain legislative measures.....	523	.....	523	523	.....	523	.....	.....	.....	.....
8. Senators Woodall, Happy and Thompson, Jr.: Relating to investigation of the state liquor control board.....	548	.....	.....	.....	.....	.....	.....	.....	.....	.....
9. Senators Hallauer, Foley and Neill: Requiring legislative council to study pension and retirement plans for state and local public officials .....	688	.....	688, 748	688, 749	689, 787	749	787	788	833	.....
10. Committee on Rules and Joint Rules: Relating to final date for consideration of bills by thirty-seventh legislature.....	972	.....	972	973 1,615	.....	973	1,002	1,015	1,068	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
698. (Ch. 316, L. '59.) Of the 36th Legislature over-riding the governor's veto .....	27					27				
1. Representatives Gorton, Brink and Ackley: Enacting Title 15 RCW relating to agriculture and marketing.....	111	114	182	246	246	247		254	255	S.
2. Representatives Brink, Ackley and Gorton: Enacting Title 46 of RCW relating to motor vehicles.....	111	114	183	247	247	248		254	255	S.
3. Representatives Gorton, Brink and Ackley: Enacting Title 47 of RCW relating to state highways and toll bridges.....	111	114	183	248	248	248		254	255	S.
4. Representatives Ackley, Gorton and Brink: Enacting Title 51 RCW relating to industrial insurance.....	111	114	183	301	301	301	248, 260	325	325	S.
5. Representatives Ackley, Gorton and Brink: Enacting Titles 80 and 81 of RCW relating to public utilities and transportation...	111	114	183	248	249	249		255	255	S.
6. Representatives Brink, Ackley and Gorton: Enacting Titles 82, 83 and 84 of RCW relating to excise, inheritance, gift and property taxes .....	111	115	183	249	249	249		255	255	S.
7. Representatives Brink, Gorton and Ackley: Relating to diking and drainage and making corrections in Title 85 RCW to restore to session law language.....	111	115	184	249	249	250		255	255	S.
8. Representatives Brink, Gorton and Ackley: Relating to reclamation, conservation and land settlement and making corrections in Title 89 RCW to restore to session law language.....	111	115	184	250	250	250		255	255	S.
9. Representatives Ackley, Brink and Gorton: Relating to irrigation and making corrections in Title 87 of RCW to restore to session law language.....	111	115	184	250	251	251		255	255	S.

10. Representatives Ackley, Gorton and Brink: Relating to water rights and making corrections in Title 90 of RCW required to restore to session law language.....	111	115	184	251	251	251	.....	255	255	S.
11. Representatives Ackley, Brink and Gorton: Relating to foreign banking corporations and correcting a clerical error in RCW 30.04.290 .....	111	115	185	251	251	251	.....	255	255	S.
12. Representatives Litchman, Jr., Bergh and Pritchard: Placing limited civil liability on parents for destruction by minor.....	165	169	709	858	859	859	946	947	947	S.
13. Representatives Testu, Gorton and Goldmark (by Departmental request): Clarifying and correcting the securities act...	185	187	350	411	412	412	422	442	442	S.
14. Representatives Gorton, Brink and Ackley: Relating to intoxicating liquors and making certain corrections in Title 66 RCW to restore to session law language.....	111	115	185	.....	.....	.....	1,123	.....	.....	.....
15. Representatives Smith, O'Donnell and Litchman, Jr.: Relating to discrimination as to race, color, national origin or ancestry in the disposition of human remains and denying tax exemptions to cemeteries where practiced.....	351	352	728	961	962	962	.....	1,008	1,009	S.
16. (Substitute) Committee on Medicine, Dentistry and Drugs: Placing examination of physical therapists in their examining committee .....	313	314	682	702	703	703	787	833	834	S.
17. Representatives Campbell, Uhlman and England: Prescribes penalties for communicating with child for immoral purposes..	165	169	503	696, 704	704	704	696, 788	833	834	S.
18. Representatives Wang and Nicholson: Relocating harbor lines in Liberty Bay, Kitsap County.....	143	146	254	303	303	303	.....	325	325	S.
19. Representatives Leland, Garrett and Braun: Authorizing executory conditional sales contracts for public parks and libraries .....	185	188	520	1,078	1,078	1,078	1,077 1,165	1,192	1,194	S.
22. Representatives Smith, Witherbee and Wedekind: Relating to age discrimination in employment.....	380	384	546	814	815	815	946	947	947	S.
24. Representatives Schaefer, Klein and Wintler: Permitting sheriff to sell personal property in his possession.....	152	156	739	965	965	965	988	1,008	1,009	S.
25. Representatives Campbell, Gorton and Henry (by Legislative Council request): Authorizing magistrate to order that support payments be made to the registry of the court.....	185	188	924	.....	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
26. Representatives Campbell, Anderson (James A.) and Bergh (by Legislative Council request): Reorganizing, clearing obsolete matter from juvenile laws.....	523	524	924	997	1,000	1,000	1,078	1,200	1,200	P. V.
28. Representatives Bernethy, Ritner and Siler (by Legislative Council request): Continuing the water resources advisory committee for another biennium and making an appropriation.....	895	895	979	.....	.....	.....	.....	.....	.....	.....
29. Representatives Gorton, Uhlman and Garrett: Providing for the consolidation of certain cities and 4th class towns.....	366	367	831	.....	.....	.....	.....	.....	.....	.....
30. (Substitute) Committee on Resources, Forestry and Lands: Authorizing counties to create flood control zone districts.....	754	754	890	1,032	1,032	1,032	.....	1,106	1,106	S.
31. (Substitute) Committee on Cities and Counties: Authorizing county commissioners to transfer surplus public health funds to public hospital districts.....	201	204	479	663	664	664	809, 868	947	947	S.
33. Representatives Campbell, Henry and Anderson (James A.) (by Legislative Council request): Allowing committing magistrates to release defendants in support cases on condition.....	201	205	924	.....	.....	.....	.....	.....	.....	.....
34. Representatives Lybecker, Campbell and Huntley: Exempting sales of certain farm machinery from sales tax.....	185	188	.....	.....	.....	.....	.....	.....	.....	.....
36. Representatives Wang, Beck and Nicholson: Relating to toll bridges and existing adjacent bridges and authorizing the retirement of bonds from any funds available.....	313	314	470	860	860	861	946	947	947	S.
37. Representatives Bigley, Rickdall and Adams (by Legislative Council request): Creating a division of local affairs in the state department of commerce and economic development.....	442	452	739	.....	.....	.....	.....	.....	.....	.....

39. Representatives Bigley, Rickdall and Adams (by Legislative Council request): Restricting certain assignments subject to state parks and recreation commission approval.....	165	169	890								
40. Representatives Bigley, Rickdall and Adams (by Legislative Council request): Authorizing police regulations concerning public use of port district facilities.....	220	244	378	406	406	406	422	442	442	S.	
42. Representatives Bigley, Mahaffey and Bergh (by Legislative Council request): Authorizing acquisition of real property by joint purchasing agencies of school districts and the sale of revenue bonds for same.....	280	282	594								
44. Representatives Bigley, Rickdall and Nicholson (by Legislative Council request): Requiring state parks and recreation commission to let concessions to "highest qualified bidder".....	152	156	891								
45. Representatives Litchman, Jr., Uhlman and Shropshire (by Judicial Council request): Increasing the compensation of superior judge pro tempore.....	143	146	398								
46. Representatives Burns, Litchman, Jr. and Shropshire: Increasing monetary jurisdiction permitting representatives in small claim courts.....	255	258	483								
47. Representatives Siler, Marsh and Pence (by Legislative Council request): Amending the weather modification board act....	143	146	470	996	997	997	147 1,079	1,106	1,106	S.	
49. Representatives Bigley, Rickdall and Ritner (by Legislative Council request): Authorizing joint acquisition and operation of facilities by two or more port districts.....	185	188	278	304	304	304		325	325	S.	
51. Representatives Brouillet, Canfield and Testu: Relating to the use of school buses for extra-curricular school activities.....	313	315	559	969, 991 1,003	1,004	1,004	969, 992 1,079	1,106	1,106	S.	
52. Representatives Bigley, Rickdall and Adams (by Legislative Council request): Coordinating port district administrative procedures and operations.....	185	188	279	407	407	407		422	422	S.	
53. Representatives Marsh, Litchman, Jr. and Campbell (by Judicial Council request): Permitting dismissal of action without payment of clerk's fee.....	143	147	398	573	573	573		615	615	S.	
55. Representatives Shropshire and Marsh: Changing procedure of appointing superior court judges upon claim of prejudice.....	220	244	751	1,061	1,062	1,062		1,200	1,200	S.	
56. Representatives Brouillet, Litchman, Jr. and Evans: Authorizing leaves of absence for school employees.....	143	147	594	697	698	698	788	834	834	S.	

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
57. Representatives Ackley, Pritchard and Goldmark: Creating art commission .....	201	206	682	1,038	1,039	1,039	1,079	1,106	1,106	P. V.
58. Representatives Marsh, Harris and Campbell (by Legislative Council request): Requiring county clerk to maintain roster of court approved surety companies.....	280	282	924							
61. Representatives Adams, Bernethy and Ritner (by Legislative Council request): Providing relative and estate responsibility for support of inmates of state penal and correctional institutions .....	306	367	398							
62. Representatives DeJarnatt, Bigley and Mahaffey: Providing procedure for discharge of teachers.....	185	188	470				1,092			
65. Representatives Clark and Schaefer: Eliminating residence requirement for directors of agriculture cooperatives.....	299	300	941							
67. Representatives Litchman, Jr., Marsh and Harris (by Judicial Council request): Eliminating residence requirements for court commissioners .....	143	147	399	566	566	566		615	615	S.
68. (Substitute) Judiciary-Criminal Committee: Providing for payment of counsel for indigent criminal defendants.....	710	713	979							
69. Representatives Marsh, Litchman, Jr. and Harris (by Judicial Council request): Authorizing judicial conferences and study committees .....	710	713								
70. Representatives Burns, Litchman, Jr. and Shropshire: Relating to the filing of conditional sales contracts.....	504	505	739	1,062	1,063	1,063	1,079	1,200	1,200	S.
71. Representatives Hurley, Swayze and Holmes: Providing additional method for canceling registration of deceased voters....	165	169	379	409	410	410		422	422	S.

72. Representatives Garrett, Witherbee and Gorton: Relating to salaries of 2nd class city officials.....	255	258	520	570, 591	592	592	570 686, 752	787	788	S.
73. Representatives Hurley, Bergh and Holmes: Raising fees of election officials .....	201	205	419	568	568	568	.....	615	615	S.
75. Representatives Flanagan and Clark: Relating to irrigation district elections .....	380	384	683	954	954	954	.....	1,009	1,009	S.
78. Representatives Epton, Copeland and Litchman, Jr. (by Legislative Council request): Redetermining minimum sentences of imprisoned persons and parolees, in certain instances.....	152	156	399	961	961	961	988	1,009	1,009	S.
82. Representatives Taylor, Goldmark and Adams (by Legislative Council request): Adopting the uniform mandatory disposition of criminal detainees act.....	754	755	.....	.....	.....	.....	.....	.....	.....	.....
84. Representatives Bigley, Ritner and Nicholson (by Legislative Council request): Authorizing consolidation of two or more port districts in single county.....	185	188	279	316	316	316	304, 351	366	366	S.
85. Representatives Taylor, Jueling and Henry: Allowing cities to adopt by reference rules and regulations of state agencies in ordinances .....	165	169	379	.....	.....	.....	.....	.....	.....	.....
86. Representatives Jueling, Newschwander and Lewis: Raising salaries of town officers.....	255	258	546	.....	.....	.....	.....	.....	.....	.....
87. Representatives Bernethy, King and Wintler (by Departmental request): Providing for access to public lands.....	165	169	329	565	565	565	.....	615	615	S.
88. Representatives Bernethy, Witherbee and Wedekind (by Legislative Council request): Regulating the installation and operation of elevators, escalators and other similar "conveyances" .....	380	384	483	.....	.....	.....	.....	.....	.....	.....
89. Representatives Ackley, Meyers, Jr. and Witherbee: Authorizing educational use of recreational facilities.....	201	205	470	.....	.....	.....	.....	.....	.....	.....
91. Representatives Bernethy, Witherbee and Meyers, Jr. (by Legislative Council request): Establishing construction standards for storage of explosives and rules for transportation thereof..	523	524	941	.....	.....	.....	.....	.....	.....	.....
94. Representatives Bernethy, King and Wintler (by Departmental request): Increasing amount of deposit or bond to assure compliance with forest practices.....	201	205	330	408, 435	435	435	409	485	485	S.

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
96. Representatives Bernethy, King and Wintler (by Departmental request): Providing for insurance of natural resources employees engaged in nonscheduled aircraft flights.....	220	244	330							
97. Representatives Bernethy, King and Wedekind (by Legislative Council request): Expanding industrial insurance coverage to lunch hours in certain cases.....	299	300	546	964, 989	990	990	968 1,079	1,106	1,106	S.
98. Representatives Shropshire, Clark and McCormick: Authorizing garnishment judgments to be set aside.....	330	334	1,015							
101. Representatives Hurley, Gorton and Marsh: Relating to guardian bonds .....	313	315	520	992	993	993	1,079	1,106	1,106	S.
102. Representatives Bernethy, King and Wintler (by Departmental request): Relating to price paid to commissioner of public lands by highway commission for highway materials.....	313	315	470	1,031	1,031	1,031		1,106	1,106	S.
107. Representatives Eldridge, Hurley and Ahlquist: Establishing method of providing funds for drainage districts.....	366	367	683	690	690	690		947	947	S.
108. Representatives Testu and Bergh: Authorizing transfer of prisoners from county jails to state reformatories or state penitentiaries .....	946	947								
109. (Substitute) Committee on State Resources, Forestry and Lands: Requiring notices of sales of public lands to state commonly known address of property and posting notice on the property .....	754	755	891							
110. Representatives Garrett, Evans and Schaefer (by Departmental request): Excepting from endowment care cemetery fund deposits of cemeteries less than ten acres.....	523	524	683	955	955	956		1,009	1,009	S.

111. Representatives King, Bernethy and Anderson: Increasing pensions of prior pensioners under industrial insurance to level of existing awards.....	754	755	847	1,055	1,056	1,056	.....	1,106	1,106	S.
116. Representatives Goldsworthy, Uhlman and Folsom: Providing that training in military tactics at Washington State University be on an elective basis.....	143	147	220	305	305	305	.....	325	325	S.
117. Representatives Johnston and Campbell (by Legislative Council request): Relating to justice court procedure.....	280	282								
118. Representatives Campbell and Johnston (by Legislative Council request): Relating to traffic law enforcement.....	280	282								
122. Representatives Williams, Marsh and Harris: Authorizing business corporations to vote without a meeting.....	280	282	924	1,118	1,118	1,118	.....	1,192	1,194	S.
123. (Substitute) Committee on Higher Education and Libraries: Allowing expenses for state library commission members.....	280	282	330	566	566	507	.....	615	615	S.
128. Representatives Rickdall, Marsh and Backstrom (by Legislative Council request): Repealing tax commission authority to inspect safe deposit boxes under inheritance tax law.....	165	170								
129. Representatives Rickdall, Bigley and Ritner (by Legislative Council request): Relating to fire protection district local improvement districts.....	401	403	980	1,104	1,104	1,104	1,166	1,200	1,200	S.
130. Representatives Rickdall, Williams and Bigley (by Legislative Council request): Authorizing local improvement districts for library purposes.....	380	385	614	1,104	1,105	1,105	.....	1,200	1,200	S.
133. Representatives Shropshire, Schaefer and Huntley: Establishing a state law enforcement officers' training commission.....	615	619	806							
136. Representatives Wedekind, Nicholson and Bernethy: Exempting counties and port district bond issues from 50% vote requirement.....	442	452	576							
138. Representatives Wang, Campbell and Marsh: Relating to fees of public officers.....	504	505	891	<sup>995</sup> 1,006	1,006	1,007	<sup>992, 996</sup> 1,079	1,200	1,200	S.
140. (Substitute) Committee on Agriculture and Livestock: Regulating agricultural pesticides.....	485	485	942	1,036	1,036	1,036	1,079	1,200	1,200	S.
141. Representatives Gallagher, Braun and Shropshire: Relating to unfair practices.....	687	689	922							

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
143. Representatives Klein, Schaefer and Holmes: Requiring polling places to remain open until 10 o'clock p. m.....	946	947	980							
146. (Substitute) Committee on Agriculture and Livestock: Regulating the application of agricultural pesticides.....	485	485	873	1,096	1,097	1,097 1,169	1,169	1,201	1,202	S.
148. Representatives Canfield, Conner and Sawyer: Revising law allocating state funds to qualifying agricultural fairs.....	280	283	420	570	570	571	684	686	711	S.
149. Representatives Taylor, Braun and Juelling: Authorizing off-street parking by towns.....	280	283	379	411	411	411		422	422	S.
150. Representatives Ackley, Smith and Newschwander: Allowing employer to pay exempted wages to garnisheed employee.....	330	334	709							
151. Representatives Siler, Epton and Pence (by Legislative Council request): Authorizing the state department of agriculture to control rodents.....	152	156	503							
152. (Substitute) Committee on Highways: Establishing a department of motor vehicles, abolishing department of licenses.....	220	244	420							
155. Representatives Shropshire, Johnston and Marsh: Relating to posting of notices in probate law matters.....	165	170	399							
156. Representatives Moos and Bozarth: Authorizing cooperative associations to form for a perpetual term.....	165	170	350	411	411	411		422	422	S.
158. Representatives Olsen, Brink and Gorton: Relating to repayment of delinquent local improvement district bonds.....	201	205	379	565	565	566		615	615	S.
161. Representatives Belerlein, McDougall and Bernethy: Requiring surrender of out-of-state vehicle operators' licenses upon application for Washington license.....	255	258	559	962, 967	963, 968	963, 968	967, 988	1,009	1,009	S.

162.	<b>Representatives Ackley, Gorton and Brink:</b> Correcting RCW 36.17.030 and 36.28.020 relating to county officers and employees	152	156	299	409	409	409	.....	422	423	S.
163.	<b>Representatives Schaefer, Wintler and Olsen:</b> Relating to recording of deeds given by the state or a municipal corporation.	442	452	925	.....	.....	.....	.....	.....	.....	.....
164.	<b>Representatives Shropshire, Schaefer and Kirk:</b> Relating to the selection of jurors in the superior court.....	366	367	483	.....	.....	.....	.....	.....	.....	.....
165.	<b>Representatives Rickdall and Backstrom:</b> Disposing of surplus property by diking and drainage districts.....	687	689	806	.....	.....	.....	.....	.....	.....	.....
168.	<b>Representatives Holmes, Kink and Campbell:</b> Designating colleges of education as state colleges.....	351	352	441	572	572	572	684	686	711	S.
169.	<b>Representatives Schaefer, Wintler and Olsen:</b> Relating to redemption of certificates of delinquency against real property...	809	812	.....	.....	.....	.....	.....	.....	.....	.....
171.	<b>Representatives Beierlein, Evans and Huntley:</b> Abolishing staggered system of issuing vehicle licenses.....	280	283	925	1,093	1,095	1,095	1,166	1,192	1,194	S.
173.	<b>Representatives Olsen, Smith and Gorton:</b> Permitting rental of state armory in cities over 300,000 population during 1964....	165	170	312	956	957	957	988	1,009	1,009	S.
176.	<b>Representatives Ackley, Witherbee and Meyers, Jr.:</b> Authorizing counties to lease or sell park property.....	185	188	379	818, 836	818, 837	837	818, 869	947	947	S.
180.	<b>(Substitute) Committee on Aviation and Transportation:</b> Establishing "Guest-host" law for aircraft.....	523	524	.....	.....	.....	.....	.....	.....	.....	.....
182.	<b>Representatives Morrissey and Pence:</b> Authorizing cities or towns to form a metropolitan park district.....	485	485	873	.....	.....	.....	.....	.....	.....	.....
184.	<b>Representatives Moos, Wedekind and Garrett:</b> Authorizing cities and towns to enter into agreements with counties for construction and maintenance of streets.....	754	755	925	1,123	1,123	1,123	.....	1,192	1,194	S.
189.	<b>Representatives Olsen, Kirk and Ackley:</b> Relating to refunds of illegally collected taxes.....	615	624	980	.....	.....	.....	.....	.....	.....	.....
190.	<b>Representatives Olsen, Testu and Mahaffey:</b> Relating to county participation in fairs.....	165	170	254	405, 413	414	414	406, 422	442	442	S.
195.	<b>Representatives Gleason, Swayze and McCormick:</b> Regulating the manufacture, sale and use of fireworks.....	687	689	786, 925	958	960	960	988	1,009	1,009	S.

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
196. Representatives Gorton, Ackley and Brink: Authorizing the creation of new code titles by Statute Law Committee and permitting revolving fund.....	201	205	420	1,122	1,122	1,122	.....	1,192	1,194	S.
198. (Substitute) Committee on Highways: Relating to outdoor advertising along highways.....	754	755	831	974	977	977	958	1,078	1,080	S.
199. (Substitute) Committee on Medicine, Dentistry and Drugs: Authorizing licensed practical nurses to be certified to administer medications under supervision, and raising annual license fee..	754	755	831	1,000	1,000	1,001	.....	1,078	1,060	S.
201. Representatives Chatalas, Litchman, Jr. and England: Defining failure to return rented property as larceny.....	313	315	594	822	.....	.....	822	.....	.....	.....
206. Representatives Mardesich, Hawley and Braun: Modifying law as to motor operators records and creating motor vehicle records revolving fund.....	710	713	.....	.....	.....	.....	.....	.....	.....	.....
207. Representatives Avey, Meyers, Jr. and Henry: Relating to aeronautics commission.....	422	430	728	1,115	1,115	1,115	.....	1,200	1,200	S.
208. Representatives Adams and McFadden: Relating to physicians, surgeons and osteopaths and freedom from civil liability in certain "good samaritan" emergency cases.....	687	690	.....	.....	.....	.....	.....	.....	.....	.....
211. Representatives Kink, Conner and Johnston (by Departmental request): Changing name of Public Service Commission to Washington Utilities and Transportation Commission.....	313	315	623	1,100	1,100	1,100	.....	1,192	1,194	S.
216. Representatives Marsh, DeJarnatt and Henry: Splitting Cowlitz-Klickitat-Skamania judicial district.....	255	258	441	569	569	569	715, 788	834	834	S.
217. Representatives Henry, Braun and Canfield: Relating to amendments to state teachers' retirement system.....	280	283	546	816, 857	817 838, 858	858	817 838, 946	947	947	S.

224. Representatives Campbell and Burtch (by Legislative Council request): Requiring court on denial of relinquishment to enter order for welfare of child.....	299	300	484							
227. Representatives Campbell and Burtch: Confining incorrigibles to reformatory for full term.....	351	352								
230. Representatives Campbell and Burtch (by Legislative Council request): Establishing rules of evidence in desertion and nonsupport cases .....	687	690								
231. Representatives Campbell and Burtch (by Legislative Council request): Requiring court on denial of adoption to enter order for welfare of child.....	299	300	484							
237. Representatives Henry, Copeland and McDougall (by Departmental request): Modifying state food, drug, cosmetics and poisons act .....	523	524	942							
239. Representatives Pence, McElroy and Anderson (by Departmental request): Modifying law relating to fluid milk and fluid milk products.....	401	403	471							
240. Representatives Epton, Adams and Day: Directing superintendent of residential schools to use state approved depository.	220	245	576							
241. Representatives Adams and Garrett: Amending election laws..	380	385	608	722, 734	735	735	722, 833	850	854	S.
242. Representatives Bozarth, Anderson and Canfield (by Departmental request): Authorizing control over predatory birds injurious to agriculture.....	504	505	942	1,100	1,100	1,100	1,166	1,200	1,201	S.
244. Representatives Adams and McFadden: Authorizing the direction by written instrument for the use for medical purposes of human remains or parts thereof.....	313	315	471	764	764	764		834	834	S.
245. (Substitute) Committee on State Resources, Forestry and Lands: Amending the fire protection district law.....	895	895	1,015							
246. Representatives Brouillet, Flanagan and Goldsworthy (by Departmental request): Modifying law relating to crude fiber content in commercial feeds.....	201	205	471							
247. Representatives Hood, Siler and Leibold (by Departmental request): Regulating milk and milk products used for animal food .....	220	245	420	969	970	970	1,002	1,009	1,009	P.V.

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amend- ments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
248. Representatives Johnston, Schaefer and Marsh: Relating to judges' retirement system.....	255	258	683	907 928, 949	952	952	870 899, 901 929, 989	1,009	1,009	P. V.
249. Representatives McCormick, Clark and Pence (by Departmental request): Enacting new fertilizer act.....	255	259	421							
250. Representatives Pence, Taylor and McDougall (by Departmental request): Modifying law relating to dairies and dairy products .....	422	430	503							
253. Representatives Burtch, Marsh and Gorton: Relieving obligee from paying costs under uniform reciprocal enforcement of support act .....	380	385	926							
254. Representatives Rickdall, Conner and Ritner: Authorizing inter-agency cooperations .....	504	505	637							
255. Representatives Gleason, Burns and Ritner: Modifying law authorizing transfer from juvenile correction institution to state hospital for mentally ill.....	366	368	576							
258. Representatives Adams and McFadden (by Departmental request): Modifying law relating to vital statistics.....	687	690	806							
259. Representatives Chatalas and Leland: Omitting necessity of showing maximum alcoholic content on packages of malt liquor .....	330	334	380	412	412	412		422	423	S.
260. Representatives Klein, Litchman, Jr. and England: Relating to disability insurance policies and to payment of licensed chiropodists and podiatrists.....	422	430	739	1,127						

261. Representatives Wang, Conner and Testu: Relating to real estate brokers .....	402	404	740	1,032 1,051			1,032 1,051 1,054 1,104 1,113			
264. Representatives Henry and Siler: Relating to duty of veterinary board to adopt a code of ethics and adding two causes for revoking a license.....	380	385	594	1,034	1,034	1,035		1,106	1,106	S.
266. Representatives Marsh, Morrissey and Olsen: Relating to group health care services and/or group insurance for county employees .....	422	431	638							
269. Representatives Testu, Goldsworthy and Avey: Relating to use of flag in schools.....	485	486	1,001	1,030	1,030	1,030	1,079	1,106	1,106	S.
270. Representatives Brink, Testu and Wintler (by Executive request): Creating Washington state council on aging.....	754	755	981							
271. Representatives McCormick, Schaefer and Wintler: Authorizing county, city and regional planning.....	504	506	638	1,007	1,007	1,007		1,078	1,080	S.
272. Representatives Henry, Huntley and Taylor: Prohibiting modifying of vehicles so as to lower them.....	351	352	926 1,124	1,124	1,124	1,124 1,179	1,162 1,173 1,179 1,193	1,201	1,202	S.
274. Committee on Agriculture: Appropriating \$15,000.00 for bee poisoning research .....	687	690								
276. Representatives Poff, McElroy and Moos: Relating to private game preserves .....	504	506								
277. Representatives Huntley, Bozarth and Beierlein (by Departmental request): Modifying law relating to highway contracts for day labor to include rental of equipment with operators....	485	486	926	1,012	1,012	1,012		1,078	1,080	S.
279. Representatives Garrett, Testu and Taylor: Increasing city retirement benefits .....	366	368	479	823	823	824		947	947	S.
281. Representatives Testu and Cecil: Relating to sentence credit for time awaiting trial.....	895	896								
282. Representatives Poff, Leland and Bozarth: Pertaining to enforcement of rules and regulations of the state game commission .....	299	300	351	694, 704 718, 720	720	720	694 704, 719	834	834	S.

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
283. Representatives Beierlein, Garrett and Shropshire (by Departmental request): Specifying fine for offense of throwing certain matter on public highways.....	422	431	926							
284. Representatives Brouillet, Copeland and Chatalas (by Education Interim Committee request): Relating to history lessons for school teachers.....	313	315	471	570	570	570		615	615	S.
285. Representatives Beierlein, Garrett and Evans (by Departmental request): Excluding certain rule-making powers of highway commission from administrative procedures act.....	351	352								
286. Representatives Edwards, Hurley and Shropshire: Modifying laws relating to state patrol retirement system.....	366	368	981	1,012	1,013	1,013	393 1,070	1,076	1,080	S.
288. Representatives Burtch, Anderson and Backstrom (by Departmental request): Changing fee for juvenile agricultural driving permit .....	380	385	546							
291. Representatives Burtch, Anderson and Backstrom (by Departmental request): Modifying law relating to revocation of vehicle operators' occupational drivers license.....	895	896								
292. Representatives Burtch, Anderson and Backstrom (by Departmental request): Amending definition of dealer under motor vehicle dealer licensing act.....	402	404	520	571	571	571		615	615	S.
294. Representatives Burtch, Anderson and Backstrom (by Departmental request): Raising amount of bonds for "for hire operators" of motor vehicles.....	402	404	521							
295. Representatives Burtch, Anderson and Backstrom (by Departmental request): Amending motor vehicle financial responsibility law .....	849	850	1,110							

296. Representatives Burtch, Anderson and Backstrom (by Departmental request): Amending law relating to bonds for motor vehicle dealer's licenses.....	485	486	740	1,031	1,031	1,031	.....	1,106	1,106	S.
299. Representatives Burtch, Anderson and Backstrom (by Departmental request): Modifying provisions of the use fuel tax.....	380	385	547	.....	.....	.....	.....	.....	.....	.....
300. Representatives Canfield, Epton and Siler (by Departmental request): Amending law permitting Director of Agriculture to condemn for slaughter diseased animals.....	330	334	471	.....	.....	.....	.....	.....	.....	.....
301. Representatives Burtch, Anderson and Backstrom (by Departmental request): Changing law relating to enforcement procedure and records of motor vehicle offenses.....	895	896	.....	.....	.....	.....	.....	.....	.....	.....
302. Representatives Burtch, Anderson and Backstrom (by Departmental request): Amending fees for replacement of lost or defaced vehicle license plates.....	402	404	521	.....	.....	.....	.....	.....	.....	.....
303. Representatives Burtch, Anderson and Backstrom (by Departmental request): Providing for fractional reduction of quarterly licenses issued for trucks and trailers over 20,000 pounds and making all quarterly licenses expire December 31st.....	422	431	521	.....	.....	.....	.....	.....	.....	.....
304. Representatives Burtch, Anderson and Backstrom (by Departmental request): Relating to motor vehicle excise taxes.....	422	431	522	.....	.....	.....	.....	.....	.....	.....
306. Representatives Burtch, Anderson and Backstrom (by Departmental request): Modifying motor vehicle fuel tax.....	687	690	.....	.....	.....	.....	.....	.....	.....	.....
309. Representatives Brink, Olsen and Anderson (by Departmental request): Relating to old age assistance.....	299	300	807	1,122	1,122	1,122	.....	1,192	1,194	S.
311. Representatives Brink, Klein and Epton (by Departmental request): Relating to vocational training for blind persons.....	299	301	547	994	994	994	.....	1,078	1,080	S.
314. Representatives Holmes, Flanagan and Moos: Revising weed district procedure.....	330	335	942	1,103	1,103	1,104	.....	1,192	1,194	S.
316. Representatives Kink, Shropshire and Marsh (by Departmental request): Modifying law relating to motor freight carriers and interstate operators.....	754	756	1,081	.....	.....	.....	.....	.....	.....	.....
318. Representatives Holmes, Copeland and Anderson (by Departmental request): Enacting new law relating to weighmasters..	331	335	472	.....	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
319. Representatives Avey, Goldsworthy and DeJarnatt (by Departmental request): Increasing membership of state aeronautics commission .....	422	431	729							
320. Representatives Bozarth, Goldmark and Moos (by Departmental request): Modifying law relating to custom slaughtering .....	299	301	421	701, 718 732, 760	761	761	701 718, 734	834	834	S.
326. Representatives Epton, Johnston and Leibold: Providing for support of mentally or physically deficient acceptable in state residential schools in day training centers.....	299	301	638, 927	819 1,025	1,027	1,027	820 1,079	1,200	1,201	S.
328. Representatives Avey, Goldmark and Sawyer: Exempting certain real property used for airport facilities.....	442	453								
333. Representatives Pritchard, Litchman and Klein: Authorizing merger on consolidation of religious or charitable corporations.	422	431	709	1,093	1,093	1,093	1,166	1,200	1,201	S.
336. Representatives Meyers, Jr., McDougall and Clark: Authorizing aeronautics commission to make available service and materials to public.....	442	453	1,016							
337. Representatives Klein, Burtch and Marsh: Permitting appointment of assistants for family court in third class counties.....	442	453	1,066							
338. Representatives Klein, Shropshire and Wedekind: Consenting to suits against state in tort actions.....	313	315	740	1,010 1,011	1,010 1,011	1,011	1,011	1,078	1,080	S.
339. Representatives Klein and Burns: Relating to selection of jurors .....	623	624	740	971	971	971	989	1,009	1,009	S.
342. Representatives Poff, Testu and Hood: Providing strict foreclosure of FHA guaranteed mortgages when mortgagor has abandoned the property.....	687	690								

345. (Substitute) Committee on Education: Creating an educational research and information center.....	422	431	559							
348. Representatives Leland, Bigley and Testu: Relating to ski lifts.	687	690	943	1,007	1,007	1,007	1,108	1,192	1,194	S.
351. Representatives Bozarth, Shropshire and Johnston: Prescribing misappropriation of livestock to be grand larceny.....	331	335	421	587	587	587	573 583, 684	686	711	S.
352. Representatives Adams and McFadden: Repealing midwife statute .....	485	486	709							
353. Representatives England, Marsh and Morrissey: Relating to contractor's bond on public works.....	504	506	638							
354. Representatives Moos and Goldmark: Modifying law relating to registering of brands.....	331	335	421	958	958	958		1,009	1,009	S.
355. Representatives Wedekind, Anderson and King: Relating to branding and transportation of forest products and booming equipment .....	504	506	683							
356. Representatives Wedekind, Nicholson and Anderson: Making it a crime to litter or pollute the waters and adjacent areas....	442	453								
361. Representatives Cecil, Johnston and Wedekind: Allowing counties to issue revenue bonds for park purposes.....	710	713	873	1,083						
363. Representatives Conner, Wintler and Klein: Authorizing the county treasurer to invest certain funds.....	485	486	873	1,033 1,047	1,047	1,047	1,034 1,047 1,079	1,200	1,201	S.
364. Representatives Lewis, McCormick and Metcalf: Relating to proof of service in employment security cases.....	809	812	1,067							
365. Representatives Day, Wang and Edwards: Relating to firemen's pensions .....	687	690	807	1,004 1,040	1,043 1,070	1,071	992 1,006 1,025 1,044 1,107	1,200	1,201	S.
366. Representatives O'Connell, Leibold and Copeland: Changing the date of school general elections to odd numbered years....	523	524	594	1,091	1,091	1,091	548	1,200	1,201	S.
367. Representatives Folsom, Brouillet and Mahaffey: Permitting suspension or expulsion of student for failure to comply with reasonable rules relating to discipline or scholarship.....	504	506	595	1,092	1,092	1,092		1,200	1,201	S.

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
371. Representatives Mardesich, Gorton and Uhlman: Relating to financing of capital construction, etc., for higher education....	402	404	614	954	954	954	.....	1,009	1,010	S.
374. Representatives Marsh, Siler and Leibold: Relating to public utility districts .....	946	947	1,110	.....	.....	.....	.....	.....	.....	.....
376. Representatives Witherbee, DeJarnatt and Day: Eliminating separate report on catastrophe account in accident fund as unnecessary .....	895	896	981	.....	.....	.....	.....	.....	.....	.....
377. Representatives Litchman, Jr., Testu and Metcalf: Authorizing establishment of pedestrian malls.....	687	690	832	1,102	1,116	1,116	1,103 1,113	1,192	1,194	S.
378. Representatives Bernethy, Testu and King (by Executive request): Relating to the composition of the board of natural resources .....	687	691	891	.....	.....	.....	.....	.....	.....	.....
387. Representatives Witherbee, Ackley and Day: Prescribing qualifications and equipment for ambulances and drivers thereof ..	422	431	614	.....	.....	.....	.....	.....	.....	.....
388. Representatives Brink, Williams and Hood: Adopting uniform act for simplification of fiduciary security transfers.....	687	691	786	993	993	993	.....	1,078	1,080	S.
389. (Substitute) Committee on Agriculture and Livestock: Creating agricultural commodity enabling act.....	754	756	981 1,072	1,072	1,074	1,074 1,163	1,163	1,201	1,202	S.
390. Representatives Conner and McFadden: Relating to state parks and recreation.....	422	431	522	.....	.....	.....	.....	.....	.....	.....
394. Representatives Beck, Conner and Beierlein: Authorizing the sale or lease of property of toll bridge authority and Washington state ferry system and granting of permits and franchises thereto .....	687	691	927	1,098	1,098	1,098	1,166	1,192	1,194	S.

395. Representatives Beck, Conner and Evans: Authorizing issuance of permits for passage of vehicles on toll facilities on a credit basis .....	687	691	927	1,098	1,099	1,099	.....	1,192	1,194	S.
396. Representatives Beck, Conner and Evans: Providing certain offenses and penalties therefor relating to operation of motor vehicles upon toll facilities.....	754	756	927	1,099	1,099	1,099	.....	1,192	1,194	S.
397. Representatives Ahlquist, Schaefer and Canfield: Providing for formation and establishing procedures for soil and water conservation districts .....	523	524	084	1,037	1,037	1,037	.....	1,106	1,106	S.
400. Representatives Clark, Canfield and Holmes: Establishing standards of grades and packs in horticulture.....	940	948	.....	.....	.....	.....	.....	.....	.....	.....
402. Representatives Day, May and Campbell: Raising minimum retirement pension to \$960 per year in first class cities.....	485	486	651	1,123	1,123	1,123	.....	1,192	1,194	S.
404. Representatives Mardesich, Litchman, Jr. and Shropshire: Relating to public assistance.....	380	386	807	994	994	994	.....	1,078	1,080	S.
407. Representatives Day and Campbell: Establishing safety rules and numbering system for waters and watercraft.....	946	948	.....	.....	.....	.....	.....	.....	.....	.....
409. Representatives Ackley, Gorton and Burns: Dissolving commercial waterway districts.....	710	713	807	.....	.....	.....	.....	.....	.....	.....
413. Representatives Wedekind, Beck and Conner: Providing funds to qualify ferry employees for retirement benefits.....	710	713	.....	.....	.....	.....	.....	.....	.....	.....
415. Representatives Olsen, Ackley and Morrissey: Authorizing sewer districts and water districts to provide health care services and group insurance for their employees.....	422	432	874	1,075 1,077	1,077	1,077	1,075 1,166	1,200	1,201	S.
421. (Substitute) Committee on Education: Relating to nonrenewal of teacher contracts.....	849	850	891	1,055	1,055	1,055	.....	1,106	1,106	S.
424. Representatives Kirk, Mahaffey and Testu: Relating to legal descriptions of real property by maps in the county assessors and the county auditors offices.....	687	691	981	1,120	1,120	1,120	.....	1,192	1,194	S.
425. Representatives Brink, Poff and Pritchard: Requiring city councilman positions to be numbered and treated as separate offices for election purposes.....	687	691	928	1,076	1,076	1,076	.....	1,106	1,106	S.
426. (Substitute) Committee on Aviation and Transportation: Regulating aeronautics .....	849	850	1,002 1,116	1,117	1,117	1,117	1,166	1,200	1,201	S.

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
431. Representatives Garrett, Gorton and McCormick: Providing for collective bargaining with state and its political subdivisions .....	849	850	982	.....	.....	.....	.....	.....	.....	.....
433. Representatives Litchman, Jr., Ackley and Leland: Extending law in unfit dwellings to counties.....	523	524	.....	.....	.....	.....	.....	.....	.....	.....
435. Representatives Ackley, Brink and Smith: Authorizing arrested person be informed of and receive certain privileges....	849	850	.....	.....	.....	.....	.....	.....	.....	.....
439. Representatives Goldsworthy, Clark and Nicholson: Providing for registration of certain pilots of aircraft.....	895	896	.....	.....	.....	.....	.....	.....	.....	.....
443. Representatives Avey and McElroy: Reclassifying counties....	754	756	.....	.....	.....	.....	.....	.....	.....	.....
445. Representatives Mardesich, Litchman, Jr. and England: Giving sellers of commercial fertilizers, pesticides and weed killer a crop lien.....	849	850	1,067	1,126	1,126	1,126	1,119 1,125 1,186	1,201	1,202	S.
446. Representatives Day, McCormick and Perry: Relating to payroll accounting .....	754	756	847	.....	.....	.....	.....	.....	.....	.....
448. Representatives Kink, Hood and King: Relating to reef net fishing areas .....	422	432	559	993	993	994	.....	1,078	1,080	S.
449. Representatives Day, McCormick and Perry: Eliminating medical aid contracts from industrial insurance law.....	523	525	.....	.....	.....	.....	.....	.....	.....	.....
450. Representatives Pritchard, Williams and Marsh: Permitting notice of pendency of actions affecting real property in federal district courts in Washington.....	895	896	982	.....	.....	.....	.....	.....	.....	.....

453. Representatives Witherbee, Meyers, Jr. and Perry: Requiring physician reports in workmen's compensation cases and providing penalties .....	687	691	847								
454. Representatives Canfield, Cecil and Leibold: Creating Washington state potato commission.....	946	948	1,052								
455. Representatives Taylor, Braun and Henry: Relating to cities and towns .....	687	691	832	968	969	969	1,002	1,009	1,010	P. V.	
457. Representatives Epton, Day and Wang: Increasing fire commissioners' per diem.....	809	812	982								
458. Representatives Wedekind, Hawley and Bernethy: Relating to state employees' retirement system.....	687	691	808 1,052	1,069	1,091	1,091	808 1,166	1,200	1,201	P. V.	
468. Committee on Game and Game Fish: Providing free fishing licenses for veterans and blind persons.....	402	404	503	567, 624	625, 648	625, 648	568, 583 626, 647 648, 686	752	752	W/S	
469. Committee on Game and Game Fish: Relating to sale of lands by the department of game.....	687	691	754								
470. Representatives Schaefer, Flanagan and McElroy: Pertaining to rules and regulations of the state game commission relating to game reserves.....	895	896									
472. Representatives Litchman, Jr., Gorton and Schaefer: Relating to aid to dependent children.....	895	896	1,053	1,125	1,125	1,126	1,166	1,200	1,201	S.	
488. Representatives Garrett and Poff: Raising value of property school district may sell without approval of voters in district.....	849	850									
490. (Substitute) Committee on Agriculture and Livestock: Relating to marketing of agricultural commodities; and declaring an emergency .....	946	948									
491. Representatives Shropshire, Beierlein and Wedekind: Creating "floater" license plates for certain owners eligible for proportional registration and licensing.....	809	812	1,016	1,114	1,114	1,114		1,200	1,201	S.	
492. Representatives Beierlein, Evans and Huntley: Providing for temporary permits for certain interstate operation of motor vehicles .....	849	850	1,016	1,115	1,115	1,115		1,192	1,194	S.	

**TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued**

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
493. Representatives Wedekind, Evans and Beierlein: Providing for special reciprocity identification license plates on certain commercial vehicles .....	849	851	1,016							
499. Representatives Ritner, Wedekind and Shropshire: Exempting restaurant employees' meals from certain taxes.....	754	756								
502. Representatives Brouillet, Copeland and Eldridge: Relating to a joint committee on education.....	687	692	832							
507. Representatives Wedekind, Bergh and King: Providing industrial insurance coverage for masters and crew members of state operated vessels.....	710	714	847							
510. Representatives Gleason, Testu and May: Modifying requirements for payments into unemployment compensation fund for public employees.....	849	851	982							
513. Representatives Andersen, Garrett and Morrissey: Permitting organization of sewer district commissioner associations.....	710	714	874	1,077 1,085	1,085	1,085	1,078	1,200	1,201	S.
514. Representatives Andersen, Garrett and Morrissey: Permitting organization of an association of water district commissioners.	710	714	874	1,086	1,087	1,087	.....	1,106	1,106	S.
515. Representatives Adams and McFadden: Relating to professional nurse licensing.....	687	692	832	1,057	1,057	1,058	.....	1,106	1,106	P. V.
516. Representatives Garrett, Eldridge and McFadden: Relating to municipal officers conflict of interest.....	710	714	832	1,086	1,089	1,089	1,075 1,106	1,201	1,202	S.
519. Representatives Gleason, O'Connell, Testu, Brink, Smith, Beierlein, Chatalas, Epton, Hurley, May, Nicholson, McFadden, King and Anderson: Relating to surplus commodities.....	754	756	982 1,082 1,139	1,140	1,140	1,140	983 1,193	1,200	1,201	S.

521. Representatives Hurley and Gleason: Creating a work relief program under public assistance.....	754	756	983	1,085	1,085	1,085	1,077	1,192	1,194	S.
527. Representatives Olsen, Kirk and Ackley: Relating to official fees of county treasurers.....	710	714	983	1,103	1,103	1,103	1,166	1,200	1,201	S.
528. Representatives Ahlquist, Mardesich and O'Donnell: Changing boundary lines in an area of the city of Seattle where liquor may not be sold.....	946	948	1,002							
530. Representatives Kirk, Uhlman and Litchman: Modifying law relating to deposits for taxes for property included in filed plat .....	849	851								
533. Representatives Schaefer, Wintler and Henry: Relating to investigating park sites within the Columbia River Gorge.....	946	948	1,017							
536. Representatives Shropshire, Beierlein and Moos: Relating to motor vehicle penalties for overweight.....	710	714								
538. Representatives Adams and McFadden: Relating to medicine and surgery .....	687	692	740	859	859	859		947	947	S.
544. Representatives Marsh, Ahlquist and Gorton: Modifying law relating to public printing for counties.....	849	851	984							
545. Representatives Marsh, Ahlquist and Gorton: Modifying law relating to publishing of legal notices.....	849	851	984							
546. Representatives Marsh, Mardesich and Gorton: Modifying law relating to weighing of railroad cars loaded with lumber and lumber products .....	687	692	984	1,063	1,063	1,063		1,106	1,106	S.
549. Representatives Bernethy, Witherbee and Shropshire: Relating to industrial insurance hearings and appeals.....	687	692	848							
553. (Substitute) Committee on Parks, Capitol Grounds and Public Buildings: Relating to parks and recreation.....	946	948	1,067							
554. Representatives Backstrom and Taylor: Including retailer and wholesaler in meaning of "distributor" under tobacco tax.....	849	851								
556. Representatives Backstrom, Taylor and Chatalas: Relating to inheritance tax .....	946	948	1,111	1,138	1,138	1,138	1,194	1,201	1,202	S.
557. Representatives Leland and Braun: Providing city or town to dispose of real property acquired for park purposes.....	754	756	1,053							

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	Action by Governor S—Approved
558. Representatives Klein, Hood and Lewis: Permitting transfer to surviving joint tenant of stock or securities.....	710	714	1,067							
559. (Substitute) Judiciary-Civil Committee: Increasing judicial council .....	895	896	984 1,120	1,121	1,121	1,121	1,113 1,114 1,115 1,166	1,202	1,202	S.
566. Representative Wedekind: Authorizing personal or corporate surety bonds or security for port district leases.....	809	813	984							
569. Representatives Nicholson, O'Connell and Leland: Authorizing new park .....	687	692	892							
576. (Substitute) Committee on Ways and Means (Subcommittee on Revenue and Taxation): Modifying and extending certain excise taxes .....	946	948	1,111 1,134	1,136	1,136	1,136	1,194	1,202	1,202	S.
591. Representatives Bergh, Chatalas, Olsen, Mahaffey, Metcalf, Sawyer, Rickdall, Ahlquist, Braun and Harris: Creating an American Heritage and Citizenship council.....	849	851								
592. Representative Wedekind: Modifying law relating to contracts of the toll bridge authority relating to Puget Sound ferry system .....	850	854	1,017							
598. Representatives Evans, Brink and Pritchard: Relating to municipal transit systems.....	754	757	1,063							
603. Representatives Litchman, Jr., Andersen and Chatalas: Prohibiting practice of law by justices of the peace in cities over 100,000 and setting salaries.....	946	948								

606. Representatives Conner and McFadden: Authorizing park and recreation districts in fourth class counties.....	710	714	874	1,121	1,121	1,122	.....	1,192	1,194	S.
621. Representatives Marsh and Ahlquist: Permitting county auditor to keep books of photographic reproduction of instruments for use of public.....	895	897	985	.....	.....	.....	.....	.....	.....	.....
635. Representatives Brink, Beierlein and King (by Executive request): Relating to old age assistance.....	850	854	985	.....	.....	.....	.....	.....	.....	.....
636. Representatives Olsen, Comfort and Campbell: Modifying requirement for salary fund in certain counties.....	710	714	875	1,118	1,118	1,118	.....	1,192	1,194	S.
638. Representatives Klein, Bigley and Smith: Establishing a youth development and conservation corps.....	946	949	1,067	.....	.....	.....	.....	.....	.....	.....
643. Representatives Witherbee, Leibold and May: Relating to industrial insurance .....	850	855	985	1,095	1,096	1,096	1,165	1,202	1,202	S.
645. Representatives Wedekind and Bernethy: Modifying law relating to group life insurance and annuities.....	946	949	1,053	.....	.....	.....	.....	.....	.....	.....
661. Representatives Kink, Mardesich and Bergh: Requiring personal presence of applicant for commercial or personal fishing license if applicant's home state has such requirement.....	754	757	848	964	964	964	.....	1,009	1,010	S.
662. Representatives Garrett, Taylor and McCormick: Allowing auditing of municipal corporation accounts by independent accountants .....	850	855	943	1,114	1,114	1,114 1,119	1,118	1,200	1,201	S.
673. Representative Brink: Relating to public assistance.....	754	757	.....	.....	.....	.....	.....	.....	.....	.....
687. Representatives Olsen, Testu and Wedekind (by Executive request): Relating to Century 21.....	809	813	833	961	961	961	.....	1,009	1,010	S.
693. Representatives Brink, Wedekind and King (by Executive request): Creating a committee to study salaries and establishing salaries for appointive state officials.....	946	949	985	1,097 1,100	1,102	1,102	1,097 1,100 1,101	1,200	1,201	P.V.

**TITLE AND HISTORY OF HOUSE JOINT MEMORIALS IN SENATE**

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amend- ments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President
2. <b>Representatives Goldmark, Bozarth and Hurley:</b> Memorializing congress to issue stamp commemorating establishment of Fort Okanogan .....	143	147	312	413	413	413		422	423
5. <b>Representatives Schaefer, Litchman, Jr. and Brink:</b> Relating to a congratulatory message to the new national administration .....	84	84		84	84	84		112	112
6. <b>Representatives Wang, Olsen and Testu:</b> Requesting congress to keep USS Missouri stationed at Puget Sound Naval Ship Yard .....	93	100	741						
7. <b>Representatives Brink, O'Donnell and Garrett (by Executive request):</b> Memorializing congress to repeal section 14-b of the Taft-Hartley Act .....	220	245	279	305	305	305		325	325
8. <b>Representatives Beierlein and Evans:</b> Petitioning US congress not to reenact one cent gasoline tax for interstate highways...	152	156	1,017						
16. <b>Representatives Brink, Litchman, Jr. and Anderson (by Executive request):</b> Requesting congress to incorporate medical care into social security system .....	687	692	986						
20. <b>Representatives Olsen, Garrett and Wedekind:</b> Requesting congress to enact legislation recognizing federal employee unions .....	366	368	463	1,176	1,177	1,177	1,192	1,202	1,202
21. <b>Representatives Wedekind, Witherbee and King:</b> Petitioning retention of six percent construction bid differential for Pacific coast shipbuilders.....	221	245	421	571	571	571		615	615
25. <b>Representatives Cecil, Henry and Marsh:</b> Petitioning congress to substitute "comprehensive use" for farmers "single-purpose" concept of resource development.....	809	813	892						

26. Representatives Poff, Andersen and Litchman, Jr.: Requesting congress to set up international tourist agency abroad.....	687	692	1,002	.....	.....	.....	.....	.....	.....	.....
28. Representatives Garrett, Belerlein and Bigley: Requesting relief on Green River Valley watershed applications.....	687	692	809	.....	.....	.....	.....	.....	.....	.....
33. Representatives Olsen, Gleason and Juelling: Requesting congress to enact legislation for improvements and accommodations in Mount Rainier National Park.....	850	855	.....	.....	.....	.....	.....	.....	.....	.....
36. Representatives Litchman, Jr., Olsen and Wang: Requesting congress to continue urban renewal program and to enact public works legislation.....	895	897	.....	.....	.....	.....	.....	.....	.....	.....
39. Representatives Litchman, Jr. and Bigley: Requesting congress to improve sports areas in Washington national parks....	687	692	.....	.....	.....	.....	.....	.....	.....	.....
40. Representatives Hood, Kink and Edwards: Requesting that a national monument be established at Point Roberts.....	504	506	.....	506	506	507	.....	548	548	.....

**TITLE AND HISTORY OF HOUSE JOINT RESOLUTIONS IN SENATE**

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	
6. Representatives Litchman, Jr., Marsh and Shropshire (by Judicial Council request): Authorizing certain judges to perform temporary judicial duties.....	143	147	484	701 1,028	702	1,131	869, 945 1,074 1,107 1,130	1,200	1,201	.....
9. Representatives Backstrom, Metcalf and Bergh: Amending Constitution to insure governmental continuity in war emergency .....	380	386	522, 986	878	1,028	1,029	858 859, 860 878, 988 1,080	1,106	1,106	.....
16. Representatives Brouillet, Uhlman and Leland: Authorizing school districts, port districts, cities and towns to exceed 40 mill limit .....	422	432	560, 892	814	.....	.....	814	.....	.....	.....
19. Representatives Holmes, Bergh and Chatalas (by Executive request): Amending the Constitution to relax residence requirements for voters.....	351	353	537	507	567	567	.....	615	615	.....
23. Representatives McFadden, Epton and Swayze: Recognizing week of April 16-22 as National Library Week.....	850	855	986	.....	.....	.....	.....	.....	.....	.....
26. Representatives Conner and McFadden: Relating to the Centennial of Port Angeles.....	687	693	741	.....	.....	.....	.....	.....	.....	.....
28. Representatives O'Donnell, Kink and Mardesich: Relating to celebration to commemorate completion of International Boundary Survey .....	850	855	.....	855	855	855	.....	947	947	.....
31. Representatives Williams and Brouillet: Permitting legislative redistricting by commission action.....	946	949	987	.....	.....	.....	.....	.....	.....	.....
35. Representatives Schaefer, Klein and Marsh: Commending Julia Butler Hansen and wishing her success in new position...	547	550	.....	550	550	550	.....	615	615	.....
39. Representatives Ritner, Conner and McFadden: Naming fish hatchery for late Representative George N. Adams.....	752	757	848	848	848	848	.....	947	947	.....

**TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN SENATE**

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President	
1. <b>Representative Litchman, Jr.:</b> Relating to notifying the governor that the legislature is organized.....	18	19	.....	19	19	19	.....	26	27	.....
2. <b>Representative Litchman, Jr.:</b> Relating to a joint session for the purpose of canvassing votes.....	18	19	.....	19	19	19	.....	26	27	.....
3. <b>Representative Litchman, Jr.:</b> Relating to a joint session to inaugurate the governor and the governor's message.....	18	19	.....	19	19	19	.....	26	27	.....
4. <b>Representative Litchman, Jr.:</b> Relating to joint session to receive a further message from the governor.....	18	19	.....	20	20	20	.....	26	27	.....
5. <b>Representatives Olsen, Testu and Litchman, Jr.:</b> Relating to a joint session for the purpose of receiving presentation story of Century 21 Exposition.....	35	35	.....	35	35	35	.....	51	51	.....
6. <b>Representatives Adams and Bernethy (by Legislative Council request):</b> Providing joint meeting of Senate and House Committees to determine site for correctional institutions.....	51	50	.....	56	63	.....	63	.....	.....	.....
7. <b>Representatives Brouillet and Uhlman:</b> Relating to a joint session for the purpose of hearing the legislative problems of the state's five institutions of higher learning and the public schools.....	93	100	.....	100	100	100	.....	112	112	.....
8. <b>Representatives Uhlman, Bergh and Evans:</b> Commending University of Washington on centennial.....	125	125	220	306	306	306	.....	325	325	.....
9. <b>Committee on Rules and Order:</b> Amending the joint rules of the Senate and House.....	125	125	.....	206	207	207	.....	245	245	.....
10. <b>Representatives Schaefer, Klein, Wintler and Henry:</b> Directing legislative council to study timber evaluation and taxation problems.....	331	335	522	1,057	1,057	1,057	.....	1,106	1,106	.....

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Received from House	Read First Time and Referred	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President
11. Representatives Litchman, Jr., Schaefer and Brink: Relating to memorial services commemorating deceased members of the legislature .....	152	156	.....	156	156	156	245	175	175
12. Representatives Campbell, Morphis and Uhlman: Requesting Ft. George Wright be used for educational purposes.....	422	432	987	.....	.....	.....	.....	.....	.....
13. Representatives Marsh, Witherbee and Huntley: Providing for special subcommittee on unemployment compensation within legislative council.....	946	949	1,054	1,141	1,141	1,141	.....	1,200	1,201
14. Representatives Backstrom, Bigley and Brink: Requesting legislative council to study insurance field.....	946	949	.....	.....	.....	.....	.....	.....	.....
15. Committee on Industrial Insurance: Calling for study of House Bill No. 50 by legislative council.....	523	525	615	.....	.....	.....	.....	.....	.....
21. Representatives Witherbee, Leibold and May: Providing for an interim committee to study industrial insurance laws.....	895	897	987	1,177	1,177	1,177	.....	1,202	1,202
22. Representatives King, Wedekind and Hawley: Establishing a fisheries interim committee.....	1,069	1,108	.....	1,108	1,162	1,162	1,114	1,200	1,201
23. Representatives Schaefer, McElroy and Moos: Creating an interim committee to study game and fish program.....	1,069	1,109	.....	1,109	1,109	1,109	1,167	1,200	1,201
24. Representative Litchman, Jr.: Relating to final date for consideration of bills by thirty-seventh legislature.....	787	813	.....	813	813	813	.....	947	947
25. Representatives Litchman, Jr. and Olsen: Relating to sine die adjournment of the regular session of the thirty-seventh legislature .....	1,194	1,201	.....	1,201	1,201	1,201	.....	1,202	1,202

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\*(Asterisks indicate bills passed by both Senate and House.)

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- Local affairs division created, HB 37.
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\*(Asterisks indicate bills passed by both Senate and House.)

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- Conditional sales contracts, property purchase, \*HB 19, Ch. 158.
- Counties, local improvement district, creation, \*HB 130, Ch. 162.
- County law, support, amount collected from filing fees increased, \*HB 138, Ch. 304.
- Intercounty rural, formation, election procedure, \*SB 218, Ch. 82.
- National library week, April 16-22, HJR 23.
- Trustees, cities third class, mandatory appointment eliminated, SB 283.

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- Advertising signs along expressways, requirements, SB 189, Sub SB 189, SB 380, \*Sub HB 198, Ch. 96.
- Agricultural commission merchants, surety, bond requirements, SB 311.
- Animal milk food control, \*HB 247, Ch. 285.
- Auctions, livestock, registrations, \*SB 312, Ch. 182.
- Bail bondsmen, insurance commissioner regulations, SB 378.
- Barbers, apprentices, satisfactory completion, training program, SB 263.
- Beauty culture, schools, operators, managers, instructors fees, SB 196.
- Boiler operators, state schools and institutions, regulations, SB 73.
- Common carriers, identification cards in lieu plates authorized, \*SB 182, Ch. 173.
- Contractors
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  - Home improvement, regulations, SB 54.
  - State board established, regulations, fees, SB 293.
- Department licenses abolished, administrative transfer, Sub HB 152.
- Director
  - Century 21 tabs, 1962, issue, SB 497.
  - Destruction abandoned vehicles, regulations, SB 424.
  - Drivers' revocation, authority, SB 349.
- Division, portion fees deposited, motor vehicle fund, decreased, SB 292.
- Driving schools, requirements, \*Sub SB 526, Ch. 214.
- Egg dealers, fee reduced, \*SB 67, Ch. 54.
- Electrical contractors, insurance commissioner, revised regulations, SB 477.
- Engineering and surveying organization, regulation, fees, \*SB 81, Ch. 142.
- Escrow agent, regulations, SB 387.
- Fireworks, requirements, regulations, fees, \*HB 195, Ch. 228.
- Fishing
  - Commercial or personal, application in person, \*HB 661, Ch. 230.
  - Hunting, free to one hundred percent disabled veterans, SB 36.
  - Residency requirements reduced, SB 471.
  - Veterans, service connected disability, fee exemption, \*HB 468, Ch. 94, Not Signed by Governor.
- Fuel use permit, card in lieu of plates, cancellation, proof of tax payment, HB 299.
- Game
  - Preserves, private, requirements, regulations, restrictions, HB 276.
  - Teachers eligibility, SB 26.
- Garbage collection, \*SB 217, Ch. 295.
- Handicapped, special license plates, parking privileges, \*SB 9, Ch. 128.
- Liquor
  - Class H, total issuance increased, SB 531.
  - Employees of distillers, producers only, prohibits relations of state officials, SB 256.
  - Out of state labels, registration fees, beer excepted, SB 381.
  - Regulation of assignment and transfer, HB 14.
- Midwifery, laws repealed, exceptions, HB 352.
- Milk dealers, marketing act, \*SB 336, Ch. 298.
- Motorboats, registration requirements, HB 407.
- Motor vehicles
  - Code reenactment, \*HB 2, Ch. 12.
  - Dealers, new, used, motorcycles, trailers, place of business, \*HB 292, Ch. 48.
  - Registration (see "Motor Vehicle Licenses")
  - Salesmen, requirements, SB 56.

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\*(Asterisks indicate bills passed by both Senate and House.)

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**Nurses**

Licensed practical, administer medications under supervision, \*Sub HB 199, Ch. 231.

Professional, practical, requirements, SB 544, \*HB 515, Ch. 288.

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Sales, requirements and regulations, \*Sub HB 140, Ch. 244.

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Physicians, surgeons, medical examiners board, regulations, \*HB 538, Ch. 284.

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Private schools, operating for profit, regulations, restrictions, SB 190.

Psychologist certification, requirements increased, SB 41, Sub SB 41.

Public accountant, licensed, requirements, SB 260.

**Real estate**

Brokers, salesmen, suspension, discriminatory practices, SB 291.

Division, administrator appointed, qualifications, duties, HB 261.

Savings and loan associations, fees increased, \*SB 354, Ch. 222.

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Warehouse, controlled atmosphere, director of agriculture, requirements, \*SB 140, Ch. 29.

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Board sales, commission basis, prohibited, SB 256.

**Control board**

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State liquor account established, administrative expenses, under budget control act, SB 320.

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**Licenses**

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- Malt, alcoholic content requirements on label deleted, SB 249, \*HB 259, Ch. 36.
- Registration fees, out-of-state labels, beer excepted, SB 381.
- Revolving fund, transfer, state treasurer, Sub SB 320.
- Sales, districts, U of W area redefined, HB 528.
- Wholesalers, beer, wine, contract cancellations, board approval, SB 520.
- Women bartenders employment prohibited, exceptions, SB 498.

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- Discarding, any body of water, gross misdemeanor, HB 356.
- Highways, prohibited, penalties, HB 283.

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- Contract debts, loan money, state authorized, SJR 32.
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- Insurance, life, accident and health, five year duration, regulation, \*SB 238, Ch. 219.
- Real estate, mutual savings banks, value limitations increased, \*SB 206, Ch. 80.
- Savings and loan associations, pledges, reserves, \*SB 354, Ch. 222.
- Small loan
  - Businesses, license applications, public record, SB 415.
  - Company qualifications, industrial loan company law repealed, Sub SB 377.

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- Bonds, unpaid
  - Delinquency period extended, \*HB 158, Ch. 46.
  - Surplus funds distributed, pro rata basis, SB 284.
- Cities and towns, financing, sale installment notes, municipal funds, \*SB 123, Ch. 165.
- Counties, libraries, acquire land, construct buildings, equip, \*HB 130, Ch. 162.
- County treasurer's fee schedule, \*HB 527, Ch. 270.
- Formation by board fire commissioners, resolution authorized, SB 355, \*HB 129, Ch. 161.

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- Code, language changed, department natural resources, SB 156.
- Engineering course authorized, U of W, \*SB 68, Ch. 71.
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- Reef net fishing areas, certain waters excluded, \*HB 448, Ch. 236.

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- Workers, food and beverage permits required, SB 512, \*SB 254, Ch. 30.

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- Institution goods, space provided at Century 21, display and sale, \*SB 27, Ch. 129.
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  - Examiners board, medical, surgical licensing, regulations, \*HB 538, Ch. 284.
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  - Pathology, examiners, appointment, qualifications, duties, SB 130.
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\*(Asterisks indicate bills passed by both Senate and House.)

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- Professional, practical, licensing, services, treatment defined, SB 544, \*HB 515, Ch. 288.
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Agencies, adoptive or custodial, annual reports court required, SB 188.

Children, from correctional institutions, state hospital observation period extended, HB 255.

Correctional institutions, King county, established, \*SB 331, Ch. 183.

Crimes against, communicating with, immoral purposes, \*HB 17, Ch. 65.

Death or injury, damages, SB 115, Sub SB 115.

**Dependent children**

Foster homes, public assistance provided, \*HB 26, Ch. 302, P. V.

**Public assistance aid**

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Misuse of funds, court appointed guardian, \*SB 422, Ch. 206.

Step-parent, etc., income determination, SB 388.

**Driver**

Education program, vocational education board jurisdiction, SB 521.

License, minimum age eighteen, agricultural permit, sixteen, SB 351.

Handicapped children, rehabilitation, community services divisions created, \*SB 464, Vetoed.

Incorrigibles, reformatory detention, age extended, HB 227.

Liquor age identification cards, transfers, penalties, \*SB 319, Ch. 147.

Obscene literature, sale, distribution, gross misdemeanor, SB 48.

Parental liability for damage, limited, SB 118, \*HB 12, Ch. 99.

Parked vehicles, prohibited, \*HB 272, Ch. 151.

**Traffic violations**

Juveniles prosecuted as any other offender, SB 82.

Over sixteen, no juvenile court jurisdiction, SB 92.

Youth development and conservation corps, created, HB 638, \*SB 557, Ch. 215.

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**Monroe:**

Secondary highway No. 15B, west to primary No. 15, interchange, SB 158.

**Mortgages:**

Chattel, lien filing fees increased, SB 184.

FHA, foreclosures, absolute title issued, property abandoned, HB 342, SB 414.

Mutual savings banks, loans increased, \*SB 206, Ch. 80.

Property, real, foreclosures, redemption period reduced, \*SB 229, Ch. 196.

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Cities and towns issuing agencies, fees current expense, SB 546.

\*(Asterisks indicate bills passed by both Senate and House.)

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- Disabled, special windshield decal, \*SB 9, Ch. 128.
  - Education program
    - Juvenile and provisional operators permits, SB 176.
    - Minors, vocational education board jurisdiction, SB 521.
    - Training schools, commercial, regulations, SB 526, \*Sub 526, Ch. 214.
- Drivers
- Conditional, defective vision, director rights, issue, repealed, \*SB 90, Ch. 119.
  - Financial responsibility, license reinstatement
    - Current dispute with liability insurer, SB 273.
    - Dismissal bankruptcy action, HB 295.
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    - Agriculture operators permit, fee increased, HB 288.
    - Minimum age 18, limited permits for age 16, SB 351.
    - Violations, prosecuted as any other offender, SB 82.
  - License compact, intra-state exchange, traffic violations, licensing, SB 214.
  - Minors, notification of parents, citation issued, SB 32.
  - Out of state, other jurisdictions, surrender, \*HB 161, Ch. 134.
  - Revocation
    - Alcoholic blood test refusal, SB 313.
    - Authority transferred from courts to license director, SB 349.
    - Validity, any peace officer, stop vehicle, check, SB 290.
- Driving record
- Courts forward all violations, drunk driving, prosecution, HB 301.
  - Director, supply abstract, five year period, fees, HB 206.
  - Failure to appear, post bail, listed, SB 363.
- Fee, basic increased, SB 553, SB 506, Sub SB 506.
- Non-resident, registration, licensing, non-commercial passenger vehicles, SB 361.
- Occupational driver
- Director's right to issue when license suspended, repealed, SB 88.
  - Restrictions repealed, HB 291.
- Plates
- Registration, display date changed, \*HB 171, Ch. 163.
  - Tags, replacement fees, HB 302.
- Reciprocity identification plates, commercial vehicles, provisions, HB 493.
- Special plates
- Horseless carriage, commemoration, SB 470.
  - Parking privileges for handicapped, \*SB 9, Ch. 128.
  - U. S. citizens as representatives, foreign governments, \*SB 371, Ch. 201.
- Temporary, commercial, interstate operation, time limit increased, \*HB 492, Ch. 306.
- Trucks
- Gross weight fees, quarterly purchase, November, December, pro ration, HB 303.
  - Special floater, intra-city validity, double fees, \*HB 491, Ch. 266.
- Trailers
- Gross weight fees increased, SB 506, Sub SB 506, SB 553.
  - Single axle, gross weight increased, subject federal legislation, SJM 11, SB 222.
- Wreckers, tow trucks
- Public service commission permits required, SB 386.
  - Special fee, SB 372.

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- Abandoned vehicles, destruction provisions, SB 424.
- Accidents, citations, presence officer at violation unnecessary, SB 225.
- Ambulances, drivers' qualifications, equipment, increased, HB 387.
- Antiques, horseless carriage commemoration plates, SB 470.
- Auto stages, maximum length increased, SB 326.
- City tax levies, private owners, transportation system support, \*SB 494, Ch. 212.

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- Dealers**  
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 Tax funds, bureau of governmental research, allocation increased, \*SB 219, Ch. 115.  
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- Explosives, transport, safety requirements, HB 91.
- For hire, surety bond requirements increased, HB 294.
- Fuel tax**  
 Commercial vehicles excluded, twenty gallon exemption, HB 306.  
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- Fuel use permit, card in lieu of plates, cancellation, proof of tax payment, HB 299.
- Insurance**  
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- Rented, return ten days after expiration or guilty of larceny, HB 201.
- Salesmen, licenses required, SB 56.
- School buses, certain signed requirements waived, \*SB 401, Ch. 203.
- Speed limit, arterial highways, outside unincorporated cities, abolished, \*SB 91, Ch. 120.
- Toll**  
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 Permit credit authorized, toll facilities, \*HB 395, Ch. 258.
- Traffic**  
 Control, trucks or house trailers, slow moving, yield right of way, SB 322.  
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- Weight violations, excess fine suspensions, HB 536.
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**Mt. Spokane:**

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 Water resources advisory committee, study, state supply continued, HB 28.  
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- Fish and game licenses
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- Conservation, authority included, soil conservation districts, \*HB 397, Ch. 240.
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- Commercial waterway, abolished, port districts assume functions, HB 409.
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**Zednick, Victor:**

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\*(Asterisks indicate bills passed by both Senate and House.)



SENATE JOURNAL  
OF THE  
First Extraordinary Session  
Thirty-Seventh Legislature  
OF THE  
STATE OF WASHINGTON  
AT  
Olympia, the State Capital

Convened March 10, 1961  
Adjourned Sine Die March 31, 1961



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JOHN A. CHERBERG, *President*  
AL HENRY, *President Pro Tempore*  
DAVID C. COWEN, *Temporary President*

WARD BOWDEN, *Secretary*  
DONALD ROSS WILSON, *Assistant Secretary*

CHARLES L. R. JOHNSON, SR., *Sergeant-at-Arms*

NORINE D. MUNSON, *Minute Clerk*  
FLORENCE KENDERESI, *Journal Clerk*

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COMPILED, EDITED AND INDEXED BY  
WARD BOWDEN  
SECRETARY OF THE SENATE

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# JOURNAL OF THE SENATE

STATE OF WASHINGTON  
FIRST EXTRAORDINARY SESSION  
OF THE  
THIRTY-SEVENTH LEGISLATURE

---

## FIRST DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Friday, March 10, 1961.

Pursuant to a proclamation of the Governor, the Senate of the state of Washington was called to order in first extraordinary session at 10:00 o'clock a. m., Friday, March 10, 1961, by President John A. Cherberg.

The President announced that the Senate would be at ease subject to the call of the President in about thirty-five minutes.

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### SECOND MORNING SESSION

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At 11:00 o'clock a. m., the President called to Senate to order.

The Secretary called the roll and announced to the President that all the Senators were present.

The Color Guard, consisting of Pages Vicki Peterson and Nancy Christian-sen, presented the Colors.

Reverend Henry S. Rahn, Pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Almighty God, whose spiritual nature we cannot define and whose supreme sovereignty we cannot deny, in Thy divine keeping and control are the coming in and going out of all our days.

"We call upon Thee not as a last resort, but we come to Thee at the beginning of this session recognizing Thee as God and ourselves as Thy servants.

"We begin this day with left-overs, but we also begin in the faith that human effort can have both the inspiration and the direction of the Eternal.

"May our Governor and the members of this legislative assembly be endowed and encouraged with a vivid sense of Thy guiding presence and sustaining power as they respond to the high vocation of leadership in the affairs of state government.

"And help us as the people of our beloved country and state to graciously accept our responsibility and willingly support our way of life.

"May the words of our mouths and the meditations of our hearts be acceptable in Thy sight. Amen."

The Secretary read:

## MESSAGE FROM THE SECRETARY OF STATE

United States of America,  
State of Washington, Department of State.

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, Victor A. Meyers, Secretary of State of the State of Washington and custodian of the Seal of said State, do hereby certify that I have carefully compared the annexed copy of a proclamation by the Governor calling an extraordinary session of the Legislature to convene on the 10th day of March, 1961, with the original copy of said proclamation now on file in this office, and find the same to be a full, true and correct copy of said original, and of the whole thereof, together with all official endorsements thereon.

In Testimony Whereof, I have hereunto set my hand and affixed hereto the Seal of the State of Washington. Done at the Capitol, at Olympia, this 10th day of March, A. D. 1961.

VICTOR A. MEYERS, *Secretary of State.*

(SEAL OF THE STATE OF WASHINGTON)

State of Washington, Executive Department,  
Olympia.

## A PROCLAMATION BY THE GOVERNOR:

WHEREAS, the 1961 Session of the Legislature was confronted with major financial problems; and

WHEREAS, due to the tremendous volume of legislation introduced and the sixty day time limitation, the appropriation and revenue measures were not acted upon; and

WHEREAS, as a result of this an emergency exists, constituting an extraordinary occasion within the meaning of the Constitution of the State of Washington:

Now, Therefore, I Albert D. Rosellini, Governor of the State of Washington, by virtue of the authority in me vested by the Constitution, do hereby convene the Legislature of the State of Washington in extraordinary session in the Capitol at Olympia on the 10th day of March, A. D., 1961, at the hour of 10:00 o'clock a. m., and

Do Hereby Specify, in accordance with the requirements of the Constitution that the purpose for which the Legislature is convened is to appropriate sufficient funds and provide adequate revenue to carry on the necessary functions of the State Government.

In Witness Whereof, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this ninth day of March, A. D., nineteen hundred and sixty-one.

(signed) ALBERT D. ROSELLINI, *Governor of Washington.*

BY THE GOVERNOR:

VICTOR A. MEYERS (signed)  
Secretary of State

The Secretary read:

**MESSAGE OF ALBERT D. ROSELLINI, GOVERNOR OF WASHINGTON, TO  
THE EXTRAORDINARY SESSION OF THE THIRTY-SEVENTH LEGISLATURE**

Friday, March 10, 1961.

MR. PRESIDENT, MR. SPEAKER, LADIES AND GENTLEMEN OF THE LEGISLATURE:

This special session has been called to appropriate the money and levy the taxes necessary to carry on the functions of state government.

We must maintain the effectiveness of programs.

We must make certain that taxes are distributed fairly and do not oppress segments of our population or economy, or bring hardship to those least able to pay.

When the regular session began, I offered a budget which in my opinion was a plan that would provide the minimum amounts needed to operate state government for two years. Later a tax plan was presented which we believed was realistic and the fairest we could devise. I would like to make it clear now that my positions with regard to the budget and with regard to revenues have not changed.

But may I also make it clear that I am willing to consider adjustments. I will be stubborn about only one thing. I will not accept an unbalanced budget.

It is highly significant that we are meeting during a recession as severe as any of the past twenty years. The sag in the economy and employment has had a tremendous impact on the temper of the people and upon events of the regular session. However, it is well to remember that economists tell us the recession is temporary. Their optimism is well-founded, because we have an aggressive administration in Washington, D. C. May I emphasize that we are not planning programs for the next 90 days, but for the next two years.

I ask these questions. Is this the time to impose drastic cuts? Do we reduce the amounts spent to educate a child? Should we limit enrollments at our colleges and universities? Do we slow down the highway construction program? Should we reduce the level of care at our mental hospitals? Or cut the welfare program which cares for the less fortunate?

Is this the time to lose the faith and confidence of our teachers?

The decisions made in this extraordinary session could easily destroy their morale. We have already let educational standards slip. If the standards go any lower, it will take us years to recover and rebuild. This is not a problem that will go away if we ignore it.

I believe that the paramount duty before the state—more than ever before—is to provide adequately for education, for the schools and colleges, preserve and advance the intellectual and moral values of our free society. They determine scientific and social progress and the opportunities of tomorrow.

I believe this is a time to go forward—not backward.

I believe it is imperative that we speed the construction of freeways, especially in metropolitan areas.

I believe it is urgent and a matter of good business that we refinance the Hood Canal Bridge and ferry system as embodied in Senate Bills 505 and 506 of the regular session.

And may I emphasize again that our cities need financial relief. A plan was presented which, if adopted, would broaden our tax base. It is now apparent that assistance to the cities is dependent on a broader tax base if the state is to give them direct aid. It is equally obvious that some means to increase their income is urgently needed and must be found.

In conclusion, may I say that it is also highly significant that we are meeting at a time when our nation is locked in deadly competition with the Communist conspiracy; and may I repeat something I said in my inaugural address:

"I pray that we shall receive the Divine guidance to meet the responsibilities which go with the liberty we enjoy."

#### MOTIONS

On motion of Senator Greive, the rules of the thirty-seventh regular session of the legislature were adopted as the permanent rules for the first extraordinary session of the thirty-seventh legislature.

On motion of Senator Greive, the committees and officers of the thirty-seventh regular session of the legislature were made the permanent officers and committees of the first extraordinary session.

On motion of Senator Greive, a committee of three Senators was appointed to notify the House that the Senate was organized and ready to transact business.

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Cowen, Connor and Woodall as a committee to notify the House that the Senate was organized and ready to transact business.

The committee retired.

#### COMMITTEE FROM THE HOUSE

A committee from the House of Representatives, composed of Representatives Edwards, Wedekind and Hurley appeared before the Senate and announced that the House was organized and ready to proceed with business.

The report was received.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 10, 1961.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 1; also, House Concurrent Resolution No. 2, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

**FIRST READING OF HOUSE BILLS**

The following were read first time and acted upon as indicated:

**House Concurrent Resolution No. 1**, by Representative Litchman, Jr.:

Notifying the Governor that the legislature is organized.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 1 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 1 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

**REPORT OF SPECIAL COMMITTEE**

The special committee appointed to notify the House that the Senate was organized and ready to transact business, appeared and reported that their mission had been accomplished.

The President:

"The President appreciates the manner in which you members of the committee have dispatched your responsibilities."

**House Concurrent Resolution No. 2**, by Representative Litchman, Jr.:

Relating to the adoption of the joint rules.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 2 was advanced to second reading, and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 2 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 1**, by Senators Foley and Hallauer:

An Act adopting the budget and making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1961, and ending June 30, 1963.

Referred to Committee on Ways and Means.

**Senate Bill No. 2**, by Senators Hallauer and Foley:

An Act adopting the capital budget and making appropriations for capital improvements for the fiscal biennium beginning July 1, 1961 and ending June 30, 1963.

Referred to Committee on Ways and Means.

**Senate Bill No. 3**, by Senators Washington, Hallauer and Morgan:

An Act relating to toll bridges and ferries and the financing thereof; making an appropriation; amending section 3, chapter 10, Laws of 1961 (uncodified); and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 4**, by Senators Washington, Hallauer and Morgan:

Modifying law relating to motor vehicle fuel and use tax and motor vehicle license fees and the disposition thereof.

Referred to Committee on Highways.

**Senate Bill No. 5**, by Senators Hallauer and Foley:

An Act providing for the financing of capital improvement projects from the proceeds of a bond issue repayable from a portion of the retail sales tax and such additional means as the legislature may provide.

Referred to Committee on Ways and Means.

**Senate Bill No. 6**, by Senators Hallauer and Foley:

An Act relating to education; providing funds for the construction of public school plant facilities; authorizing the issuance and sale of limited obligation bonds of the state and providing ways and means to pay said bonds; continuing the imposition of taxes; prescribing the powers and duties of certain officers; making an appropriation; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 7**, by Senators Hallauer and Foley:

An Act authorizing the issuance of bonds for capital improvement projects at the University of Washington; and declaring an emergency.

Referred to Committee on Ways and Means.

**Senate Bill No. 8**, by Senators Hallauer and Durkan:

An Act relating to state government; providing for the administration of laws pertaining to taxation; establishing the department and director of revenue; establishing the board of tax appeals; abolishing the tax commission of the state of Washington and transferring the powers and duties thereof to the director of revenue and to the board of tax appeals; establishing procedures for review and providing for appeals from the board of tax appeals; making and transferring appropriations; and amending section 82.32.190, chapter 15, Laws of 1961 and RCW 82.32.190.

Referred to Committee on Ways and Means.

**Senate Bill No. 9**, by Senators Hallauer and Foley:

An Act relating to state government; creating the office of auditor general; abolishing the office of state auditor; transferring powers, duties and functions; prescribing powers and duties; providing for the transfer and disposition of funds; and declaring an emergency.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**MOTIONS**

Senator Hallauer moved that the Committee on State Government, Military Affairs and Civil Defense be relieved of further consideration of Senate Bill No. 9.

Debate ensued.

The President stated the question before the Senate to be, it has been moved that the Committee on State Government, Military Affairs and Civil Defense be relieved of further consideration of Senate Bill No. 9.

The motion carried.

On motion of Senator Hallauer, Senate Bill No. 9 was referred to the Committee on Ways and Means.

**Senate Bill No. 10**, by Senators Durkan and Papajani:

An Act relating to revenue and taxation; and amending section 82.08.080, chapter 15, Laws of 1961 and RCW 82.08.080.

Referred to Committee on Ways and Means.

**Senate Bill No. 11**, by Senators Hallauer and Durkan:

An Act relating to the taxation, valuation, and assessment of property; prescribing powers and duties of certain officers; prescribing penalties; and adding six new sections to chapter 15, Laws of 1961 and to chapter 84.40 RCW. Referred to Committee on Ways and Means.

**Senate Bill No. 12**, by Senators Hallauer, Foley and Woodall:

An Act relating to intoxicating liquor; providing for the control and regulation thereof; providing for the disposition of funds; amending section 73, chapter 62, Laws of 1933 extraordinary session and RCW 43.66.060; amending section 66, chapter 62, Laws of 1933 extraordinary session and RCW 43.66.140; amending section 71, chapter 62, Laws of 1933 extraordinary session, as last amended by section 1, chapter 138, Laws of 1937, and RCW 43.66.150; adding three new sections to chapter 62, Laws of 1933 extraordinary session and to chapter 43.66 RCW; repealing sections 74 and 75, chapter 62, Laws of 1933 extraordinary session and RCW 43.66.070 and 43.66.160.

Referred to Committee on Ways and Means.

**Senate Joint Resolution No. 1**, by Senators Papajani, Angevine and Thompson, Jr.:

Proposing constitutional amendment to allow school districts to vote excess levies for a number of years in a single election.

Referred to Committee on Constitution, Elections and Legislative Processes.

**Senate Joint Resolution No. 2**, by Senators Hess, Gissberg and Ryder: Constitutional amendment for school district excess levies.

Referred to Committee on Education.

**Senate Concurrent Resolution No. 1**, by Senators Greive and Gissberg: Limiting scope of extraordinary session.

On motion of Senator Greive, the rules were suspended and Senate Concurrent Resolution No. 1 was placed on second reading and read the second time in full.

Senator Woodall moved that the following amendment be adopted:

On lines 10 and 11, strike "and any matter pursuant to executive request"

Debate ensued.

Senator Martin moved that the amendment by Senator Woodall be laid on the table.

Senator Woodall demanded a roll call, which was sustained by Senators Shannon, Raugust, Neill, Elway, Jr., Thompson, Jr., Foster, Chytil and Moriarty, Jr.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator Woodall be laid on the table.

The Secretary called the roll, and the amendment by Senator Woodall was laid on the table by the following vote: Yeas, 31; nays, 15; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hanna, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Sandison, Talley, Washington—31.

Those voting nay were: Senators Chytil, Cowen, Elway, Jr., Foster, Freise, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—15.

Those absent or not voting were: Senators Hallauer, Henry, Herrmann—3.

#### POINT OF INQUIRY

Senator Hess:

"Mr. President, might we have an interpretation from the President as to how the President would rule should a question be raised as to how Senate Joint Resolution No. 2, as read in this morning, would come within the scope of this current legislation?"

#### POINT OF ORDER

Senator Woodall:

"The matter before the Senate is the adoption of a particular resolution, and I do have an amendment before the Senate."

#### RULING OF THE PRESIDENT

The President:

"Senator Woodall's point is well taken. Your point of inquiry will be considered after the motion before the Senate, Senator Hess."

Senator Hess:

"My inquiry also pertains to a possible amendment. It might be necessary for an amendment to be prepared if the President's ruling would be that it would not be in order. Therefore, I think it is in order and the present point of order has precedence over the motion."

#### RULING OF THE PRESIDENT

The President:

"Senate Joint Resolution No. 2 would fit within the scope of the resolution as it is now."

#### MOTION

On motion of Senator Greive, Senate Concurrent Resolution No. 1 was ordered to retain its place on the second reading calendar for the next session of the Senate.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 10, 1961.

MR. PRESIDENT:

The Speaker has appointed as a committee of three from the House, authorized under House Concurrent Resolution No. 1, to notify the Governor that the legislature is organized and ready for business, Representatives Edwards, Hurley and Siler.

S. R. HOLCOMB, *Chief Clerk.*

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Gallagher, Gissberg and Moriarty, Jr. to serve as the members from the Senate, under the provisions of House Concurrent Resolution No. 1, to notify the Governor that the legislature was organized and ready to transact business.

The committee retired.

#### MOTION

At 12:00 o'clock noon, on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

**AFTERNOON SESSION**

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At 2:00 o'clock p. m., the Senate was called to order by President Cherg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Cowen, DeGarmo and Raugust.

**POINT OF INQUIRY**

Senator McCutcheon:

"Mr. President, where is Senate Joint Resolution No. 2?"

The President:

"In the possession of the Secretary of the Senate, Senator McCutcheon.

"Senate Joint Resolution No. 2 was inadvertently referred to the Committee on Education. When the President was referring the bills this morning, the President received a request that the resolution be referred to the Committee on Education."

**MOTION**

Senator McCutcheon moved that Senate Joint Resolution No. 2 be referred to the Committee on Constitution, Elections and Legislative Processes. Debate ensued.

The President stated the question to be, it has been moved that Senate Joint Resolution No. 2 be referred to the Committee on Constitution, Elections and Legislative Processes.

**POINT OF INQUIRY**

Senator Riley:

"Will Senator McCutcheon yield to a question?"

Senator McCutcheon:

"Yes, I will."

Senator Riley:

"Senator McCutcheon, the resolution to which you refer, is it Senate Joint Resolution No. 2?"

Senator McCutcheon:

"It is."

Senator Riley:

"Is it anything like Senate Joint Resolution No. 20 which was introduced in the regular session?"

Senator McCutcheon:

"I understand it is identical."

Senator Riley:

"Senate Joint Resolution No. 20 was one dealing with a specified number of years not in excess of four years for special school levies for capital outlay, and that resolution was in your committee during the regular session?"

Senator McCutcheon:

"Yes, it was. They were both referred to my committee."

Extensive debate ensued.

**PERSONAL PRIVILEGE**

Senator Angevine:

"I would like to remind the members of the Senate that it was not I who referred any of these bills anywhere. The only bill I asked to have referred went to Education where it promptly died. It was he (Senator Hess) who referred House Joint Resolution No. 1, not I."

The President:

"With the permission of the Senate, the President should like to have the report of the Committee on Education read in order that it may be recorded in the Journal at the time of Senator McCutcheon's motion to refer to the Committee on Constitution, Elections and Legislative Processes."

The Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., March 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Joint Resolution No. 2, constitutional amendment for school district excess levies, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. *ANDY HESS, Chairman.*

We concur in this report: Robert C. Bailey, Joe Chytil, Frank W. Foley, William A. Gissberg, H. B. Hanna, Al Henry, Reuben A. Knoblauch, Ernest W. Lennart, John A. Petrich, Donald L. Talley, Albert C. Thompson, Jr., Nat Washington.

**PERSONAL PRIVILEGE**

Senator Lennart:

"I didn't know about those things. I signed that report and I probably wouldn't have signed it if I had known."

**PERSONAL PRIVILEGE**

Senator Papajani:

"I feel, as a member of the Education Committee and supporter of education, that I should be entitled to at least have the opportunity offered to me to sign the report. It now appears as though I refused to sign it, and that is not true. I want that to be in the record."

The President:

"You may come up to the desk and sign the report now, Senator Papajani."

**PERSONAL PRIVILEGE**

Senator McCutcheon:

"I think there is a great deal of ado about nothing here."

**PERSONAL PRIVILEGE**

Senator Hess:

"I don't like to prolong this silly discussion, but may I remind Senator McCutcheon that he started the whole affair.

"We simply followed the procedure just as we did in the last session of the legislature with every one of the measures. It had nothing to do with Senator McCutcheon at all. As far as I am concerned, there is no finer senator than Senator McCutcheon.

"There is in the House some nefarious back-stabbing. Senator McCutcheon is in no way a part of it. I simply tried to prevent a fight between the House and the Senate, and I thought if we had a bill without the names of either one of them on it, we might stand a better chance of getting it through."

**PERSONAL PRIVILEGE**

Senator Angevine:

"I just want to take this opportunity to inform the Senator from the 31st District that I one hundred percent resent the implications in his remarks that an argument between two legislators stopped any bills from getting through. It seems to me that if any two or ten of the legislators can stop a bill there is something wrong. I appreciate the compliment that he has given me, but I suggest that the majority of the legislators of this body can refer the bill if they want to.

"I make no bones about it because I feel the measure which was aimed at helping the educational forces in this state is being hurt by the cities and towns which desire similar rights and are now a part of this resolution. I feel that the resolution, once it made the ballot, would have a much less chance of passing, the broader it becomes. It was the Senate which passed the resolution before. If it is the wish and intent of this body to help the plight of the school districts, then we should limit ourselves to the school problem alone.

"I voted for House Joint Resolution No. 20, and I would have voted for House Joint Resolution No. 6, but I would not let any bill go through this body if in my opinion an amendment would help lessen the chances of it bogging down in the House.

"My feeling is pure and simple. If you are going to help education, then let us help education. Let's not attempt to double-talk in an attempt to get a different kind of legislation through."

The President stated the question before the Senate to be, it has been moved that Senate Joint Resolution No. 2 be referred to the Committee on Constitution, Elections and Legislative Processes.

The motion carried, and Senate Joint Resolution No. 2 was referred to the Committee on Constitution, Elections and Legislative Processes.

**REPORT OF SPECIAL COMMITTEE**

Senators Gallagher, Gissberg and Moriarty, Jr., the members from the Senate appointed under the provisions of House Concurrent Resolution No. 1, appeared before the bar of the Senate and announced that the committee had notified the Governor that the legislature was organized and ready to transact business.

The report was accepted and the committee dismissed.

**MOTION**

At 2:35 o'clock p. m., on motion of Senator Greive, the Senate recessed until 5:00 o'clock p. m.

**SECOND AFTERNOON SESSION**

At 5:00 o'clock p. m., the Senate was called to order by President Cherberg.

**MOTION**

On motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

**EVENING SESSION**

At 8:00 o'clock p. m., the Senate was called to order by President Cherberg. The President declared the Senate to be at ease, subject to the call of the President.

At 12:30 o'clock a. m., the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Chytil, Cowen, McCormack, Morgan, Raugust and Shannon, all of whom were excused.

Senators Greive, Gallagher and Hofmeister demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

#### SECOND READING OF BILLS

**Senate Concurrent Resolution No. 1**, by Senators Greive and Gissberg:  
Limiting scope of extraordinary session.

#### MOTION

On motion of Senator Greive, Senate Concurrent Resolution No. 1 was ordered to retain its place on the second reading calendar for the next daily session of the Senate.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Mr. President, what is before the Senate now?"

The President:

"Committee reports, Senator Greive."

The Senate reverted to the second order of business.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 1** (reported by Committee on Ways and Means):  
Do pass as amended.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, David E. McMillan, Fred J. Martin, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Donald L. Talley, Albert C. Thompson, Jr.

#### MOTIONS

On motion of Senator Greive, the rules were suspended, Senate Bill No. 1 was advanced to second reading and read the second time by sections.

On motion of Senator Greive, the rules were suspended, and the report of the Committee on Constitution, Elections and Legislative Processes on Senate Joint Resolution No. 1 was ordered considered before further consideration of Senate Bill No. 1.

The Secretary read:

## REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., March 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Joint Resolution No. 1, proposing constitutional amendment to allow school districts to vote excess levies for a number of years in a single election, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Joint Resolution No. 1 be substituted for Senate Joint Resolution No. 1 and the substitute bill do pass.

JOHN T. McCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Andy Hess, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., John Papajani, Albert C. Thompson, Jr.

On motion of Senator McCutcheon, Substitute Senate Joint Resolution No. 1 was substituted for Senate Joint Resolution No. 1, and Substitute Senate Joint Resolution No. 1 was placed on second reading and read in full.

Senate Riley moved that the following amendment be adopted:

In section 1, page 1, line 14, after "of" and before "years" strike "four" and insert "two"

Senator Herrmann moved that the amendment by Senator Riley be laid on the table.

A division was requested and the motion carried on a rising vote.

On motion of Senator McCutcheon, the rules were suspended, Substitute Senate Joint Resolution No. 1 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Substitute Senate Joint Resolution No. 1, and the resolution passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington, Woodall—42.

Those voting nay were: Senator Lennart—1.

Those absent or not voting were: Senators Chytil, Cowen, McCormack, Morgan, Raugust, Shannon—6.

Substitute Senate Joint Resolution No. 1, having received the constitutional two-thirds majority, was declared passed.

## SECOND READING OF BILLS

**Senate Bill No. 1**, by Senators Foley and Hallauer:

An Act adopting the budget and making appropriations for the operation of state agencies for the fiscal biennium beginning July 1, 1961, and ending June 30, 1963.

Senate Chamber,  
Olympia, Wash., March 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 1, adopting the budget and making general appropriations, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation with the following amendments:

In section 1, page 6, line 3, strike "more than \$100,000" and insert "no part thereof shall"

In line 5, strike "\$2,148,469" and insert "\$2,048,469"

In section 1, page 10, line 5, after "\$31,460,157" strike all of the matter down to and including "\$35,594,608" on line 15, and insert the following: "Provided further, There is specifically earmarked the following specified amount for aid to dependent children and aid to the permanently and totally disabled and general assistance exclusive of burial costs and exclusive of nursing home and other medical care costs \$78,980,958"

In section 1, page 13, line 8, after "provision" and before the colon insert a period and add the following: "The presence of an adult male person or any of his personal effects in the home in which a dependent child is living with his mother shall be presumptive evidence that such adult male person resides therein and is assuming the status of spouse. For the purposes of this section, the term "adult male person" shall include any male person of the age of eighteen or older who is unrelated by blood to the mother"

In section 1, page 15, line 7, after "Provided," strike all of the matter down through line 9, and insert "On condition, that as to each county fifty percent of the cost of such services to the school districts of the county shall be paid by districts in the county"

In section 1, page 15, line 29, after "shall be" strike "fifty" and insert "forty-five"

In line 31, after "shall be" strike "\$2,312.65" and insert "\$2,541.77"

In line 32, after "and" strike "\$2,624.10" and insert "\$2,852.57"

In section 1, page 16, line 23, strike all of lines 23 and 24 and insert "superior teaching performance in a school district unless the contract of each full time teacher in the district shall require not less than 190"

In section 1, page 17, line 22, strike "\$54,609,889" and insert "\$55,176,358"

In section 1, page 17, line 25, strike "\$31,140,500" and insert "\$31,486,103"

In section 1, page 17, line 27, strike "\$4,534,941" and insert "\$4,568,869"

In section 1, page 17, line 29, strike "\$4,674,776" and insert "\$4,699,393"

In section 1, page 17, line 31, strike "\$6,109,881" and insert "\$6,136,575"

In section 1, page 19, line 8, after "appropriation" insert the following: "Provided, That \$850,000 thereof shall be available for flood control purposes"

In line 8, strike "\$1,733,418" and insert "\$1,910,418"

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Robert C. Bailey, Frank Connor, John L. Cooney, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, David E. McMillan, Fred J. Martin, Charles P. Moriarty, Jr., Marshall A. Neill, John A. Petrich, Edward F. Riley, John N. Ryder, Gordon Sandison, Donald L. Talley, Albert C. Thompson, Jr.

On motion of Senator Greive, the Senate resolved itself into a Committee of the Whole, Senator Henry in the chair, for the purpose of considering Senate Bill No. 1.

#### COMMITTEE OF THE WHOLE

Senate Bill No. 1 was considered in the Committee of the Whole and reported back to the Senate, President Cherberg presiding, with the recommendation that it do pass.

On motion of Senator Riley, the report of the committee was adopted.

On motion of Senator Greive, the reading had in the Committee of the Whole was considered the second reading of Senate Bill No. 1.

On motion of Senator Greive, the committee amendments to Senate Bill No. 1, adopted in the Committee of the Whole, were adopted by the Senate.

Senator Gissberg moved that the following amendments to the committee amendments be adopted:

On page 15, line 31, strike "\$2,541.77" and insert "\$2,708.43"

On page 17, line 7, after "appropriation" strike "is intended" and insert "shall be"

The motion was lost and the amendments were not adopted.

On motion of Senator Hallauer, the rules were suspended, Engrossed Senate Bill No. 1 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Extensive debate ensued.

Senators Keefe, Gallagher and Hallauer demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 1, and the bill passed the Senate by the following vote: Yeas, 26; nays, 17; absent or not voting, 6.

Those voting yea were: Senators Bailey, Cooney, DeGarmo, Donohue, Dore, Durkan, Foley, Foster, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Kupka, McCutcheon, McMillan, Martin, Nuna-maker, Petrich, Riley, Sandison, Talley, Washington—26.

Those voting nay were: Senators Angevine, Bargreen, Connor, Elway, Jr., Freise, Gissberg, Happy, Hess, Knoblauch, Lennart, Moriarty, Jr., Neill, Papajani, Rasmussen, Ryder, Thompson, Jr., Woodall—17.

Those absent or not voting were: Senators Chytil, Cowen, McCormack, Morgan, Raugust, Shannon—6.

Engrossed Senate Bill No. 1, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PROTEST

I strongly protest the new policy pertaining to the care and treatment of the residents of the Soldiers' Home and Colony, as contained on page 9, lines 2 to 18 inclusive, in Senate Bill No. 1.

It is my opinion that if our honored veterans should be charged for their care that a measure should have been introduced, a hearing held and that our veterans and veterans' organizations should have been given the opportunity to be heard.

I am opposed to the strategy used by the chairman of the Committee on Ways and Means, and it is my opinion that since the Orting Soldiers' Home is in my district that this matter should have been discussed with me so that I could have been given the opportunity to oppose this new policy before it was inserted into the budget.

Because of this I must vote "no" on Senate Bill No. 1.

Further, I do not feel that this is a sufficient appropriation for our common schools and for a fair increase for teachers' salaries. This is another reason why I oppose Senate Bill No. 1.

(signed) REUBEN A. KNOBLAUCH.

#### EXPLANATION OF VOTE

I would like to have my vote recorded in the Journal as against or "Nay" on Senate Bill No. 1, of the extraordinary session.

It is necessary for me to do so because of the section concerning the Veterans' Homes, wherein it states on page 9, line 11 through 18, that members must pay all income in excess of \$600 yearly into the State General Fund.

Since I represent Retsil Veterans' Home in the 23rd District, I cannot vote for the bill.

The inadequate appropriation for education further prompts this action.

(signed) FRANCES HADDON MORGAN.

**PERSONAL PRIVILEGE**

Senator Martin announced that the cigars and candy being distributed were through the courtesy of the Washington State Grange. Mr. Lars Nelson contributed them in appreciation.

**MOTIONS**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 2:18 o'clock a. m. on motion of Senator Greive, the Senate adjourned until 2:21 o'clock a. m. on the second legislative day, Saturday, March 11, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**SECOND DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, March 11, 1961.

The Senate was called to order at 2:21 o'clock a. m. by President John A. Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Chytil, Cowen, McCormack, Morgan, Raugust and Shannon, all of whom had been excused.

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**MOTION**

On motion of Senator Greive, the Senate adjourned at 2:30 o'clock a. m. until 12:00 o'clock noon on Tuesday, March 14, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## FIFTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, March 14, 1961.

The Senate was called to order at 12:00 o'clock noon by President Cherg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bargreen, Dore, Morgan, Neill, Petrich and Talley.

On motion of Senator Ryder, Senator Neill was excused.

On motion of Senator Greive, Senator Dore was excused.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Susan Harris, presented the Colors.

Reverend Henry Rahn, Pastor of the First Baptist Church of Olympia, offered prayer as follows:

"Almighty and Everlasting God:

"We are grateful that we can live in a land where an assembly such as this is possible; where Thy name is held in reverence; where Thy help is sought and where there is freedom of thought and expression.

"Thou hast given us this day, from the crucible of time, a bit of eternity. Help us to mold it into a thing of beauty and worth.

"If this day is full of problems, may it also be full of hope. If we find stumbling blocks in our way help us to turn them into stepping stones.

"May Thy blessing rest on each of these legislators and leaders, and keep in Thy watch their families and loved ones.

"This we ask in our Master's name. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

#### SENATE RESOLUTION

By Senator Gissberg:

WHEREAS, There is great concern and interest that fair and adequate legislative representation be afforded all citizens of this state; and

WHEREAS, Many suggestions have been offered and considered whereby such representation can be accomplished, such as the plan set forth in House Joint Resolution 31; and

WHEREAS, It is the opinion of many students of government that the federal plan of legislative apportionment whereby each state is assured of at least a minimal legislative delegation is meritorious and provides an acceptable method to be followed by the legislature of this state; and

WHEREAS, There is insufficient time during the present session of the legislature to gather, analyze and evaluate the facts necessary to prepare just and equitable legislation;

*Now, Therefore, Be It Resolved*, By the Senate of the state of Washington that the Legislative Council is requested to study and analyze all available facts relating to or in any way bearing upon the subject of legislative redistricting and reapportionment, including a consideration of the substance of House Joint Resolution 31 together with the federal plan of legislative apportionment, and to report upon its findings together with recommendations thereon to the legislature at the next regular session of the legislature.

**MOTIONS**

Senator Gissberg moved that the resolution be adopted.

Senator Hess moved that the resolution be referred to the Committee on Constitution, Elections and Legislative Processes.

Debate ensued.

**POINT OF ORDER**

Senator Gissberg:

"The point of order that I make is that Senator Hess is presumably speaking on the merits of the question, rather than on the motion he made to refer the resolution to a committee."

**RULING OF THE PRESIDENT**

The President:

"Senator Hess, please confine your remarks to the motion."

Senator Hess:

"I think the very fact that this is as involved as it is that we have to resort to parliamentary procedure to keep from discussing the merits of this resolution is the reason why we should discuss this measure before voting upon it."

Senator McCutcheon:

"Speaking on the point of order, I am not at all prepared to vote upon the resolution without having heard the merits."

**POINT OF INQUIRY**

Senator Hess:

"Will Senator Freise yield to a question?"

Senator Freise:

"I will, if Senator Hess will let me finish."

Senator Hess:

"I was merely going to ask Senator Freise to read the pertinent paragraph, paragraph 2."

**PARLIAMENTARY INQUIRY**

Senator McCormack:

"Mr. President, is it proper to amend the resolution on the floor?"

The President:

"Yes, it is, Senator McCormack."

**POINT OF INQUIRY**

Senator McCormack:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"I will."

Senator McCormack:

"Senator Gissberg, would you be willing to strike the reference to the Federal system in your resolution?"

Senator Gissberg:

"No, I wouldn't be willing to strike the reference to the Federal system because that is one of the things I want to study. I want all of the facets explored.

"I know that Senator Hess was one of the members of the committee six years ago when we all went out to the University to make a similar study, and I know that we studied the Federal system at that time. In any kind of a study, in order for it to be performed properly, everything should be considered."

Senators Elway, Nunamaker and McCutcheon demanded the previous question.

The President stated the question before the Senate to be shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The President stated the question before the Senate to be it has been moved that the resolution presented by Senator Gissberg be referred to the Committee on Constitution, Elections and Legislative Processes.

A division was requested.

The motion to refer the resolution by Senator Gissberg to the Committee on Constitution, Elections and Legislative Processes was lost on a rising vote.

Senator Hess moved that the following amendment be adopted:

On page 1, lines 7 through 10, strike all of paragraph 3.

#### MOTION

On motion of Senator Washington, the resolution was ordered retained on the first order of business for the next meeting of the Senate.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., March 11, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 1, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 13**, by Senators Elway, Jr. and Donohue:

An Act relating to revenue and taxation; increasing the motor vehicle fuel tax, the use fuel tax and certain motor vehicle fees; providing for the distribution of revenues; establishing an urban aid account in the motor vehicle fund, and providing for the use thereof; amending section 82.36.020, chapter 15, Laws of 1961 and RCW 82.36.020; amending section 82.36.100, chapter 15, Laws of 1961 and RCW 82.36.100; amending section 82.40.020, chapter 15, Laws of 1961 and RCW 82.40.020; amending section 82.40.290, chapter 15, Laws of 1961 and RCW 82.40.290; amending section 46.68.090, chapter 12, Laws of 1961 and RCW 46.68.090; amending section 46.68.100, chapter 12, Laws of 1961 and RCW 46.68.100; amending section 46.68.130, chapter 12, Laws of 1961 and RCW 46.68.130; amending section 46.16.060, chapter 12, Laws of 1961 and RCW 46.16.060; amending section 46.16.065, chapter 12, Laws of 1961 and RCW 46.16.065; amending section 46.16.070, chapter 12, Laws of 1961 and RCW 46.16.070; amending section 46.16.072, chapter 12, Laws of 1961 and RCW 46.16.072; amending section 46.16.120, chapter 12, Laws of 1961 and RCW 46.16.120; amending section 46.68.030, chapter 12, Laws of 1961 and RCW 46.68.030; adding new sections to chapters 46.16, 46.44 and 46.68 RCW; repealing section 46.16.074, chapter 12, Laws of 1961 and RCW 46.16.074; and declaring an emergency.

Referred to Committee on Ways and Means.

On motion of Senator Henry, the rules were suspended and Senate Bill No. 13 was referred to the Committee on Highways.

**Senate Bill No. 14**, by Senator Nunamaker:

An Act relating to the Washington state teachers' retirement system and adding three new sections to chapter 80, Laws of 1947, and to chapter 41.32 RCW.

Referred to Committee on Education.

On motion of Senator Nunamaker, the rules were suspended and the names of Senators Hanna, Gissberg and Elway, Jr. were added as sponsors to Senate Bill No. 14.

#### POINT OF INQUIRY

Senator Angevine:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Angevine:

"In view of the fact that this bill is identical to Senate Bill 70 which was introduced during the regular session, and asks for an appropriation from the general fund, would I be correct in assuming that if this bill comes back from the committee you will move to act upon it?"

Senator Hess:

"Your assumption is out of order, Senator Angevine. I never presume until the committee has acted."

Senator Angevine:

"I am not attempting to be presumptive. I am attempting to go along with your wishes. If the members desire to have this bill referred to the Committee on Ways and Means, then I would like to support your motion and have it referred to the Committee on Ways and Means. But if you did not prefer to act upon the measure or move that bill after the committee acts favorable upon it, then I would not propose a motion to refer it to Ways and Means immediately. If you intended to act upon it, then I would go along with your wishes. That is all I intended to ask."

#### SECOND READING OF BILLS

**Senate Concurrent Resolution No. 1**, by Senators Greive and Gissberg:

Limiting scope of extraordinary session.

Senator Greive moved that Senate Concurrent Resolution No. 1 be ordered to retain its place on the second reading calendar for tomorrow.

A division was requested and the motion carried on a rising vote.

#### MOTION

At 12:45 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m. on Wednesday, March 15, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## SIXTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, March 15, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherb-berg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Petrich.

The Color Guard, consisting of Pages James F. Archer, Color Bearer, and Nancy Christiansen, presented the Colors.

Reverend J. Edgar Pearson, Pastor of the United Churches—Federated of Olympia, offered prayer as follows:

"O God of truth, who alone canst lead men into the truth that is freedom and joy, be Thou our teacher as we seek Thy way of life in times that bewilder and challenge us.

"Many times in this session we have wished decisions were not so difficult, yet we know that we have ourselves to blame for the tensions in which we live.

"Help us to see that if the guidance for which we pray is to be ours, we must be guided ourselves. If Thy will is to be done in this place, we must do it.

"Thou hast said: If any man lack wisdom, let him ask of God . . . and it shall be given him. Thou knowest how much that wisdom is needed. Make us willing to ask for it and eager to have it.

"Let us be willing to forgive past differences, that we may be creative in approaching the problems before us.

"As they think of balanced budgets, may their own lives be balanced in Thy sight.

"As we are now united in prayer, so may we be united in our working, we pray in the name of Him whose spirit guides all the affairs of men. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### SPECIAL ORDER OF BUSINESS

The time having arrived, the President declared the special order of business to be consideration of the Senate Resolution by Senator Gissberg introduced yesterday, with an amendment pending.

### SENATE RESOLUTION

By Senator Gissberg:

WHEREAS, There is great concern and interest that fair and adequate legislative representation be afforded all citizens of this state; and

WHEREAS, Many suggestions have been offered and considered whereby such representation can be accomplished, such as the plan set forth in House Joint Resolution 31; and

WHEREAS, It is the opinion of many students of government that the federal plan of legislative apportionment whereby each state is assured of at least a minimal legislative delegation is meritorious and provides an acceptable method to be followed by the legislature of this state; and

WHEREAS, There is insufficient time during the present session of the legislature to gather, analyze and evaluate the facts necessary to prepare just and equitable legislation;

Now, Therefore, Be It Resolved, By the Senate of the state of Washington that the Legislative Council is requested to study and analyze all available facts relating to

or in any way bearing upon the subject of legislative redistricting and reapportionment, including a consideration of the substance of House Joint Resolution 31 together with the federal plan of legislative apportionment, and to report upon its findings together with recommendations thereon to the legislature at the next regular session of the legislature.

Senator Hess moved that the following amendment be adopted:

On page 1, lines 7 through 10, strike all of paragraph 3.

Debate ensued.

A division was requested and the motion lost on a rising vote. The amendment was not adopted.

The President stated the question before the Senate to be the adoption of the Senate Resolution by Senator Gissberg.

Extensive debate ensued.

#### POINT OF INQUIRY

Senator Dore:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"I will."

Senator Dore:

"I am sorry, Senator Gissberg, I came late and you have probably already argued my point. But my question is: under the Federal plan you have one senator from each state. Do you propose one state senator from each county, likewise? Do you resolve at this time to do this?"

Senator Gissberg:

"No, Senator Dore, I don't have that in mind at all.

"What I have in mind is that I want some consideration given to the plan whereby certain areas within the state are guaranteed representation.

"I am not saying that it shall be by county unit. There should be some consideration given to areas having common economic problems or a common geographical area, but not limiting a particular area to that of a political subdivision."

Senator Dore:

"It is my understanding—perhaps I am wrong—that the Federal plan metes representation by population and representation by state—which would be our counterparts to counties. Isn't that correct?"

Senator Gissberg:

"My answer would be the same; that is I am not defining the so-called Federal plan as such. What I am saying is that I want certain areas guaranteed representation in either the House or the Senate. Every area should be represented in one house or the other."

Senator Dore:

"I am in sympathy with what Senator Gissberg is trying to do, but I think perhaps it would be better to have it spelled out in a Whereas clause."

The President stated the question before the Senate to be the adoption of the resolution proposed by Senator Gissberg.

Senator Dore demanded a roll call, which was sustained by Senators Connor, Hess, Thompson, Jr., McCutcheon, Moriarty, Jr., McCormack, Hofmeister, Cowen and Henry.

The Secretary called the roll on the adoption of the resolution proposed by Senator Gissberg, and the resolution was adopted by the following vote: Yeas, 30; nays, 16; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Lennart, McMillan, Martin, Neill, Nunamaker, Rasmussen, Raugust, Ryder, Sandison, Talley, Woodall—30.

Those voting nay were: Senators Connor, Dore, Foley, Hallauer, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Morgan, Moriarty, Jr., Riley, Shannon, Thompson, Jr.—16.

Those absent or not voting were: Senators Papajani, Petrich, Washington—3.

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 15**, by Senators Gissberg, Durkan and Shannon:

An Act relating to bond elections; and amending section 1, chapter 13, Laws of 1925, as amended by section 3, chapter 290, Laws of 1959, and RCW 39.40.010.

Referred to Committee on Constitution, Elections and Legislative Processes.

#### SECOND READING OF BILLS

**Senate Concurrent Resolution No. 1**, by Senators Greive and Gissberg: Limiting scope of extraordinary session.

The resolution was read the second time in full.

Senator Woodall moved that the following amendment be adopted:

Add the following proviso:

*Provided*, That any executive requests be limited to matters of revenue, taxation, appropriations and corrective legislation of acts and enactments at the regular session.

Senator Gallagher moved that the amendment by Senator Woodall be laid on the table.

Senator Woodall demanded a roll call which was sustained by Senators Shannon, Raugust, Elway, Jr., Thompson, Jr., Foster, Chytil, Happy, Lennart and Riley.

The motion carried and the demand for a roll call was sustained.

The President stated the question before the Senate to be, it has been moved that the amendment proposed by Senator Woodall be laid on the table.

The Secretary commenced to call the roll on the tabling of the amendment.

#### CALL OF THE SENATE

Senator Greive demanded a Call of the Senate, which was sustained by Senators Connor, Greive and Morgan.

A Call of the Senate was ordered.

On motion of Senator Greive, the Call of the Senate was dispensed with.

The Secretary continued calling the roll and the amendment by Senator Woodall to Senate Concurrent Resolution No. 1 was laid on the table by the following vote: Yeas, 27; nays, 17; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Durkan, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Nunamaker, Rasmussen, Sandison, Talley, Washington—27.

Those voting nay were: Senators Chytil, Donohue, Dore, Elway, Jr., Foster, Freise, Happy, Lennart, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—17.

Those absent or not voting were: Senators Cowen, Foley, Hallauer, Papani, Petrich—5.

Senator Greive moved that the following amendment by Senators Greive and Gissberg be adopted:

Strike the entire resolution and substitute the following:

WHEREAS, The first extraordinary session of the thirty-seventh legislature has been convened by proclamation of the governor for the purpose of considering and acting upon certain proposed legislation;

Now, Therefore, Be It Resolved, By the Senate, the House of Representatives concurring, that no bills shall be considered or acted upon by said first extraordinary session of the thirty-seventh legislature other than those pertaining to revenue and taxation, appropriations including highways, budgetary and fiscal controls, and tuition and fees of institutions of higher learning, minimum wage legislation, and any other matter pursuant to executive request: *Provided*, That matters introduced by executive request be with the consent and concurrence of two-thirds vote of either house of the legislature in which introduced.

Debate ensued.

#### POINT OF INQUIRY

Senator Bargreen:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Bargreen:

"I believe your explanation was such that the amended resolution which you presented this morning was the original resolution, but you did not go into detail about the amended resolution and the purposes therefor.

Senator Greive:

"There were two purposes.

"One, we felt the minimum wage was a matter to be considered; and, two, we provided a two-thirds majority vote necessary on other matters to be considered."

Senator Bargreen:

"The original amendment is such that if the Governor wanted to propose legislation regarding the minimum wage he could do so? Also, was it not true that in the original resolution it does take two-thirds vote of the membership to consider other legislation?"

Senator Greive:

"Yes, the Governor said it was our function to do whatever we wanted to but he said he was agreeable to the two-thirds majority vote for other legislation."

#### POINT OF INQUIRY

Senator Neill:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Neill:

"As I heard the resolution read, it made some mention to institutions of higher learning. As I understand, the package of bills includes tuition at the colleges. I am wondering if you would object to an amendment so that the whole matter could be considered as a package?"

Senator Greive:

"Yes, I would object to that.

"We are in a difficult financial situation and it may be that we would have to search for several sources of revenue, and I think we should leave that open for a possible source."

Senator Neill:

"I am afraid you misunderstood me. I am afraid that the resolution is worded so that we could not use it."

**POINT OF INQUIRY**

Senator Lennart:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Lennart:

"Is this minimum wage legislation by Executive request?"

Senator Greive:

"No, it will have the support of the Governor, but he hasn't determined as yet that it is an Executive request bill. I think it is very possible that he may set this up as an Executive request bill."

Senator Lennart:

"Would you vote for this bill?"

Senator Greive:

"Very most decidedly, yes!"

**POINT OF INQUIRY**

Senator Hallauer:

"Will Senator Greive yield?"

Senator Greive:

"Yes, I will."

Senator Hallauer:

"Senator Greive, the problem is that we have a proposal amounting to about one hundred thousand dollars from increasing fees in departments of vital statistics in the Department of Health. I think this is a revenue measure because it involves \$100,000 per biennium, but I don't know if the language in the proposed resolution is sufficient to cover this bill."

Senator Greive:

"I am concluding that anything pertaining to revenue would be permissible."

**POINT OF INQUIRY**

Senator McCormack:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator McCormack:

"Pertaining to revenue, are we free to assume that this pertains also to revenue for cities and counties?"

Senator Greive:

"Certainly there is nothing on my part, or I think on the part of Senator Gissberg, that would exclude this. Certainly, we have no intention of eliminating this matter, and we think any proposal along that line should be carefully considered."

Senator Thompson moved that the following amendment to the amendment by Senators Greive and Gissberg be adopted:

After "learning" insert "and education"

Debate ensued.

Senators Herrmann, Greive and Kupka demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried and the demand for the previous question was sustained.

#### POINT OF ORDER

Senator Riley:

"I have an amendment at the Secretary's desk and have had for the last three minutes. This is an amendment to the amendment."

#### RULING OF THE PRESIDENT

The President:

"It will be necessary to act first upon Senator Thompson's amendment to the amendment, Senator Riley."

Senator Woodall demanded a roll call, which was sustained by Senators Shannon, Elway, Jr., Thompson, Jr., Foster, Chytil, Happy, Ryder and Freise. On motion of Senator Greive, Senator Petrich was excused.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator Thompson to the amendment be adopted.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Mr. President, would you be good enough to state for us what a vote 'aye' and a vote 'no' will mean."

The President:

"It has been moved that the amendment by Senator Thompson to the amendment by Senators Greive and Gissberg, be adopted. A vote 'aye' will be to adopt the amendment to the amendment. A vote 'no' will be to reject the amendment to the amendment."

The Secretary called the roll and the amendment by Senator Thompson to the amendment was adopted by the following vote, the President voting yea: Yeas, 24; nays, 23; absent or not voting, 3.

Those voting yea were: The President, Senators Bargreen, Chytil, Dore, Elway, Jr., Foley, Foster, Freise, Happy, Henry, Hess, Knoblauch, Lennart, McCormack, McMillan, Moriarty, Jr., Neill, Rasmussen, Raugust, Ryder, Shannon, Talley, Thompson, Jr., Woodall—24.

Those voting nay were: Senators Bailey, Connor, Cooney, DeGarmo, Donohue, Durkan, Gallagher, Gissberg, Greive, Hallauer, Hanna, Herrmann, Hofmeister, Keefe, Kupka, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Riley, Sandison, Washington—23.

Those absent or not voting were: Senators Angevine, Cowen, Petrich—3.

On motion of Senator Riley, the following amendment to the amendment by Senators Gissberg and Greive be adopted:

On page 1, line 12, following "two-thirds vote" add "of the members elected"

On motion of Senator Washington, the following amendment to the amendment was adopted:

On line 10, after "legislation," add "matters pertaining to establishing and designating certain highways, studies and surveys relating to highway additions, toll facilities and general highway matters,"

Senator Woodall moved that the following amendment to the amendment be adopted:

On line 10, after "legislation," add "and matters relating to the judiciary"

On motion of Senator Bailey, the amendment by Senator Woodall to the amendment was laid on the table.

Senator Raugust moved that the following amendment to the amendment be adopted:

On line 11, after "legislation" add "agriculture"

Senator Gallagher moved that the amendment by Senator Raugust to the amendment be laid on the table.

Senator Woodall demanded a roll call, which was sustained by Senators Shannon, Raugust, Thompson, Jr., Foster, Chytil, Happy, Freise and Moriarty, Jr.

The Secretary called the roll and the amendment by Senator Raugust to the amendment was laid on the table by the following vote: Yeas, 28; nays, 16; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, DeGarmo, Dore, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Nunamaker, Papajani, Sandison, Talley, Washington—28.

Those voting nay were: Senators Chytil, Elway, Jr., Foster, Freise, Happy, Lennart, McCormack, Moriarty, Jr., Neill, Rasmussen, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—16.

Those absent or not voting were: Senators Cooney, Cowen, Donohue, Morgan, Petrich—5.

Senator Dore moved that the following amendment to the amendment by Senators Gissberg and Greive be adopted:

On line 10, after "legislation," add "matters pertaining to discrimination in housing, including apartments and rental units"

Senator Hofmeister moved that the amendment by Senator Dore to the amendment be laid on the table.

A roll call was demanded by Senator Dore, which was not sustained.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator Dore to the amendment be laid on the table.

The motion carried, and the amendment by Senator Dore to the amendment was laid on the table.

Senator Happy moved that the following amendment to the amendment by Senators Gissberg and Greive be adopted:

On line 11, strike "executive" and insert "taxpayers"

Senator Bailey moved that the amendment by Senator Happy to the amendment be laid on the table.

A division was requested and the motion carried. The amendment by Senator Happy to the amendment was laid on the table on a rising vote.

Senator Lennart moved that the following amendment to the amendment be adopted:

In next to last line, strike "either house" and insert "both houses"

Senator Greive moved that the amendment by Senator Lennart to the amendment be laid on the table.

A division was requested, and the motion carried on a rising vote.

#### PERSONAL PRIVILEGE

Senator Lennart:

"I want to speak on this point, because I think we are going to be very sorry if we pass this measure where just by consent of two-thirds of one house can we pass unusual legislation. As this resolution reads now, it says 'two-thirds vote of either house'. I want to point out that this is a pretty serious matter."

#### PERSONAL PRIVILEGE

Senator Bailey:

"I think the wrong interpretation is given this resolution because at no time in any special session has the right to introduce measures been restricted. We could always introduce what we wanted, but it is the consideration of the bills that we are voting on now."

#### NOTICE OF RECONSIDERATION

Senator McCormack, having voted on the prevailing side, gave notice that he would now move for reconsideration of the vote by which Senator Thompson's amendment to the amendment by Senators Greive and Gissberg was adopted.

The Secretary read the amendment by Senator Thompson to the amendment by Senators Greive and Gissberg.

#### POINT OF PARLIAMENTARY INQUIRY

Senator Bargreen:

"I understand that we are working under the same rules which were adopted in the regular session, and relating to the reconsideration of the amendment to the amendment to allow educational bills to be considered, shouldn't that reconsideration be taken up tomorrow, rather than today?"

#### POINT OF INQUIRY

Senator Angevine:

"May I have a ruling by the President whether the introduction of House Bill No. 2 would probably clear up the questions involved here?"

#### RULING BY THE PRESIDENT

The President:

"The President will answer your inquiry when the bill is before the Senate."

Senator Greive:

"Speaking to the point of inquiry by Senator Bargreen regarding the reconsideration, I think that should be clarified by the fact that amendments must be reconsidered immediately."

Senator McCormack:

"My motion was for immediate reconsideration."

#### MOTION FOR RECONSIDERATION

The President stated the question before the Senate to be, it has been moved that the Senate now reconsider the vote by which the amendment by Senator Thompson, Jr. to the amendment by Senators Gissberg and Greive was adopted by the Senate.

A division was requested and the motion carried on a rising vote.

Senators Greive, Riley and Hofmeister demanded the previous question.

The President stated the question before the Senate to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

Senator Washington demanded a roll call, which was sustained by Senators Lennart, Shannon, Thompson, Jr., Chytil, Moriarty, Jr., Freise, Happy, Elway, Jr. and Ryder.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Mr. President, would you please state what a vote 'aye' and a vote 'no' will mean?"

The President:

"The question before the Senate is the adoption of the amendment proposed by Senator Thompson to the amendment proposed by Senators Greive and Gissberg. A vote 'aye' will be to adopt the amendment to the amendment. A vote 'no' will be to reject the amendment to the amendment."

The Secretary called the roll on the adoption of the amendment by Senator Thompson, to the amendment by Senators Greive and Gissberg and the amendment was adopted by the following vote: Yeas, 34; nays, 12; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Happy, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Ryder, Shannon, Talley, Thompson, Jr., Woodall—34.

Those voting nay were: Senators Bailey, Dore, Gissberg, Hallauer, Hanna, Keefe, McCormack, McCutcheon, Martin, Riley, Sandison, Washington—12.

Those absent or not voting were: Senators Cowen, Morgan, Petrich—3.

#### MOTION

Senator Bailey moved that the amendment by Senators Gissberg and Greive, as amended, be laid on the table.

The motion carried, and the amendment as amended, was laid on the table.

Senator Greive moved that the original resolution be laid on the table.

A roll call was demanded by Senator Woodall, which was sustained by Senators Greive, Happy, Lennart, Ryder, Freise, Moriarty, Jr., Thompson, Jr., Elway, Jr. and Raugust.

The President stated the question before the Senate to be, it has been moved that the resolution be laid on the table. A vote 'aye' will be to table; a vote 'no' will keep the resolution before the body.

The Secretary called the roll, and Senate Concurrent Resolution No. 1 was laid on the table by the following vote: Yeas, 28; nays, 18; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Chytil, Cowen, Durkan, Elway, Jr., Foster, Freise, Hanna, Happy, Lennart, McCutcheon, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—18.

Those absent or not voting were: Senators McMillan, Papajani, Petrich—3.

**PERSONAL PRIVILEGE**

Senator Rasmussen:

"I think this body has indicated that they would rather turn down the entire resolution than be confronted with more of this type of thing.

"I think Senator Greive was in error when he expressed the feeling that the members want this session to be wide open.

"I think it is wrong to indicate that he thinks we want to expand. The members of the Senate were getting a little disgusted about opening it up and the numerous amendments offered and they tabled the resolution for this reason. It doesn't mean that they desire the session to be wide open."

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"I would like to announce that we have had lots of it here this morning. I hope that you will enjoy it at noon. We are going to serve some rhubarb to you!"

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"The eminent Senator from Skagit County has called our attention to the presence in the gallery of the worthy and noted former member of this body, the Honorable Jess Sapp."

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed Senators Martin, Sandison and Elway, Jr., to act as a special committee to escort the Honorable Jess Sapp to the rostrum.

The Honorable Jess Sapp was escorted to a place of honor upon the rostrum.

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is with great pride and happiness that the President presents to the members of the Senate and ladies and gentlemen, the Honorable Jess Sapp, former member of the Washington State Senate, and for many sessions, Chairman of the Democratic Caucus."

Former Senator Jess Sapp:

"Thank you, President Cherberg.

"Members of the Senate:

"I know that for a number of weeks now you have listened to nothing but oratory and I, for one, know that you probably feel that you are more or less 'filled up to the gills'. It is a relief to sit up in the gallery and observe the by-play and vying for position on the floor, and after having served for many years, I know what a lot of work that is for the few gains.

"I don't think I would want to be Senator at this time with the many burdens you have. You find that you can't please everyone and many of you can't please yourselves when it comes to the laws you would like to pass. When the smoke clears away and you go back to your homes, you will find that you have done a good job, and many of you will find that you have proven that to the people at home.

"This whole country will go on because we do have equal representation and sometimes I get homesick for the Senate and wish I were back, and yet I know what my physical strength is, and then sometimes I am glad that I am off in the gallery watching.

"It has been a pleasure to be with you today."

(Applause.)

**PERSONAL PRIVILEGE**

Senator Martin:

"I think Senator Sapp should be allowed to suspend the old Rule 40."

The President:

"Should we let him in on the fact that there is no Rule 40 to suspend any more? However, I am sure that Senator Sapp will be glad to suspend that portion of Rule 40 pertaining to smoking.

"The President and the members are very glad to have you here today, Senator Sapp. It has been a real pleasure to see you, and I am only sorry that Mrs. Sapp was not here to hear you when you spoke."

#### POINT OF INQUIRY

Senator Dore:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"Yes, I will."

Senator Dore:

"A few moments ago you spoke about being able to correct some matters on the Seattle Courts situation on judicial matters during the special session. Then, just now you get up and say that nothing except the revenue and tax measures, for which the session was called should be considered."

Senator Woodall:

"I pointed out that it had appeared in the newspapers that in this matter about Judge Simmons, it would be necessary to impeach him. I said that under the two-thirds rule, possibly, as an emergency matter it could be handled during the special session. I would be willing to forego that in the interest of saving time to stand firm on the two purposes for which this special session was called."

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 3** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman*,  
....., *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Fred H. Dore, Martin J. Durkan, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, Frances Haddon Morgan, John A. Petrich, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Sannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 4** (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman*,  
....., *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Fred H. Dore, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, W. C. Raugust, Edward F. Riley, William D. Shannon, Don L. Talley.

Senate Chamber,

Olympia, Wash., March 10, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Highways, to whom was referred Senate Bill No. 4, modifying law relating to motor vehicle fuel and use tax and motor vehicle

license fees and the disposition thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*,  
....., *Vice-Chairman*,  
....., *Vice-Chairman*.

We concur in this report: Dewey C. Donohue, Martin J. Durkan, Harry Elway, Jr., F. Stuart Foster, William A. Gissberg, R. R. (Bob) Greive.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 5** (reported by Committee on Ways and Means):  
Do pass as amended.

WILBUR G. HALLAUER, *Chairman*.  
FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Andy Hess, Ernest W. Lennart, Mike McCormack, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr.

Senate Chamber,  
Olympia, Wash., March 15, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Ways and Means, to whom was referred Senate Bill No. 5, providing for financing of capital improvement projects from bond issue, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.  
....., *Chairman*,  
Committee on Appropriations.  
....., *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: John H. Happy, David E. McMillan.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 6** (reported by Committee on Ways and Means):  
Do pass as amended.

WILBUR G. HALLAUER, *Chairman*.  
FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.  
MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, John H. Happy, Karl V. Herrmann, Andy Hess, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 11:**

Senate Chamber,  
Olympia, Wash., March 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 11, authorizing investigations by assessing officials, have had the same under

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**AFTERNOON SESSION**


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At 1:20 o'clock p. m. Senator Henry, President Pro Tem, called the Senate to order.

**MOTION**

Senator Greive moved that the Senate recess, subject to the Call of the Chair, until approximately 3:00 o'clock p. m.

The motion carried.

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**SECOND AFTERNOON SESSION**


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At 3:07 o'clock p. m., the President, John A. Cherberg, called the Senate to order.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bargreen, Durkan, Herrmann and Sandison.

**MOTIONS**

On motion of Senator Greive, Senator Sandison was excused, Senators Durkan and Herrmann having been previously excused.

On motion of Senator Dore, Senator Hess was added as joint sponsor to Senate Bill No. 7.

**POINT OF ORDER**

Senator Woodall:

"Would Senator Knoblauch care to make a motion?"

Senator Knoblauch:

"No."

"Mr. President, with the permission of Senator Woodall, Senate Rule 40 was suspended this morning by Lieutenant Governor Cherberg's son."

The President:

"With penalties."

The President:

"Senator Knoblauch will please come to the rostrum."

Senator Knoblauch:

"I should like to appoint the following Irish Senators, and I hope I haven't missed any, to retire to the State Reception room and escort Mr. and Mrs. Sullivan to the State Senate rostrum: Senators Connor, Cooney, Cowen, Dore, Foley, Gallagher, Gissberg, Keefe, Moriarty, Jr., Papajani, Riley, Shannon and Donohue."

The President asked the Sergeant-at-Arms to escort Senator Henry to the rostrum.

The Sergeant-at-Arms then escorted Mr. and Mrs. Sullivan and the committee of honor to the rostrum.

Senator Knoblauch:

"The members of the State Senate, in their special way, wish to pay honor to a wonderful team. They would like to pay their respects to a man who has held public office in our state for twenty-eight years; a man who came up the hard way; a man who learned that this was really the land of opportunity.

"I am going to ask Senator Riley to step forward at this time to make a presentation to Mr. Sullivan."

**MOTION**

At 12:20 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 10:00 o'clock a. m. on Thursday, March 16, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**SEVENTH DAY**


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**MORNING SESSION**

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, March 16, 1961.

The Senate was called to order at 10:00 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Gissberg.

On motion of Senator Keefe, Senator Gissberg was excused.

The Color Guard, consisting of Pages Gretchen Herrmann, Color Bearer, and Rita Cooney, presented the Colors.

Reverend J. Edgar Pearson, Pastor of the United Churches—Federated of Olympia, offered prayer as follows:

"Eternal God, we, who are stewards of Thine upon this earth, turn to Thee as this session opens. Lead us this day into a clearer understanding of the tasks to which Thou dost call us.

"Make us constantly aware of our responsibility to work together, remembering that our final accountability is not to the electorate but to Thee.

"Give us wisdom beyond our limited knowledge, insight beyond our restricted vision, courage beyond political considerations, compassion beyond our limited experience.

"May the work that is accomplished be a reflection of the honesty and integrity that is ours when we are at our best. May these Senators so speak and act that all who wait upon them and serve them may be inspired rather than disillusioned by what they see and hear; that all who come to this place may have a stronger faith in government by the people.

"Let not the past ever be so dear to us as to set a limit on the future. Give us the courage to change our minds and our ways when that is needed. We thank Thee for the service of these members, for the long hours and strength spent carrying out their duties. These things we ask in the name of Him who was willing to give His life for truth. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate, Ladies and Gentlemen:

"At the request of the worthy and honorable Senator Fred Dore from King County, the President would like to present a group of Eighth Grade students from St. Joseph's School in Seattle, under the direction of Sister Francesca Maria. Would this group and Senator Dore please stand in order that the members of the Senate may welcome you to Olympia."

(Applause.)

## PRESENTATION OF PETITIONS, MEMORIALS AND RESOLUTIONS

The Secretary read:

## SENATE RESOLUTION

By Senators Woodall, Happy and Thompson, Jr.:

WHEREAS, The House and Senate have defeated attempts to change the terms of the members of the Washington State Liquor Control Board; and

WHEREAS, The term of Charles W. Bryant has expired January 15, 1961; and

WHEREAS, It is highly desirable that the said Charles W. Bryant be replaced; and

WHEREAS, It is the duty of the Senate to approve the appointment of his successor and it is desirable that ample study be given to the said appointee to the end that the state be assured that he be capable, honest and a sober person;

Now, Therefore, *Be It Resolved*, That the Honorable Albert D. Rosellini, governor of the state of Washington, be requested to promptly forward to the Senate the name of his nominee for said appointment so that the matter can be considered in this, the first extraordinary session of the thirty-seventh legislature.

Senator Woodall moved that the resolution be adopted.

Debate ensued.

Senator Greive moved that the resolution presented by Senator Woodall be laid on the table.

Senator Woodall demanded a roll call which was sustained by Senators Shannon, Raugust, Thompson, Jr., Elway, Jr., Foster, Chytil, Moriarty, Jr., Freise and Ryder.

## POINT OF INQUIRY

Senator Foster:

"Could I ask that the resolution be read again?"

The Secretary was ordered to read the resolution.

The President stated the question before the Senate to be, it has been moved that the resolution be laid on the table.

The Secretary called the roll, and the resolution by Senators Woodall, Happy and Thompson, Jr. was laid on the table by the following vote: Yeas, 27; nays, 12; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Cooney, DeGarmo, Donohue, Dore, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, McMillan, Martin, Morgan, Rasmussen, Riley, Talley, Washington—27.

Those voting nay were: Senators Chytil, Foster, Freise, Happy, Lennart, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—12.

Those absent or not voting were: Senators Connor, Cowen, Durkan, Elway, Jr., Gissberg, McCormack, Nunamaker, Papajani, Petrich, Sandison—10.

## PERSONAL PRIVILEGE

Senator Woodall:

"I was not afforded an opportunity to reply to some of the remarks of Senator Bargreen. He stated that some of the matter contained herein was not true. I don't know what there is in this resolution that is not true. He spoke something about the Bryant family. I don't know his family, and I have said nothing against them.

"I did say this, and I repeat it. Certain acts of conduct have been unbecoming in his position. Certainly, being arrested for drunken driving is, in my opinion, unbecoming for a man who goes about the state preaching temperance and is in a position of control on the Liquor Board of the state of Washington.

"I have made no remarks about his family, or anything except the way in which he has conducted the office. I feel it is the duty of the Senate to confirm appointments.

We are now in special session and I think there is nothing improper about requesting the Governor to make an appointment.

"We are not ordering the Governor, we are only requesting him. I feel that I have not misrepresented any truths, and I have no dealings with the Board myself. I don't have to defend them. I am not obligated to them. Mr. Bryant was not faithful to his job. He joined in actions of summarily firing of veterans who had been on the payroll for years.

"I repeat that since the first of January, this man is not any longer a Republican appointee. We are entitled to know if the Governor is going to reappoint him, or if he will make a new appointment to replace him."

#### PERSONAL PRIVILEGE

Senator Greive:

"I think the position many of us on this side of the aisle take is simply that we have no objection to voting for any resolution requesting the Governor to submit names that we might act upon, but I think it is the atmosphere and political approach that made us feel that this resolution should be tabled."

#### PERSONAL PRIVILEGE

Senator Woodall:

"Senator Herrmann says that this is a 'cheap political grandstand play'. I don't know what is so political about it. The appointment was Republican, and we admit it was Republican. We, on the Republican side say that the man turned out to be somewhat of a dud. Now, where is the 'cheap political grandstand play'?"

#### PERSONAL PRIVILEGE

Senator Bargreen:

"I feel that the members of the Senate are certainly above some of the remarks that were made here this morning. I feel that some of the remarks should not be brought to attention under a point of 'personal privilege'. As far as calling a man 'something of a dud', I don't believe that is a proper thing to say. I feel that it is very unfair to this man. It may be that he made a mistake at one time, but I feel that it is very easy for anyone to make a mistake; however, I don't even know if he was ever convicted.

"It so happens that this man has been doing a wonderful job over the years. I have met his wife and family, and he has two wonderful daughters, and the remarks by Senator Woodall can only do one thing. It makes it hard for the family and hurts them very much. I certainly hope that the newsmen writing down these remarks today will not make any mention or reference to them because I certainly feel that there have been no facts proven and publishing such remarks could do nothing but harm."

#### MOTIONS

Senator Rasmussen:

"I move that the resolution be taken from the table."

Senator Greive:

"I raise a question of consideration of the motion by Senator Rasmussen."

#### POINT OF ORDER

Senator Woodall:

"Consideration can only be raised to the main question."

#### PERSONAL PRIVILEGE

Senator Rasmussen:

"If Senator Greive had not cut off debate and the chance to amend the resolution, I was going to propose an amendment to strike all reference to the present members of the Liquor Board. I think that is proper. I would like to say that if this matter can be taken off the table, the Senate could have a chance to join in a request for the appointment of a member to the Liquor Board."

The President stated the question before the Senate to be, it has been moved that the Senate consider the motion that the resolution be taken from the table.

The motion carried. The Senate voted to consider the motion that the resolution be removed from the table.

A division was requested.

#### POINT OF ORDER

Senator Rasmussen:

"I would think that Senator Greive was out of order in demanding a division after the President had announced the vote."

#### RULING OF THE PRESIDENT

The President:

"The President had not declared the decision as final, Senator Rasmussen."

The Senate decided not to consider the motion by Senator Rasmussen to take the resolution from the table, on a rising vote.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**Senate Bill No. 2** (reported by Committee on Ways and Means):  
Do pass as amended.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, Charles P. Moriarty, Jr., Marshall A. Neill, John Papajani, John A. Petrich, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 7:**

Senate Chamber,  
Olympia, Wash., March 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 7, authorizing capital improvement bonds for University of Washington, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

....., *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 16**, by Senators Papajani, Donohue and Gissberg:

An Act relating to employee pension plans and taxation of premiums therefor; adding a new section to chapter 79, Laws of 1947 and to chapter 48.14 RCW.

Referred to Committee on Labor and Industrial Insurance.

**Senate Bill No. 17**, by Senators Washington, Donohue and Martin:

An Act relating to highways; making appropriations, reappropriations, and supplemental appropriations for the operation of the state highway commission and the Washington toll bridge authority and declaring an emergency.

Referred to Committee on Highways.

**Senate Bill No. 18**, by Senators Keefe, Kupka and Freise:

An Act relating to state government; creating a division of local affairs within the department of commerce and economic development; amending section 4, chapter 215, Laws of 1957 and RCW 43.31.040; adding four new sections to chapter 43.31 RCW; and repealing sections 1 and 2, chapter 157, Laws of 1957, and RCW 43.21.181 and 43.21.183.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 19**, by Senator Hallauer:

Modifying law relating to vital statistics.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Joint Resolution No. 3**, by Senators Rasmussen, Hallauer and Thompson, Jr.:

Authorizing excess levies by the state.

Referred to Committee on Constitution, Elections and Legislative Processes.

**POINT OF INQUIRY**

Senator Rasmussen:

"Mr. President, I thought that was going to the Committee on Ways and Means."

The President:

"The Senator is correct. Senate Joint Resolution No. 3 should be referred to the Committee on Ways and Means."

**Senate Concurrent Resolution No. 2**, by Senators Greive and Shannon:

Creating a committee on legislative building accommodations.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 2 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 2 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 2, and the resolution passed the Senate by the following vote: Yeas, 46; nays, 0; absent or not voting, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators Durkan, Gissberg, Happy—3.

Senate Concurrent Resolution No. 2, having received the constitutional majority, was declared passed.

#### MOTION

At 10:55 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

#### AFTERNOON SESSION

At 2:00 o'clock p. m., the President called the Senate to order.

The Secretary called the roll and announced to the President that all Senators were present except Senator Dore, Lennart, Nunamaker, Shannon and Talley.

On motion of Senator Greive, Senator Nunamaker was excused.

#### SPECIAL ORDER OF BUSINESS

On motion of Senator Greive, a special order of business was declared immediately for the purpose of presentation of a gift to the President of the Senate.

(President Pro Tempore Al Henry in the chair.)

#### PERSONAL PRIVILEGE

Senator Papajani:

"I wonder if Senator Woodall is aware of a great day in Seattle today. Are you aware that Wapato and Ballard are engaged in an event of some sort or other?"

Senator Woodall:

"Not only am I aware of it; I am also aware of the fact that the Swedes took the Wapatoians by one point!"

Senator Papajani:

"Oh, well, you still have your Indians."

#### PERSONAL PRIVILEGE

Senator Thompson:

"Note carefully, the number of seven capsules in your vitamin pill package which was distributed today. If you take one of these a day, they should last you through the session, and like some other things around here, the supply is now cut off!"

#### APPOINTMENT OF SPECIAL COMMITTEE

The President (President Pro Tempore Al Henry in the chair) appointed a special committee of the following Senators to escort Lieutenant Governor John A. Cherberg and Mrs. Cherberg before the bar of the Senate: Senators Riley, Woodall, Moriarty, Jr., Morgan, Cowen and Bailey.

Lieutenant Governor Cherberg and Mrs. Cherberg were escorted to the bar of the Senate.

Senator Riley:

"Mr. President, Members of the Senate, Mrs. Cherberg, Ladies and Gentlemen:

"In November, the voters wisely selected Lieutenant Governor John A. Cherberg as their newly elected Lieutenant Governor for the second time. They forward passed him to Olympia where he has presided over this body. During our daily deliberations throughout the session, we have differed on many occasions. We have forty-nine sterling senators who express their opinions. But today we are all of one mind; we are all agreed; we are all of one opinion. We have agreed that Lieutenant Governor Cherberg has presided over the Senate in a very considerate manner. He has shown himself to be impartial, and indeed he has been tolerant.

"Years ago John Cherberg showed his excellent judgment in selecting the beautiful and charming Betty to be his bride.

"Today, the members of the Senate want to honor Mr. and Mrs. Johnny Cherberg by presenting first to Betty Cherberg a small package. It is said that good things come in small packages. It could be poison, but in this case there is some excellent perfume that I am sure you can wear with pride and which will go with your beauty. And then, Mr. and Mrs. Cherberg, the Senators want also for you to have these excellent pieces of silver which will adorn your lovely home, where there is such a fine family atmosphere, created by the charming parents and children. I am sure that you will all enjoy the use of the beautiful pieces of sterling, together with the candelabra, and I am sure that I have expressed the feeling of every member of the Senate.

"It is with a great deal of joy and pleasure that we ask that you accept this as a memento of this Thirty-seventh Legislative Session."

The President:

"Friends, Ladies and Gentlemen:

"In a way, I am sorry that this ceremony did not occur this morning, as Senator Cowen had planned, for at that particular time, I think I was much better prepared than I am this afternoon as I look at this gorgeous array. I am choked with a heart filled with appreciation as I look at this table adorned as though it came from Captain Kidd's treasure chest! This is a fabulous presentation and I know that Betty is as deeply touched as I am. We appreciate this from the bottom of our hearts.

"As fabulous as this gift is, I know that Betty joins me when I express the thought that the greatest gift that you friends have given me during the past sixty odd days has been the very generous manner in which you have shown your patience and cooperation. There is no one more aware of my shortcomings than I am, and the manner in which you people have indicated your feelings toward me has been very apparent. I am very grateful for it.

"I know that all of us are under pressure and strain at times and that I am, at times, a trial and tribulation to each of you. At these times it is strictly from the mind and not from the heart.

"The kindest thing you can do for Betty today, is for her not to have to give a talk. I know that Betty would like to thank you at a later time. I would like to express my feelings for you with a little more emphasis, and I think the occasion will arise after we adjourn when we can more properly express our appreciation and thanks to each of you."

Betty Cherberg:

"Thanks to all of you. You know how much pleasure we will gain from this lovely silver service. We poured you a cup of coffee now and then from the lovely coffee service you previously gave us; now, we will have to serve a dinner.

"It is lovely and thank you all so very much."

(Applause.)

Senator Riley:

"Mr. President, Betty and John:

"Not only do I want to mention to you that each individual Senator was mighty gracious and deeply delighted to have participated in this presentation, but they have gone farther by signing their names indicating how they feel towards both of

you on this citation, expressing what good friends you have both been to the members and the extremely fair manner in which you have always presided over the Senate.

"We all want to thank you, John, for your never-wavering loyalty and dedication and the manner in which you have given us all so fairly the opportunity to be seen and heard and at times to be appreciated. Thank you."

President Cherberg and Mrs. Cherberg were escorted to the Lieutenant Governor's office.

The President (President Pro Tempore Al Henry in the chair):

"The Senate will be at ease for approximately ten minutes."

The President called the Senate to order.

#### MOTION

At 1:50 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:50 o'clock p. m.

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### SECOND AFTERNOON SESSION

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At 2:50 o'clock p. m., the Senate was called to order by the President.

The President announced the Senate would be at ease for approximately fifteen minutes.

At 3:50 o'clock p. m., the Senate was called to order by the President.

The Secretary called the roll and announced to the President that all Senators were present except Senators Gissberg and McCutcheon.

Senators Greive, DeGarmo and Henry demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Durkan, Gissberg, McCutcheon and Shannon.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

The Secretary read:

#### MESSAGE FROM THE SECRETARY OF STATE

Department of State, Office of the Secretary,  
Olympia, Washington, March 13, 1961.

*To the Honorable, The President of the Senate,  
The Legislature of the State of Washington, Olympia, Washington.*

SIR:

I have the honor to transmit herewith, pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the State Senate, a certified copy of Enrolled Senate Bill No. 344 (now identified as Chapter 97, Laws of 1961), passed by the State Senate and House of Representatives at the Regular Legislative Session of 1961, and *partially* vetoed by the Governor, together with his veto message attached thereto.

Respectfully,  
(signed) VICTOR A. MEYERS, *Secretary of State.*

**GOVERNOR'S MESSAGE ON SENATE BILL PARTIALLY VETOED**

State of Washington, Executive Department,  
Olympia, March 11, 1961.

To the Honorable, The Senate of the State of Washington  
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate of the State of Washington at the next session of the Legislature, without my approval as to Section 3, Senate Bill No. 344, entitled:

"An Act relating to civil actions and damages."

The main purpose of Senate Bill No. 344 is to award exemplary damages to persons having been injured to their body or character through an intentional injury on the part of a tortfeasor.

Section 3 provides that it is against the public policy of this State to insure against any liability incurred as a result of this Act. If permitted to become law, this Section would prevent insurance companies to write insurance covering damages sustained through the commission of intentional torts. It is my firm conviction and belief that the Legislature should not interfere with the freedom on contract existing between citizens of this State and insurance companies. Such a restraint, as is provided in Section 3, is contrary to the best interests of the people of this State.

For the reasons indicated, Section 3 is vetoed and the remainder of the bill is approved.

Respectfully submitted,  
(signed) ALBERT D. ROSELLINI, Governor.

Referred to Committee on Rules and Joint Rules.

**SECOND READING OF BILLS**

**Senate Bill No. 2**, by Senators Hallauer and Foley:

Adopting the capital budget and making appropriations for capital improvements for the fiscal biennium beginning July 1, 1961, and ending June 30, 1963.

Senate Chamber,  
Olympia, Wash., March 15, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means to whom was referred Senate Bill No. 2, adopting the capital budget and making appropriations for capital improvements for the fiscal biennium beginning July 1, 1961, and ending June 30, 1963, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 3, line 20, after the word "Armory", strike "Building" and insert "Buildings"

On page 6, line 10, strike "(74,000)" and insert "(86,000)"

On page 7, line 6, strike "Inclose" and insert "Enclose"

On page 8, lines 7 through 9, strike all of the matter and insert "Water System General Fund 6,136"

On page 9, lines 26 and 27, strike "From the General Fund"

On page 18, line 9, after "line" and before "drainage" insert a comma

On page 21, line 8, after "Facilities" insert ": Provided, That not less than 25,000 shall be expended for overnight roadside camping facilities"

On page 21, line 11, strike "\$2,417,000" and insert "\$2,417,500"

On page 21, line 7, after "Launchings" insert ": Provided, That these funds shall be expended in new acquisitions and developments in addition to presently authorized state parks"

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Andy Hess,

George W. Kupka, Ernest W. Lennart, Mike McCormack, Charles P. Moriarty, Jr., Marshall A. Neill, John Papajani, John A. Petrich, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr.

On motion of Senator Greive, the Senate resolved itself into a Committee of the Whole, Senator Henry in the chair, for the purpose of considering Senate Bill No. 2.

#### COMMITTEE OF THE WHOLE

Senate Bill No. 2 was considered in the Committee of the Whole and reported back to the Senate, President Cherberg presiding, with the recommendation that it do pass.

On motion of Senator Greive, the report of the committee was adopted.

On motion of Senator Riley, the reading had in the Committee of the Whole was considered the second reading of Senate Bill No. 2.

On motion of Senator Hallauer, the committee amendments to Senate Bill No. 2, adopted in the Committee of the Whole, were adopted by the Senate.

Senator Bargreen moved that the following amendments be adopted:

In section 1, page 2, strike the entire line 6.

In section 1, page 2, line 7, strike "\$6,339,000" and insert "\$6,107,000"

In section 1, page, 2, line 7, strike "(732,000)" and insert "(500,000)"

The motion was lost and the amendments were not adopted.

Senators Greive, Hess and Bailey demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Foley, the rules were suspended, Engrossed Senate Bill No. 2 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Extensive debate ensued.

Senators Cowen, Keefe and Nunamaker demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2, and the bill passed the Senate by the following vote: Yeas, 36; nays, 13; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, Martin, Morgan, Neill, Nunamaker, Petrich, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—36.

Those voting nay were: Senators Bargreen, Chytil, Foster, Freise, Greive, McCutcheon, McMillan, Moriarty, Jr., Papajani, Rasmussen, Raugust, Riley, Woodall—13.

Engrossed Senate Bill No. 2, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hallauer, Senate Bill No. 2 was immediately transmitted to the House.

**Senate Bill No. 5**, by Senators Hallauer and Foley:

Providing for financing of capital improvement projects from bond issue.

Senate Chamber,  
Olympia, Wash., March 15, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means to whom was referred Senate Bill No. 5, providing for financing of capital improvement projects from bond issue, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On page 2, section 1, line 9, after "may provide." insert a new sentence as follows: "The state finance committee shall, in making its invitation or call for bids on the sale or issuance of such bonds, other than those governed by the proviso in this section, secure bids on the condition that the bonds may be called prior to maturity and it shall also secure bids on the condition that they shall not be subject to prior call."

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Andy Hess, Ernest W. Lennart, Mike McCormack, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Foley, the committee amendment was adopted.

On motion of Senator Foley, the following amendment was adopted:

In section 3, page 2, beginning on line 28, strike "the charges thereon created by chapters 229 and 230, Laws of 1949, and chapter 298, Laws of 1957" and insert "amounts previously pledged for the payment of interest on and retirement of bonds heretofore issued"

On motion of Senator Foley, the rules were suspended, Engrossed Senate Bill No. 5 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5, and the bill passed the Senate by the following vote: Yeas, 37; nays, 12; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—37.

Those voting nay were: Senators Chytil, Foster, Freise, Greive, Happy, Lennart, McMillan, Moriarty, Jr., Rasmussen, Raugust, Riley, Woodall—12.

Engrossed Senate Bill No. 5, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 7**, by Senators Hallauer and Foley:

Authorizing capital improvement bonds for University of Washington.

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 7 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 7, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—47.

Those voting nay were: Senators Freise, Raugust—2.

Senate Bill No. 7, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Foley, Senate Bill No. 7 was ordered immediately transmitted to the House.

On motion of Senator Greive, Engrossed Senate Bill No. 5 was ordered immediately transmitted to the House.

On motion of Senator Greive, Senate Bills Nos. 3 and 4 were ordered to retain their places on the second reading calendar for tomorrow.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 5:05 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Friday, March 17, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## EIGHTH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH. Friday, March 17, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Talley.

On motion of Senator Greive, Senator Talley was excused.

The Color Guard, consisting of Pages Gretchen Herrmann, Color Bearer, and Nancy Christiansen, presented the Colors.

Very Reverend Michael P. O'Dwyer, Pastor Emeritus of St. Michael's Catholic Church of Olympia, offered prayer as follows:

"In the name of the Father, the Son, and the Holy Ghost, Amen.

"Almighty and Eternal God; God of justice; God of wisdom; God of love; Deign, we beseech Thee to look down with favor on this august assembly, and direct their deliberations to the end that the laws enacted by it shall go down to Thy honor and glory and greater good and benefit and peace of our state and nation.

"Our Father, who art in heaven; Hallowed be Thy name; Thy kingdom come; Thy will be done; On earth as it is in heaven. Give us this day our daily bread, And forgive us our trespasses, As we forgive those who trespass against us. Lead us not in temptation, But deliver us from all evil. Amen.

"In the name of the Father, the Son, and the Holy Ghost, Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### POINT OF INFORMATION

Senator Lennart:

"I would like very much to be informed what has happened to our congenial reading clerk."

The President:

"Our congenial reading clerk is a victim of an economy move in the state Senate."

#### MOTION

Senator Cowen:

"I move that we bring our reading clerk back, and he can have my check for the balance of the session. If the Secretary will kindly bring him back, I will be glad to give him my check."

The President stated the motion to be that Pete Brudevold be invited to return to the Senate for the balance of the session.

The motion carried, and it was ordered that Mr. Brudevold be returned.

#### PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS

The Secretary read:

#### SENATE RESOLUTION

By Senators Riley, Gallagher and Shannon:

WHEREAS, The great Evergreen State of Washington is the only counterpart in the world to the beautiful green of the Emerald Isle of Ireland; and

WHEREAS, The abundance of green in the attire of the members of the Senate on this Saint Patrick's Day attests to the large percentage of Irish ancestry prevalent in the State of Washington and the obvious respect that the citizens have for the country of Ireland; and

WHEREAS, The world over, today, is celebrating in honor of the patron saint of Ireland, and the members of the Senate of the State of Washington wish to join in this celebration; and

WHEREAS, The country of Ireland may be proud to have fostered the ancestors of John Fitzgerald Kennedy, our beloved President;

Now, Therefore, Be It Resolved, By the Senate that the State of Washington does hereby extend to the country of Ireland its assurance of friendship and respect and also congratulates the Emerald Isle for having contributed immensely to great American heritage.

On motion of Senator Riley the resolution was adopted.

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator Riley yield to a question?"

Senator Riley:

"I will."

Senator McCutcheon:

"It comes to my attention that Saint Patrick was a Scandinavian and came from Denmark and landed in Dublin, and then he drove the snakes out of Ireland, and also the monkeys. In order to kill off the monkeys, he had to be able to tell them from the others. He had all the Irishmen wear shamrocks so that he could tell which was which."

Senator Riley:

"Well, I can understand why the news has reached us rather late. It does take quite a long time to get news from the MacIntosh's and the McCutcheons'."

**APPOINTMENT OF SPECIAL COMMITTEE**

A special committee of Senator Donohue and Senator Cooney was appointed to escort their daughters to the bar of the Senate.

Senator Riley was requested to act as master of ceremonies for the entertainment.

Miss Dwila Donohue, accompanied by Miss Rita Cooney, sang, "When Irish Eyes are Smiling", "It's a Great Day for the Irish", and "I'll Take You Home Again, Kathleen".

Senator Riley:

"Indeed, you lovely little colleens can take pride in the enthusiastic response that was given to the lovely performance you gave. Now, if the proud fathers will come forth and escort their charming daughters from the Senate."

Senators Donohue and Cooney escorted their daughters from the bar of the Senate.

Senator Riley introduced two other daughters of Senator Donohue, Mrs. Janice Nysoe and Mrs. Sharon Smith, sharing in the pride and joy of their sister as they watched from the gallery.

Senator Riley:

"Members of the Senate, I am sure that you are as touched as I was with the lovely Irish music rendered by the two little daughters of Ireland, and I am sure that this will remain in your memories for a long, long time. As we leave here and go our many highways homeward bound, I hope you will always recall a pleasant day on Friday, March 17, 1961.

"Thank you."

The President:

"Thank you very much, Senator Riley. The members of the Senate are indebted to you for arranging such a lovely program."

Senator Lennart:

"It was most beautiful and inspiring."

Senator Riley:

"Thank you, Senator."

The Secretary read:

## SENATE RESOLUTION

By Senator Martin:

WHEREAS, At present there is a lack of adequate facilities for the housing of female felons in this state, the women's wing at the penitentiary being wholly inadequate to accommodate the number of such felons; and

WHEREAS, Discussions have been carried on by officials of the department of institutions of this state and like representatives of neighboring states, with a view to the joint acquisition of and joint use of such facility for the housing of female felons by the contracting states; and

WHEREAS, Such joint acquisition and use by contracting states would result in a lack of duplication of moneys and facilities by the said states, and permit the construction of a facility for the housing of female felons which would be equal to the aggregate need;

Now, Therefore, Be It Resolved, By the Senate, that the legislative council be directed to study the feasibility of such a joint venture into penal housing, including the legal aspects thereof, and report its findings, together with any proposed legislation felt necessary to implement the program, to the next regularly convening legislature, but not later than the third Monday in January, 1963;

And Be It Further Resolved, That the Secretary of the Senate cause a copy of this resolution to be transmitted to the legislative council.

On motion of Senator Martin, the resolution was adopted.

The Secretary read:

## REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 16, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 2; also

Senate Bill No. 5, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

## Senate Bill No. 15:

Senate Chamber,  
Olympia, Wash., March 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes, to whom was referred Senate Bill No. 15, reducing vote required in county, port district, and metropolitan park district bond elections, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. MCCUTCHEON, *Chairman*.

We concur in this report: Wayne G. Angevine, Dewey C. Donohue, Martin J. Durkan, Al Henry, Karl V. Herrmann, Andy Hess, Mike McCormack, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

## Senate Bill No. 18:

Senate Chamber,  
Olympia, Wash., March 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 18, creating commerce and economic development division of local affairs, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE W. KUPKA, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, David C. Cowen, Martin J. Durkan, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 19:**

Senate Chamber,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 19, relating to vital statistics, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. A. L. RASMUSSEN, *Chairman*.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Harry Elway, Jr., Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

The House has passed: Senate Concurrent Resolution No. 2, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 9, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 20**, by Senators Rasmussen and Ryder:

An Act relating to state government; providing for the investment of certain moneys under state management; and transferring certain rights, powers and duties of certain officers and agencies.

Referred to Committee on State Government, Military Affairs and Civil Defense.

**Senate Bill No. 21**, by Senators Neill, Hallauer and Foley:

An Act relating to education; authorizing the board of regents of the University of Washington to establish, charge and collect general tuition and other fees from students of the University; and amending section 2, chapter 66, Laws of 1915, as last amended by section 1, chapter 186, Laws of 1959, and RCW 28.77.030.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 22**, by Senators Neill, Hallauer and Foley:

An Act relating to education; authorizing the board of regents of Washington State University to establish, charge and collect general tuition and other fees from students of the university; providing for the disposition of such fees; amending section 1, chapter 164, Laws of 1921, as last amended by section 1, chapter 73, Laws of 1949, and RCW 28.80.030; and amending section 2, chapter 164, Laws of 1921, as last amended by section 1, chapter 185, Laws of 1935, and RCW 28.80.040.

Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 23**, by Senators Neill, Hallauer and Foley:  
Authorizing bonds for capital projects for Washington State University.  
Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 24**, by Senators Neill, Hallauer and Foley:  
Relating to tuition fees of state colleges.  
Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 25**, by Senators Neill, Hallauer and Foley:  
Authorizing boards of trustees of state colleges to issue bonds.  
Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 26**, by Senators Neill, Hallauer and Foley:  
An Act relating to community colleges; and amending section 5, chapter  
....., Laws of 1961 (Senate Bill No. 296).  
Referred to Committee on Higher Education and Libraries.

**Senate Bill No. 27**, by Senators Hofmeister, Foster and Knoblauch:  
An Act relating to toll facility aid districts, revenue and taxation; adding  
new sections to chapter ....., Laws of 1961 (Senate Bill No. 250); amending  
section 8, chapter ....., Laws of 1961 (Senate Bill No. 250); and amending  
section 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440.  
Referred to Committee on Highways.

**Senate Bill No. 28**, by Senators Greive, Petrich and Gallagher (by Execu-  
tive request):

An Act relating to damages in labor disputes or in connection therewith;  
and adding a new section to Title 49 RCW.

Referred to Committee on Labor and Industrial Insurance.

On motion of Senator Greive, the rules were suspended and Senator  
Papajani's name was added as a co-sponsor of Senate Bill No. 28.

**Senate Bill No. 29**, by Senators Papajani and Gallagher:

An Act relating to firemen's pensions; and amending section 3, chapter  
82, Laws of 1957, as amended by section 3, chapter 5, Laws of 1959 and RCW  
41.16.090.

Referred to Committee on Social Security.

**Senate Bill No. 30**, by Senator Durkan (by Executive request):

An Act relating to wages and employment; adding a new section to chap-  
ter 294, Laws of 1959 and to chapter 49.46 RCW; and amending section 2,  
chapter 294, Laws of 1959 and RCW 49.46.020.

Referred to Committee on Labor and Industrial Insurance.

On motion of Senator Greive, the rules were suspended and Senator  
Dore's name was added as a co-sponsor of Senate Bill No. 30.

#### FIRST READING OF HOUSE BILL

The following was read first time by title and acted upon as indicated:

**House Bill No. 9**, by Representatives Goldmark, Edwards and Litchman,  
Jr.:

Imposing a net income tax.

Referred to Committee on Ways and Means.

#### MOTION

On motion of Senator Greive, the Senate recessed for twenty minutes.

At 12:50 o'clock p. m., the President (President Pro Tempore Al Henry  
in the Chair) called the Senate to order.

## MOTION

At 12:55 o'clock p. m., on motion of Senator Greive, the Senate was recessed until 2:00 o'clock p. m.

## AFTERNOON SESSION

At 2:00 o'clock p. m., the President called the Senate to order.

The Secretary called the roll, and announced to the President that all Senators were present.

The Secretary read:

## REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Concurrent Resolution No. 2, have compared same with the original resolution and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

The Secretary read:

## MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 1; also House Concurrent Resolution No. 2, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

## SIGNED BY THE PRESIDENT

**The President has signed: Senate Concurrent Resolution No. 2; also House Concurrent Resolution No. 1; also House Concurrent Resolution No. 2.**

## SECOND READING OF BILLS

Senators Washington, Riley and Hofmeister demanded a Call of the Senate.

A Call of the Senate was ordered.

## CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

**Senate Bill No. 3**, by Senators Washington, Hallauer and Morgan:  
Relating to toll bridges and ferries and the financing thereof.

Senate Chamber,  
Olympia, Wash., March 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 3, relating to toll bridges and ferries and the financing thereof, have had

the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, page 1, line 14, after "Bainbridge Island" and before the period insert "*Provided, That the toll bridge authority shall not issue any such additional revenue bonds without further express authorization by the legislature*"

NAT WASHINGTON, *Chairman,*  
 ..... *Vice-Chairman,*  
 FRED J. MARTIN, *Vice-Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Frank Connor, Fred H. Dore, Martin J. Durkan, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Mike McCormack, Frances Haddon Morgan, John A. Petrich, W. C. Raugust, Edward F. Riley, Gordon Sandison, William D. Shannon, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Washington, the committee amendment was adopted.

On motion of Senator Washington, the following amendment was adopted:

In section 6, page 4, line 1, after "determined by" and before "a nationally" insert "the authority after considering supporting data and recommendations therefor which shall be furnished by"

On motion of Senator Washington, the rules were suspended. Engrossed Senate Bill No. 3 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Woodall:

"There is some money that must go for current operating expenses, is that correct?"

Senator Washington:

"Yes, that is correct."

Senator Woodall:

"How much per year is this running behind?"

Senator Washington:

"This biennium the Governor's Emergency Expenditures Account has had to put in approximately \$300,000. It may be necessary to add another \$300,000."

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 3, and the bill passed the Senate by the following vote: Yeas, 33; nays, 16; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, DeGarmo, Dore, Gallagher, Gissberg, Hallauer, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—33.

Those voting nay were: Senators Bargreen, Chytil, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Greive, Happy, Herrmann, McMillan, Neill, Papajani, Woodall—16.

Engrossed Senate Bill No. 3, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

## PRESIDENT'S PRIVILEGE.

The President:

"Members of the Senate, Ladies and Gentlemen:

"At the request of the Honorable Senator from Spokane, the eminent John Happy, the President takes pride in presenting to the members of the Senate, the son of Senator Happy, John H. Happy, Jr. and his guest. The President and the members welcome you to Olympia. Would you please stand, along with Senator Happy, and be recognized."

(Applause.)

"It is with great pride and joy that the President proudly presents the lovely and gracious wife of our beloved Secretary of the Senate, Mr. Ward Bowden. With Mrs. Bowden are the four lovely daughters of the Secretary and Mrs. Bowden. Please stand in order that the members of the Senate may welcome you properly."

(Applause.)

**Senate Bill No. 4**, by Senators Washington, Hallauer and Morgan:

Modifying law relating to motor vehicle fuel and use tax and motor vehicle license fees and the disposition thereof.

Senate Chamber,  
Olympia, Wash., March 10, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 4, modifying law relating to motor vehicle fuel and use tax and motor vehicle license fees and the disposition thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 13, page 9, line 22, after "[~~\$4.50~~]" strike "\$7.50" and insert "\$6.50".

NAT WASHINGTON, *Chairman*,  
....., *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Frank Connor, Fred H. Dore, Wilbur G. Hallauer, H. B. Hanna, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, John A. Petrich, W. C. Raugust, Edward F. Riley, William D. Shannon, Don L. Talley.

The bill was read the second time by sections.

Senator Washington moved that the committee amendment be adopted.

Senator Rasmussen moved that the following amendment to the committee amendment be adopted:

In section 13, page 9, line 22, strike "\$6.50" and insert "\$4.50"

## POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Rasmussen:

"On the basis of all the reports that we have received, I have been informed that the weight increases included in this bill are based on equity. Now, in the last study did it show that these small trucks should carry these weights fixed at 5,000 lbs.?"

Senator Washington:

"The last study did not have the 5,000 pound figure, it had the 4,000 pound level.

"Since we did not have information covering this particular category, from the lower weight level up to 5,000 pounds, this particular problem was not covered in the report. It was after the report came out that the State Patrol appeared before

us and pointed out that most of the vehicles brought to the scales could not pass without being overloaded, unless the driver and his wife got out of the vehicle. In order to bring the level up to the category where the law would not be broken, they recommended that we bring the weight level up to 5,000 pounds instead of the 4,000 pounds."

Senator Rasmussen:

"Your amendment will reduce the actual amount of money we are getting, with the additional 1,000 pounds."

Senator Washington:

"Since the study did not include 4,000 pounds, we had to do a little guessing."

The President stated the question before the Senate to be the adoption of the amendment by Senator Rasmussen to the committee amendment.

A division was requested, and the motion was lost on a rising vote.

The amendment by Senator Rasmussen to the committee amendment was not adopted.

The President stated the question to be the adoption of the amendment by the Committee on Highways.

The amendment was adopted.

The Secretary started to read an amendment by Senator Durkan:

"Beginning with section 13, page 9, line 9, strike sections 13 through 18, and insert the following: . . ."

#### MOTION

Senator Washington moved that the amendments by Senator Washington be considered prior to consideration of the other amendments which have been placed on the Secretary's desk.

Debate ensued.

#### POINT OF ORDER

Senator Durkan:

"I feel that Senator Washington should speak on the motion rather than on the amendments."

#### RULING OF THE PRESIDENT

The President:

"Senator Washington will speak on the motion."

Senator Washington:

"I was trying to explain why I felt that my amendments should be considered first."

#### PARLIAMENTARY INQUIRY

Senator Gissberg:

"My question is whether or not Senator Washington's motion requires a suspension of the rules, inasmuch as Senator Durkan claims his amendment was on the desk prior to Senator Washington's. The Secretary could determine this, as to which amendment was on the desk first, and then it could be determined which amendment would be read first."

#### RULING OF THE PRESIDENT

The President:

"The President does not believe that it requires a suspension of the rules. The President believes that following a custom, the amendment arriving at the Secretary's desk first will be the one read first."

Debate ensued.

**POINT OF INQUIRY**

Senator Woodall:

"Is this a committee amendment, or a floor amendment?"

The President:

"This is a floor amendment."

Senator Woodall:

"As I understand the rule, we take the floor amendments as they are handed to the Secretary on any particular matter, not only as it relates here, but we are starting a precedent where anyone can get up and move that his amendment be considered ahead of any other. I think it is a bad practice. Even if we start by doing this now, then we are setting a precedent and bypass certain proposed amendments. I think we should stick to the procedure we have had."

Debate ensued.

**PARLIAMENTARY INQUIRY**

Senator Greive:

"Did Senator Washington move to suspend the rules?"

"Whose amendment was up at the desk first?"

The President:

"Senator Durkan's amendment, Senator Greive."

**POINT OF ORDER**

Senator Greive:

"It would seem only proper that the one on the desk first should be read first; otherwise, how would we ever be protected?"

**RULING OF THE PRESIDENT**

The President:

"The President has already informed the body that it is customary that the amendments pending are presented in the order in which they are received. Senator Washington arose and moved that his amendments be considered before any other amendment be considered. The Senate has not voted upon Senator Washington's motion yet."

Senator Neill:

"This must be considered in relation to the set fees, and I think the highest amount should be presented first."

Senator Durkan:

"Speaking to Senator Washington's point, I think he is correct; however, if we were going to rely on Senator Neill's point, each section would have to be broken down and read section by section and considered separately with the amendments pertaining to each section."

The President stated the question before the Senate to be, it has been moved that Senator Washington's amendments be read prior to any other amendment.

A division was requested.

The motion carried on a rising vote, and Senator Washington's amendments were ordered to be read first.

Senator Washington moved that the following amendments be adopted:

In section 1, page 3, line 10, after "by section" and before "of this" strike "22" and insert "35"

In section 4, page 4, line 28, after "by section" and before "of this" strike "22" and insert "35"

On page 15 add thirteen new sections following section 18 to read as follows:

**NEW SECTION.** Sec. 19. Notwithstanding the provisions of sections 13, 14, 15, 16, 17 and 18 of this amendatory act of 1961, the fees prescribed in said sections shall not take effect until July 1, 1963. Effective July 1, 1961 through June 30, 1962, the fees prescribed in sections 20, 21, 22, 23, 24 and 25 shall apply. Effective July 1, 1962 through June 30, 1963, the fees prescribed in sections 26, 27, 28, 29, 30 and 31 shall apply.

**NEW SECTION.** Sec. 20. Effective July 1, 1961 and for the period ending June 30, 1962, in addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck and truck tractor (other than those enumerated in sections 22, 24 and 25 of this amendatory act) based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

Up to 5,000 lbs. ....	\$5.17
5,001 lbs. or more and up to 6,000 lbs. ....	\$9.50
6,001 lbs. or more and up to 8,000 lbs. ....	\$15.50
8,001 lbs. or more and up to 10,000 lbs. ....	\$18.50
10,001 lbs. or more and up to 12,000 lbs. ....	\$21.92
12,001 lbs. or more and up to 14,000 lbs. ....	\$28.00
14,001 lbs. or more and up to 16,000 lbs. ....	\$35.92
16,001 lbs. or more and up to 18,000 lbs. ....	\$55.75
18,001 lbs. or more and up to 20,000 lbs. ....	\$76.33
20,001 lbs. or more and up to 22,000 lbs. ....	\$110.75
22,001 lbs. or more and up to 24,000 lbs. ....	\$138.17
24,001 lbs. or more and up to 26,000 lbs. ....	\$173.92
26,001 lbs. or more and up to 28,000 lbs. ....	\$207.00
28,001 lbs. or more and up to 30,000 lbs. ....	\$248.42
30,001 lbs. or more and up to 32,000 lbs. ....	\$301.83
32,001 lbs. or more and up to 34,000 lbs. ....	\$345.17
34,001 lbs. or more and up to 36,000 lbs. ....	\$393.25

**NEW SECTION.** Sec. 21. Effective July 1, 1961 and for the period ending June 30, 1962, in addition to other fees for the licensing of vehicles there shall be paid and collected annually for each trailer, semitrailer and pole trailer (other than those enumerated in section 24 of this amendatory act of 1961) based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trailers, semitrailers and pole trailers having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

4,001 lbs. or more and up to 6,000 lbs. ....	\$9.50
6,001 lbs. or more and up to 8,000 lbs. ....	\$15.50
8,001 lbs. or more and up to 10,000 lbs. ....	\$18.50
10,001 lbs. or more and up to 12,000 lbs. ....	\$21.92
12,001 lbs. or more and up to 14,000 lbs. ....	\$28.00
14,001 lbs. or more and up to 16,000 lbs. ....	\$35.92
16,001 lbs. or more and up to 18,000 lbs. ....	\$55.75
18,001 lbs. or more and up to 20,000 lbs. ....	\$76.33
20,001 lbs. or more and up to 22,000 lbs. ....	\$110.75
22,001 lbs. or more and up to 24,000 lbs. ....	\$138.17
24,001 lbs. or more and up to 26,000 lbs. ....	\$173.92
26,001 lbs. or more and up to 28,000 lbs. ....	\$207.00
28,001 lbs. or more and up to 30,000 lbs. ....	\$248.42
30,001 lbs. or more and up to 32,000 lbs. ....	\$301.83
32,001 lbs. or more and up to 34,000 lbs. ....	\$345.17
34,001 lbs. or more and up to 36,000 lbs. ....	\$393.25

**NEW SECTION.** Sec. 22. Effective July 1, 1961 and for the period ending June 30, 1962, in addition to other fees for the licensing of vehicles there shall be paid and col-

lected annually for each motor truck or truck tractor which is propelled by steam, electricity, natural gas, diesel oil, butane or propane (other than those enumerated in section 25 of this amendatory act of 1961) based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

Up to 5,000 lbs. ....	\$6.75
5,001 lbs. or more and up to 6,000 lbs. ....	\$12.00
6,001 lbs. or more and up to 8,000 lbs. ....	\$19.50
8,001 lbs. or more and up to 10,000 lbs. ....	\$23.00
10,001 lbs. or more and up to 12,000 lbs. ....	\$27.34
12,001 lbs. or more and up to 14,000 lbs. ....	\$35.17
14,001 lbs. or more and up to 16,000 lbs. ....	\$45.58
16,001 lbs. or more and up to 18,000 lbs. ....	\$70.83
18,001 lbs. or more and up to 20,000 lbs. ....	\$97.25
20,001 lbs. or more and up to 22,000 lbs. ....	\$141.83
22,001 lbs. or more and up to 24,000 lbs. ....	\$177.25
24,001 lbs. or more and up to 26,000 lbs. ....	\$223.17
26,001 lbs. or more and up to 28,000 lbs. ....	\$266.00
28,001 lbs. or more and up to 30,000 lbs. ....	\$319.25
30,001 lbs. or more and up to 32,000 lbs. ....	\$387.75
32,001 lbs. or more and up to 34,000 lbs. ....	\$443.83
34,001 lbs. or more and up to 36,000 lbs. ....	\$506.33

**NEW SECTION.** Sec. 23. Effective July 1, 1961 and for the period ending June 30, 1962, in addition to other fees for the licensing of vehicles, there shall be paid and collected annually, for each auto stage and for hire vehicle, except taxicabs, with seating capacity of six or less the sum of fifteen dollars. For auto stages and for hire vehicles whose seating capacity is over six the following fees, in addition to any regular fees for licensing of vehicles, shall be collected upon the scale weight of each such auto stage and for hire vehicle, plus an average load factor of fifty percent of seating capacity figured at one hundred fifty pounds per seat:

Up to 6,000 lbs. ....	\$9.50
6,001 lbs. or more and up to 8,000 lbs. ....	\$15.50
8,001 lbs. or more and up to 10,000 lbs. ....	\$18.50
10,001 lbs. or more and up to 12,000 lbs. ....	\$21.92
12,001 lbs. or more and up to 14,000 lbs. ....	\$28.00
14,001 lbs. or more and up to 16,000 lbs. ....	\$35.92
16,001 lbs. or more and up to 18,000 lbs. ....	\$55.75
18,001 lbs. or more and up to 20,000 lbs. ....	\$76.33
20,001 lbs. or more and up to 22,000 lbs. ....	\$110.75
22,001 lbs. or more and up to 24,000 lbs. ....	\$138.17
24,001 lbs. or more and up to 26,000 lbs. ....	\$173.92
26,001 lbs. or more and up to 28,000 lbs. ....	\$207.00
28,001 lbs. or more and up to 30,000 lbs. ....	\$248.42
30,001 lbs. or more and up to 32,000 lbs. ....	\$301.83
32,001 lbs. or more and up to 34,000 lbs. ....	\$345.17
34,001 lbs. or more and up to 36,000 lbs. ....	\$393.25

**NEW SECTION.** Sec. 24. Effective July 1, 1961 and for the period ending June 30, 1962, in addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck, truck tractor, trailer, semitrailer and pole trailer over sixteen thousand pounds, used exclusively in the transportation of logs (other than trucks and truck tractors enumerated in section 25 of this amendatory act of 1961) based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* that all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

16,001 lbs. or more and up to 18,000 lbs. ....	\$53.58
18,001 lbs. or more and up to 20,000 lbs. ....	\$74.00

20,001 lbs. or more and up to 22,000 lbs. ....	\$106.67
22,001 lbs. or more and up to 24,000 lbs. ....	\$133.25
24,001 lbs. or more and up to 26,000 lbs. ....	\$168.67
26,001 lbs. or more and up to 28,000 lbs. ....	\$200.67
28,001 lbs. or more and up to 30,000 lbs. ....	\$241.50
30,001 lbs. or more and up to 32,000 lbs. ....	\$295.50
32,001 lbs. or more and up to 34,000 lbs. ....	\$337.67
34,001 lbs. or more and up to 36,000 lbs. ....	\$384.50

**NEW SECTION. Sec. 25.** Effective July 1, 1961 and for the period ending June 30, 1962, in addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck or truck tractor over sixteen thousand pounds which is propelled by steam, electricity, natural gas, diesel oil, butane or propane, used exclusively in the transportation of logs, based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

16,001 lbs. or more and up to 18,000 lbs. ....	\$67.67
18,001 lbs. or more and up to 20,000 lbs. ....	\$93.58
20,001 lbs. or more and up to 22,000 lbs. ....	\$135.50
22,001 lbs. or more and up to 24,000 lbs. ....	\$169.42
24,001 lbs. or more and up to 26,000 lbs. ....	\$214.50
26,001 lbs. or more and up to 28,000 lbs. ....	\$255.25
28,001 lbs. or more and up to 30,000 lbs. ....	\$307.33
30,001 lbs. or more and up to 32,000 lbs. ....	\$375.92
32,001 lbs. or more and up to 34,000 lbs. ....	\$429.75
34,001 lbs. or more and up to 36,000 lbs. ....	\$489.67

**NEW SECTION. Sec. 26.** Effective July 1, 1962 and for the period ending June 30, 1963, in addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck and truck tractor (other than those enumerated in sections 28, 30 and 31 of this amendatory act) based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such vehicle in RCW 46.44.040:

Up to 5,000 lbs. ....	\$5.84
5,001 lbs. or more and up to 6,000 lbs. ....	\$9.50
6,001 lbs. or more and up to 8,000 lbs. ....	\$15.50
8,001 lbs. or more and up to 10,000 lbs. ....	\$18.50
10,001 lbs. or more and up to 12,000 lbs. ....	\$22.34
12,001 lbs. or more and up to 14,000 lbs. ....	\$31.00
14,001 lbs. or more and up to 16,000 lbs. ....	\$41.84
16,001 lbs. or more and up to 18,000 lbs. ....	\$61.50
18,001 lbs. or more and up to 20,000 lbs. ....	\$82.66
20,001 lbs. or more and up to 22,000 lbs. ....	\$121.50
22,001 lbs. or more and up to 24,000 lbs. ....	\$151.34
24,001 lbs. or more and up to 26,000 lbs. ....	\$187.84
26,001 lbs. or more and up to 28,000 lbs. ....	\$224.00
28,001 lbs. or more and up to 30,000 lbs. ....	\$266.84
30,001 lbs. or more and up to 32,000 lbs. ....	\$318.66
32,001 lbs. or more and up to 34,000 lbs. ....	\$365.34
34,001 lbs. or more and up to 36,000 lbs. ....	\$416.50

**NEW SECTION. Sec. 27.** Effective July 1, 1962 and for the period ending June 30, 1963, in addition to other fees for the licensing of vehicles there shall be paid and collected annually for each trailer, semitrailer and pole trailer (other than those enumerated in section 30 of this amendatory act of 1961) based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trailers, semitrailers and pole trailers having an unladen weight of more than four thousand pounds shall be licensed for not less than

one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

4,001 lbs. or more and up to 6,000 lbs. ....	\$9.50
6,001 lbs. or more and up to 8,000 lbs. ....	\$15.50
8,001 lbs. or more and up to 10,000 lbs. ....	\$18.50
10,001 lbs. or more and up to 12,000 lbs. ....	\$22.34
12,001 lbs. or more and up to 14,000 lbs. ....	\$31.00
14,001 lbs. or more and up to 16,000 lbs. ....	\$41.84
16,001 lbs. or more and up to 18,000 lbs. ....	\$61.50
18,001 lbs. or more and up to 20,000 lbs. ....	\$82.66
20,001 lbs. or more and up to 22,000 lbs. ....	\$121.50
22,001 lbs. or more and up to 24,000 lbs. ....	\$151.34
24,001 lbs. or more and up to 26,000 lbs. ....	\$187.84
26,001 lbs. or more and up to 28,000 lbs. ....	\$224.00
28,001 lbs. or more and up to 30,000 lbs. ....	\$266.84
30,001 lbs. or more and up to 32,000 lbs. ....	\$318.66
32,001 lbs. or more and up to 34,000 lbs. ....	\$365.34
34,001 lbs. or more and up to 36,000 lbs. ....	\$416.50

**NEW SECTION.** Sec. 28. Effective July 1, 1962 and for the period ending June 30, 1963, in addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck or truck tractor which is propelled by steam, electricity, natural gas, diesel oil, butane or propane (other than those enumerated in section 31 of this amendatory act of 1961) based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

Up to 5,000 lbs. ....	\$7.88
5,001 lbs. or more and up to 6,000 lbs. ....	\$12.00
6,001 lbs. or more and up to 8,000 lbs. ....	\$19.50
8,001 lbs. or more and up to 10,000 lbs. ....	\$23.00
10,001 lbs. or more and up to 12,000 lbs. ....	\$27.80
12,001 lbs. or more and up to 14,000 lbs. ....	\$39.09
14,001 lbs. or more and up to 16,000 lbs. ....	\$53.66
16,001 lbs. or more and up to 18,000 lbs. ....	\$79.16
18,001 lbs. or more and up to 20,000 lbs. ....	\$107.00
20,001 lbs. or more and up to 22,000 lbs. ....	\$158.66
22,001 lbs. or more and up to 24,000 lbs. ....	\$198.25
24,001 lbs. or more and up to 26,000 lbs. ....	\$246.34
26,001 lbs. or more and up to 28,000 lbs. ....	\$294.50
28,001 lbs. or more and up to 30,000 lbs. ....	\$351.00
30,001 lbs. or more and up to 32,000 lbs. ....	\$419.25
32,001 lbs. or more and up to 34,000 lbs. ....	\$481.41
34,001 lbs. or more and up to 36,000 lbs. ....	\$550.16

**NEW SECTION.** Sec. 29. Effective July 1, 1962 and for the period ending June 30, 1963, in addition to other fees for the licensing of vehicles, there shall be paid and collected annually, for each auto stage and for hire vehicle, except taxicabs, with seating capacity of six or less the sum of fifteen dollars. For auto stages and for hire vehicles whose seating capacity is over six the following fees, in addition to any regular fees for licensing of vehicles, shall be collected upon the scale weight of each such auto stage and for hire vehicle, plus an average load factor of fifty percent of seating capacity figured at one hundred fifty pounds per seat:

Up to 6,000 lbs. ....	\$9.50
6,001 lbs. or more and up to 8,000 lbs. ....	\$15.50
8,001 lbs. or more and up to 10,000 lbs. ....	\$18.50
10,001 lbs. or more and up to 12,000 lbs. ....	\$22.34
12,001 lbs. or more and up to 14,000 lbs. ....	\$31.00
14,001 lbs. or more and up to 16,000 lbs. ....	\$41.84
16,001 lbs. or more and up to 18,000 lbs. ....	\$61.50

18,001 lbs. or more and up to 20,000 lbs. ....	\$82.66
20,001 lbs. or more and up to 22,000 lbs. ....	\$121.50
22,001 lbs. or more and up to 24,000 lbs. ....	\$151.34
24,001 lbs. or more and up to 26,000 lbs. ....	\$187.84
26,001 lbs. or more and up to 28,000 lbs. ....	\$224.00
28,001 lbs. or more and up to 30,000 lbs. ....	\$266.84
30,001 lbs. or more and up to 32,000 lbs. ....	\$318.66
32,001 lbs. or more and up to 34,000 lbs. ....	\$365.34
34,001 lbs. or more and up to 36,000 lbs. ....	\$416.50

**NEW SECTION. Sec. 30.** Effective July 1, 1962 and for the period ending June 30, 1963, in addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck, truck tractor, trailer, semitrailer and pole trailer over sixteen thousand pounds, used exclusively in the transportation of logs (other than trucks and truck tractors enumerated in section 31 of this amendatory act of 1961) based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

16,001 lbs. or more and up to 18,000 lbs. ....	\$57.16
18,001 lbs. or more and up to 20,000 lbs. ....	\$78.00
20,001 lbs. or more and up to 22,000 lbs. ....	\$113.34
22,001 lbs. or more and up to 24,000 lbs. ....	\$141.50
24,001 lbs. or more and up to 26,000 lbs. ....	\$177.34
26,001 lbs. or more and up to 28,000 lbs. ....	\$211.34
28,001 lbs. or more and up to 30,000 lbs. ....	\$253.00
30,001 lbs. or more and up to 32,000 lbs. ....	\$306.00
32,001 lbs. or more and up to 34,000 lbs. ....	\$350.34
34,001 lbs. or more and up to 36,000 lbs. ....	\$399.00

**NEW SECTION. Sec. 31.** Effective July 1, 1962 and for the period ending June 30, 1963, in addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck or truck tractor over sixteen thousand pounds which is propelled by steam, electricity, natural gas, diesel oil, butane or propane, used exclusively in the transportation of logs, based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

16,001 lbs. or more and up to 18,000 lbs. ....	\$72.83
18,001 lbs. or more and up to 20,000 lbs. ....	\$99.66
20,001 lbs. or more and up to 22,000 lbs. ....	\$146.00
22,001 lbs. or more and up to 24,000 lbs. ....	\$182.59
24,001 lbs. or more and up to 26,000 lbs. ....	\$229.00
26,001 lbs. or more and up to 28,000 lbs. ....	\$273.00
28,001 lbs. or more and up to 30,000 lbs. ....	\$327.16
30,001 lbs. or more and up to 32,000 lbs. ....	\$395.59
32,001 lbs. or more and up to 34,000 lbs. ....	\$453.25
34,001 lbs. or more and up to 36,000 lbs. ....	\$516.84

Renumber the remaining sections consecutively.

In renumbered section 38, being section 25, page 19, after "of section" beginning on line 11 of the printed bill and before "the treasurer" on line 12 of the printed bill, strike "23" and insert "36"

In renumbered section 38, being section 25, page 19, line 18 of the printed bill, after "in section" and before "of this" strike "24" and insert "37"

In renumbered section 39, being section 26, page 19, line 27 of the printed bill, after "in section" and before ", may be" strike "24" and insert "37"

Strike all of renumbered section 44, being section 31 of the printed bill, and substitute the following:

**NEW SECTION.** Sec. 44. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing institutions, and sections 11, 12, 20 through 25, 32, 33, 34 and 41 shall take effect immediately. The increase in fees over existing fees, as prescribed in sections 11, 12, 32, 33, 34 and 41 shall apply for the period on and after July 1, 1961. The increase in fees over existing fees, as prescribed in sections 20 through 25 shall apply for the period on and after July 1, 1961 through June 30, 1962. The fees prescribed in sections 26 through 31 shall apply for the period on and after July 1, 1962 through June 30 1963. The fees prescribed in sections 13 through 18 shall apply for the period on and after July 1, 1963.

Sections 1 through 10, 35 through 40, and 42 shall take effect April 1, 1961.

Section 43 shall take effect July 1, 1961.

After the first amendment was read, Senator Gissberg brought up the following point:

#### POINT OF INQUIRY

Senator Gissberg:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Gissberg:

"Senator Washington, will you explain what the amendment before us does?"

Senator Washington:

"The particular amendment only needs the figures to be changed from 22 to 35 because when we refer to the Puget Sound Reserve Account created by section 22, as amended, it would be section 35. If this amendment is adopted, this is the first step towards correction."

Senator Gissberg:

"Senator Washington, may I ask further, on your next amendment, will your comments be likewise true there? I have an amendment, and I assume that by adopting the first two amendments, we are simply doing something mechanical."

Senator Washington:

"That is true; your amendment would not do away with the Puget Sound Reserve Account."

#### MOTION

On motion of Senator Freise, further consideration of this amendment was postponed until after consideration of Senator Washington's third amendment.

The Secretary read the third amendment by Senator Washington.

#### PERSONAL PRIVILEGE

Senator Knoblauch:

"I am sorry to have to break in on this important debate, but I have a schedule which I have to keep. I have twelve beautiful colleens who just arrived from Pierce county. They are the princesses of the 1961 Daffodil Festival of Puyallup Valley who have been chosen from all the high schools in Pierce county. They have been chosen on the basis of beauty, popularity, public speaking ability and scholarship. They must have at least a 'B' average. The queen will be chosen in Sumner on April 6th. The other two winning girls will be princess and attendant."

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee of honor of the following Senators to escort the lovely visitors to the rostrum: Senators Knoblauch,

Petrich, McCutcheon, Kupka, Rasmussen, Gissberg, Moriarty, Hanna, Durkan, Elway, Freise, Neill, and Don Wilson, Assistant Secretary.

The Daffodil Festival princesses were escorted to the rostrum.

The President:

"With all this feminine beauty surrounding the President, it is only natural for the President to get a little shaken.

"Before presenting these lovely Daffodil Princesses, the President should like to present a group of lovely chaperons: Mrs. Ron Crowe, Queen Mother; Mrs. Ray Magnuson, Chaperon; Mrs. Joe Girard, Chaperon; Mrs. Phil Cunningham, Chaperon.

"The President is sure that the members of the Senate join in expressing the fact that perhaps the lovely chaperons should also be included in this particular group on the rostrum.

"The President takes the greatest of pride and enjoyment in presenting the princesses: Karen Keehn, Clover Park High School; Judy Snyder, Stadium High School; Joan Ruschfeldt, Lincoln High School; Elisa Peterson, Wilson High School; Janice Etzel, Puyallup High School; Carmel Mackin, Puyallup High School; Kathy Maki, Fife High School; Connie Johnson, Orting High School; Ann Bluhm, Franklin Pierce High School; Mary Dale Brooks, Sumner High School; Karen Hansen, Sumner High School; and Jackie Nunn, Sumner High School.

"Mary Dale Brooks will address the members of the Senate.

"Would the chaperones please come to the rostrum.

"Members of the Senate, Miss Mary Dale Brooks."

Miss Mary Dale Brooks:

"Thank you, Mr. President.

"Members of the Senate, Guests:

"Ever since we began our interesting adventure as princesses of the Puyallup Valley Daffodil Festival, it has been our opportunity to be guests of many civic organizations. This afternoon is the ultimate. I never dreamed I would be standing here speaking before the Senate of the state of Washington, and I love it.

"We think we have the most beautiful daffodil festival in the whole United States, and right now, I would like to present this bouquet of daffodils to your President of the Senate.

"Mr. President, with the power invested in me, as a representative of his royal majesty, King Alfred, I would like to give you these flowers as a token of appreciation for inviting us here and for your interest in our festival.

"I want to extend an invitation to everyone here to attend the Daffodil Festival, and on April 6th the coronation of the queen who will be chosen from one of the twelve girls here today. I also hope you will attend the street parade on April 8th. This parade begins in Tacoma and progresses through Puyallup and Sumner. This is just a different way of showing off the beauty of our lovely flowers."

The President:

"Thank you very much. The beauty of these charming young ladies is only surpassed by the loveliness to be found in the flowers on the rostrum this afternoon.

"The President should also like to express appreciation to Senator Reuben A. Knoblauch for sponsoring the beauty and pleasure which has been brought to the Senate today. Thank you, Senator."

The Daffodil Festival princesses were escorted from the rostrum.

(Applause.)

Consideration of Senate Bill No. 4 on second reading was continued.

Senator Gissberg moved that the following amendment to the amendment by Senator Washington be adopted:

Strike new section 19 of the amendment by Senator Washington and substitute the following:

**NEW SECTION.** Sec. 19. Effective July 1, 1961 through June 30, 1962, the fees prescribed in sections 20, 21, 22, 23, 24 and 25 shall apply. On and after July 1, 1962 the fees prescribed in sections 26, 27, 28, 29, 30 and 31 shall apply.

Debate ensued.

## POINT OF ORDER

Senator Woodall:

"I thought we were talking about an amendment to a bill here in the state of Washington, rather than talking about President Kennedy."

Senator Gissberg:

"I think we are talking about this. That is why I think we should adopt my amendment, because I think President Kennedy is going to adopt similar legislation, and if we do not have corresponding fees, we would have gross inequity.

"I hope that because I mentioned President Kennedy's name, it did not alarm you!"

Senator Woodall:

"It didn't alarm me—only bored me!"

Further debate ensued.

Senator Gallagher:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Gallagher:

"Is my understanding of your amendment correct that you would have the increase effective July 1, 1961, whereas proposed by Senator Washington, the new fees would not take place until 1963? And I suppose your increase would continue to 1963?"

Senator Gissberg:

"You are absolutely correct, Senator."

The President stated the question to be the adoption of the amendment by Senator Gissberg to the amendment.

Senator Herrmann demanded a roll call which was sustained by Senators Keefe, Gissberg, Gallagher, Bailey, Kupka, Papajani, Cooney and Durkan.

The Secretary called the roll on the adoption of the amendment by Senator Gissberg to the amendment by Senator Washington, and the amendment was not adopted by the following vote: Yeas, 21; nays, 28; absent or not voting, 0.

Those voting yea were: Senators Bargreen, Chytil, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Hanna, Henry, Herrmann, Keefe, Knoblauch, McCutcheon, McMillan, Papajani, Rasmussen, Sandison—21.

Those voting nay were: Senators Angevine, Bailey, Connor, DeGarmo, Dore, Freise, Greive, Hallauer, Happy, Hess, Hofmeister, Kupka, Lennart, McCormack, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Washington, Woodall—28.

On motion of Senator Washington, the first two of his proposed amendments were adopted.

Senator Durkan moved that the following amendments be adopted:

Beginning with section 13, page 9, line 9, strike sections 13 through 18 and insert the following:

Sec. 13. Section 46.16.070, chapter 12, Laws of 1961 and RCW 46.16.070 are each amended to read as follows:

In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck and truck tractor based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors [having an unladen weight of more than four thousand pounds] shall be licensed for not less than one hundred

fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

	Up to 4,000 lbs. ....	[\$4.50]	\$5.00
4,000 lbs. or more and less than	6,000 lbs. ....	[\$9.50]	\$10.00
6,000 lbs. or more and less than	8,000 lbs. ....	[\$15.50]	\$17.50
8,000 lbs. or more and less than	10,000 lbs. ....	[\$18.50]	\$22.50
10,000 lbs. or more and less than	12,000 lbs. ....	[\$21.50]	\$29.50
12,000 lbs. or more and less than	14,000 lbs. ....	[\$25.00]	\$36.50
14,000 lbs. or more and less than	16,000 lbs. ....	[\$30.00]	\$43.50
16,000 lbs. or more and less than	18,000 lbs. ....	[\$50.00]	\$62.50
18,000 lbs. or more and less than	20,000 lbs. ....	[\$70.00]	\$85.00
20,000 lbs. or more and less than	22,000 lbs. ....	[\$100.00]	\$110.00
22,000 lbs. or more and less than	24,000 lbs. ....	[\$125.00]	\$145.00
24,000 lbs. or more and less than	26,000 lbs. ....	[\$160.00]	\$180.00
26,000 lbs. or more and less than	28,000 lbs. ....	[\$190.00]	\$220.00
28,000 lbs. or more and less than	30,000 lbs. ....	[\$230.00]	\$260.00
30,000 lbs. or more and less than	32,000 lbs. ....	[\$285.00]	\$305.00
32,000 lbs. or more and less than	34,000 lbs. ....	[\$325.00]	\$340.00
34,000 lbs. or more and less than	36,000 lbs. ....	[\$370.00]	\$395.00

Sec. 14. Section 46.16.072, Laws of 1961 and RCW 46.16.072 are each amended to read as follows:

In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each trailer, semitrailer and pole trailer based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trailers, semitrailers and pole trailers [having an unladen weight of more than four thousand pounds] shall be licensed for not less than one hundred fifty percent of its empty weight unless such amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

	Up to 4,000 lbs. ....		\$5.00
4,000 lbs. or more and less than	6,000 lbs. ....	[\$9.50]	\$10.00
6,000 lbs. or more and less than	8,000 lbs. ....	[\$15.50]	\$17.50
8,000 lbs. or more and less than	10,000 lbs. ....	[\$18.50]	\$22.50
10,000 lbs. or more and less than	12,000 lbs. ....	[\$21.50]	\$29.50
12,000 lbs. or more and less than	14,000 lbs. ....	[\$25.00]	\$36.50
14,000 lbs. or more and less than	16,000 lbs. ....	[\$30.00]	\$43.50
16,000 lbs. or more and less than	18,000 lbs. ....	[\$50.00]	\$62.50
18,000 lbs. or more and less than	20,000 lbs. ....	[\$70.00]	\$85.00
20,000 lbs. or more and less than	22,000 lbs. ....	[\$100.00]	\$110.00
22,000 lbs. or more and less than	24,000 lbs. ....	[\$125.00]	\$145.00
24,000 lbs. or more and less than	26,000 lbs. ....	[\$160.00]	\$180.00
26,000 lbs. or more and less than	28,000 lbs. ....	[\$190.00]	\$220.00
28,000 lbs. or more and less than	30,000 lbs. ....	[\$230.00]	\$260.00
30,000 lbs. or more and less than	32,000 lbs. ....	[\$285.00]	\$305.00
32,000 lbs. or more and less than	34,000 lbs. ....	[\$325.00]	\$345.00
34,000 lbs. or more and less than	36,000 lbs. ....	[\$370.00]	\$395.00

NEW SECTION. Sec. 15. There is added to chapter 46.16 RCW a new section to read as follows:

In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck or truck tractor which is propelled by steam, electricity, natural gas, diesel oil, butane or propane based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

	Up to 5,000 lbs. ....		\$6.50
5,000 lbs. or more and less than	6,000 lbs. ....		\$12.50
6,000 lbs. or more and less than	8,000 lbs. ....		\$22.00

8,000 lbs. or more and less than 10,000 lbs. ....	\$28.00
10,000 lbs. or more and less than 12,000 lbs. ....	\$37.00
12,000 lbs. or more and less than 14,000 lbs. ....	\$45.50
14,000 lbs. or more and less than 16,000 lbs. ....	\$55.00
16,000 lbs. or more and less than 18,000 lbs. ....	\$78.00
18,000 lbs. or more and less than 20,000 lbs. ....	\$106.00
20,000 lbs. or more and less than 22,000 lbs. ....	\$137.00
22,000 lbs. or more and less than 24,000 lbs. ....	\$176.00
24,000 lbs. or more and less than 26,000 lbs. ....	\$225.00
26,000 lbs. or more and less than 28,000 lbs. ....	\$275.00
28,000 lbs. or more and less than 30,000 lbs. ....	\$325.00
30,000 lbs. or more and less than 32,000 lbs. ....	\$381.00
32,000 lbs. or more and less than 34,000 lbs. ....	\$430.00
34,000 lbs. or more and less than 36,000 lbs. ....	\$494.00

Sec. 16. Section 46.16.120, chapter 12, Laws of 1961 and RCW 46.16.120 are each amended to read as follows:

In addition to other fees for the licensing of vehicles, there shall be paid and collected annually, for each auto stage and for hire vehicle, except taxicabs, with seating capacity of six or less the sum of fifteen dollars. For auto stages and for hire vehicles whose seating capacity is over six the following fees, in addition to any regular fees for licensing of vehicles, shall be collected upon the scale weight of each such auto stage and for hire vehicle, plus an average load factor of fifty percent of seating capacity figured at one hundred fifty pounds per seat:

Up to 6,000 lbs. ....	[\$9.50]	\$10.00
6,000 lbs. or more and less than 8,000 lbs. ....	[\$15.50]	\$17.50
8,000 lbs. or more and less than 10,000 lbs. ....	[\$18.50]	\$22.50
10,000 lbs. or more and less than 12,000 lbs. ....	[\$21.50]	\$29.50
12,000 lbs. or more and less than 14,000 lbs. ....	[\$25.00]	\$36.50
14,000 lbs. or more and less than 16,000 lbs. ....	[\$30.00]	\$43.50
16,000 lbs. or more and less than 18,000 lbs. ....	[\$50.00]	\$62.50
18,000 lbs. or more and less than 20,000 lbs. ....	[\$70.00]	\$85.00
20,000 lbs. or more and less than 22,000 lbs. ....	[\$100.00]	\$110.00
22,000 lbs. or more and less than 24,000 lbs. ....	[\$125.00]	\$145.00
24,000 lbs. or more and less than 26,000 lbs. ....	[\$160.00]	\$180.00
26,000 lbs. or more and less than 28,000 lbs. ....	[\$190.00]	\$220.00
28,000 lbs. or more and less than 30,000 lbs. ....	[\$230.00]	\$260.00
30,000 lbs. or more and less than 32,000 lbs. ....	[\$285.00]	\$305.00
32,000 lbs. or more and less than 34,000 lbs. ....	[\$325.00]	\$340.00
34,000 lbs. or more and less than 36,000 lbs. ....	[\$370.00]	\$395.00

Renumber remaining sections consecutively.

Senator Hallauer moved that the first amendment by Senator Durkan be laid on the table.

Senator Keefe demanded a roll call, which was sustained by Senators Gissberg, Durkan, Bailey, Herrmann, Bargreen, Dore, DeGarmo, Rasmussen and Moriarty.

The President stated the question to be, it has been moved that the first amendment by Senator Durkan be laid on the table.

The Secretary called the roll on the motion to lay on the table the first amendment proposed by Senator Durkan, and the motion was lost by the following vote: Yeas, 22; nays, 27; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Connor, DeGarmo, Dore, Freise, Hallauer, Happy, Hess, Hofmeister, Knoblauch, Kupka, McCormack, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Raugust, Ryder, Shannon, Washington—22.

Those voting nay were: Senators Bargreen, Chytil, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Keefe, Lennart, McCutcheon, McMillan, Neill, Papajani, Rasmussen, Riley, Sandison, Talley, Thompson, Jr., Woodall—27.

The President stated the question before the Senate to be, the adoption of the amendments by Senator Durkan.

Senators Herrmann, Gallagher and Gissberg demanded the previous question.

The motion carried, and the demand for the previous question was sustained.

Senator Herrmann demanded a roll call, which was sustained by Senators Keefe, Gissberg, Cooney, Durkan, Gallagher, Herrmann, Dore, Rasmussen, Donohue and Chytil.

The Secretary called the roll on the adoption of the amendments by Senator Durkan, and the amendments were adopted by the following vote: Yeas, 26; nays, 23; absent or not voting, 0.

Those voting yea were: Senators Bargreen, Chytil, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Keefe, Lennart, McCutcheon, McMillan, Neill, Papajani, Rasmussen, Sandison, Thompson, Jr., Washington, Woodall—26.

Those voting nay were: Senators Angevine, Bailey, Connor, DeGarmo, Dore, Freise, Hallauer, Happy, Hess, Hofmeister, Knoblauch, Kupka, McCormack, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Raugust, Riley, Ryder, Shannon, Talley—23.

#### MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Washington moved that the Senate do now reconsider the vote by which the amendments by Senator Durkan were adopted.

The President stated the question before the Senate to be, it has been moved that the Senate do now reconsider the vote by which the amendments by Senator Durkan were adopted.

Senator Dore demanded a roll call, which was sustained by Senators Sandison, Martin, Connor, Moriarty, Washington, Morgan, Durkan and Cowen.

The Secretary called the roll on the motion to reconsider the vote by which the amendments by Senator Durkan were adopted, and the motion to reconsider was lost by the following vote: Yeas, 24; nays, 25; absent or not voting, 0.

Those voting yea were: Senators Bailey, Connor, Dore, Freise, Greive, Hallauer, Hanna, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Raugust, Riley, Ryder, Shannon, Talley, Washington—24.

Those voting nay were: Senators Angevine, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Happy, Henry, Herrmann, Keefe, Lennart, McMillan, Neill, Papajani, Rasmussen, Sandison, Thompson, Jr., Woodall—25.

Senator Elway moved that the following amendment be adopted:

In section 1, page 2, line 14, after "of" and before "cents" on line 15, strike "seven and one-half" and insert "[six and one-half] seven"

Debate ensued.

#### POINT OF INQUIRY

Senator Morgan:

"Will Senator Donohue yield to a question?"

Senator Donohue:

"Yes, I will."

Senator Morgan:

"Is the state of Washington responsible for your excessive gasoline rates in Eastern Washington?"

Senator Donohue:

"No Ma'am, the state of Washington is not, but I was just calling your attention to the fact that in Eastern Washington the cost is so much greater than in Western Washington."

Senator Morgan:

"I am well aware of that, but I don't think we should be considering the excessive cost of gasoline in Eastern Washington when we are considering the gasoline tax for the whole state."

Debate ensued.

#### RULING OF THE PRESIDENT

The President (President Pro Tempore Al Henry in the Chair) declared he felt the discussion had ended.

The President stated the question before the Senate to be, the adoption of the amendment by Senator Elway.

Senator Dore demanded a roll call, which was sustained by Senators Chytil, Foster, Elway, Freise, DeGarmo, Rasmussen, Morgan, Connor and Hofmeister.

The Secretary called the roll on the adoption of the amendment by Senator Elway, and the amendment was not adopted by the following vote: Yeas, 20; nays, 29; absent or not voting, 0.

Those voting yea were: Senators Bargreen, Chytil, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Gissberg, Hanna, Happy, Herrmann, McMillan, Neill, Papajani, Rasmussen, Raugust, Talley, Woodall—20.

Those voting nay were: Senators Angevine, Bailey, Connor, DeGarmo, Dore, Freise, Gallagher, Greive, Hallauer, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington—29.

Senator Elway moved that the following amendment be adopted:

Beginning with old section 22, page 18, line 9, strike old sections 22 through 31 and substitute the following:

**NEW SECTION.** Sec. 17. Section 46.16.074, chapter 12, laws of 1961 and RCW 46.16.074 are each repealed.

**NEW SECTION.** Sec. 18. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect April 1, 1961.

On motion of Senator Bailey, the amendment by Senator Elway was laid on the table.

Senator McCutcheon moved that the following amendment be adopted:

On page 18, section 23, line 20, after "purposes" strike the period and insert " : *Provided*, That any such amount in excess of one million dollars shall first be transferred to the Naches Tunnel account in the motor vehicle fund to be expended as provided for in section 27 of this act until a total amount of eight million dollars has been so transferred."

Senator Martin moved that the amendment by Senator McCutcheon be laid on the table.

A division was requested, and the amendment was laid on the table on a rising vote.

On motion of Senator Shannon, the following amendment was adopted:

In section 10, page 8, line 10, after "be matched" strike all of the matter down to and including the period following "or county" and insert "twenty-five percent by such city or county and seventy-five percent from the urban aid account."

Senator Morgan moved that the following amendment be adopted:

In section 24, page 18, line 31, after "Puget Sound" strike all of the matter down to the colon on line 33.

Senators Herrmann, Nunamaker and Gallagher demanded the previous question.

The President stated the question before the Senate to be, the adoption of the amendment by Senator Morgan.

A division was requested and the motion lost on a rising vote. The amendment was not adopted.

On motion of Senator Durkan, the following amendments were adopted:

In the amendment by Senator Durkan to Senate Bill No. 4, strike the last two paragraphs which read as follows:

Beginning with old section 22, page 16, line 32, strike old sections 22 through 31 and substitute the following:

*NEW SECTION.* Sec. 17. Section 46.16.074, chapter 12, Laws of 1961 and RCW 46.16.074 are each repealed.

On page 1, line 26 of the title, after "adding" strike "three new sections" and insert "a new section"

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 4 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4, and the bill passed the Senate by the following vote: Yeas, 28; nays, 21; absent or not voting, 0.

Those voting yea were: Senators Bailey, Connor, Cooney, DeGarmo, Dore, Freise, Gallagher, Hallauer, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington—28.

Those voting nay were: Senators Angevine, Bargreen, Chytil, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Gissberg, Greive, Hanna, Happy, Keefe, Lennart, McMillan, Neill, Nunamaker, Papajani, Thompson, Jr., Woodall—21.

Engrossed Senate Bill No. 4, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 7:00 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. tomorrow, Saturday, March 17, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## NINTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, March 18, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators DeGarmo and Woodall.

On motion of Senator Greive, Senator DeGarmo was excused.

The Color Guard, consisting of Pages Nancy Christiansen, Color Bearer, and Susan Harris, presented the Colors.

Reverend Walter MacArthur, Pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Let us pray:

"God, make us men! A time like this demands strong hearts, great minds, true faith and ready hands; men whom the lust of office does not kill; men whom the spoils of office cannot buy; men who possess opinions and a will; men who have honor—will not lie; men who can stand before a demagogue and damn his treacherous flatteries without winking; tall men, sun-crowned, who stand above the fog in public duty, and in private thinking.

"God, make us men! Through Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESENTATION OF PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS

The Secretary read:

##### SENATE RESOLUTION

By Senators Rasmussen and Moriarty, Jr.:

WHEREAS, The members of the Senate of the Thirty-Seventh Session and the First Extraordinary Session of the Washington State Legislature have been furnished, without cost to them or to the state of Washington, and without comment for or against any bill or resolution, a digest and analysis of all bills and resolutions introduced in the Senate and House of Representatives; and

WHEREAS, The legislative digest has been of great service to members of the Senate;

*Now, Therefore, Be It Resolved*, That the Senate does hereby express its gratitude and appreciation to the Association of Washington Industries for this service in the interest of good government; and

*Be It Further Resolved*, That a copy of this resolution be entered upon the Journal and a copy suitably enrolled be sent to each of the officers of the Association of Washington Industries and the editor of the legislative digest, the Honorable Joseph H. Smith.

On motion of Senator Rasmussen, the resolution was adopted.

##### SENATE RESOLUTION

By Senators Rasmussen and Moriarty, Jr.:

WHEREAS, During the Thirty-Seventh Legislative Session and the First Extraordinary Session of the Washington State Legislature, the Washington State Research Council has prepared and delivered a daily service consisting of status reports of all House and Senate bills; and

WHEREAS, Such status reports provided information not otherwise easily obtainable; and

WHEREAS, Such service was of great benefit to members of both houses and to others interested in following the course of bills in the legislature; and

WHEREAS, The members of the Senate are unanimous in their desire to express their appreciation to the Washington State Research Council;

Now, *Therefore, Be It Resolved*, That the Senate commend the Washington State Research Council for its service and express its gratitude and appreciation for it; and *Be It Further Resolved*, That the Secretary of the Senate transmit a copy of the resolution to the Washington State Research Council.

On motion of Senator Rasmussen, the resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the esteemed and worthy Senator from the forty-fourth district, the Honorable John Papajani, our attention has been called to the presence in the gallery of Father Pollasis and a Junior Youth Group of the St. Demetrios Greek Orthodox Church, of the Eastern Orthodox Faith.

"Father Pollasis has earned the respect and admiration of all of us, and the members of the Senate will remember, in the Thirty-six Legislative Session, in its action in granting recognition to the Eastern Orthodox Church which it so richly deserved. Father Pollasis has expressed his appreciation of this act of the Senate.

"Would this group please stand in order that the members of the Senate may properly recognize and welcome you to Olympia. Thank you very much for being in attendance."

(Applause.)

The President:

"Incidentally, the members of the Senate wish to congratulate Senators Papajani and Dore upon the success of their constituents in last night's games in Seattle. Tonight will be Senator Papajani versus Senator Dore, as the two teams meet in the Hec Edmundson Pavilion."

#### MOTION

On motion of Senator Greive, the Senate granted the Committee on Ways and Means until the next working day to make their report to the Senate on Senate Bill No. 14.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 3; also

Senate Bill No. 4, have compared same with the original bills and find them correctly engrossed.

I concur in this report: Joe Chytil.

**Senate Bill No. 20:**

MR. PRESIDENT:

We, a majority of your Committee on State Government, Military Affairs and Civil Defense, to whom was referred Senate Bill No. 20, establishing a state investment council, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. RASMUSSEN, *Chairman.*

We concur in this report: Wayne G. Angevine, Harry Elway, Jr., Herbert H. Freise, Michael J. Gallagher, H. B. Hanna, Louis E. Hofmeister, Reuben A. Knoblauch, George W. Kupka, Mike McCormack, John T. McCutcheon, Marshall A. Neill, John N. Ryder.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 21:**

Senate Chamber,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Senate Bill No. 21, relating to University of Washington tuition fees, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Concurrent Resolution No. 2, and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 31**, by Senators Hallauer and Ryder (by Executive request):

An Act relating to taxes paid by employers under the Employment Security Act; adjusting computation of surplus; limiting length of time that credits may be considered outstanding as valid in computation of surplus; amending section 12, chapter 286, Laws of 1955 and RCW 50.28.030; and declaring an emergency.

Referred to Committee on Social Security.

**Senate Bill No. 32**, by Senator DeGarmo:

An Act relating to unfair practices; and amending sections 2, 6 and 7, chapter 221, laws of 1939 and RCW 19.90.020, 19.90.060 and 19.90.070.

Referred to Committee on Commerce, Manufacturing and Licenses.

**Senate Bill No. 33**, by Senator Foley:

An Act relating to legislators' subsistence; making an appropriation; and declaring an emergency.

On motion of Senator Hallauer, the rules were suspended, Senate Bill No. 33 was advanced to second reading and read the second time by sections.

On motion of Senator Hallauer, the rules were suspended, Senate Bill No. 33 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 33, and the bill passed the Senate by the following vote: Yeas, 38; nays, 2; absent or not voting, 9.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—38.

Those voting nay were: Senators Cowen, Lennart—2.

Those absent or not voting were: Senators DeGarmo, Dore, Durkan, Gissberg, Hofmeister, Morgan, Nunamaker, Petrich, Woodall—9.

Senate Bill No. 33, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"At the request of the noted and worthy Senator R. R. (Bob) Greive from Seattle, the President would like to present another group of outstanding people present in the Senate today. Reverend Best and a group from the West Seattle Baptist Church are here to study the legislative processes going on in Olympia. Will Senator Greive please stand along with Reverend Best and the group from Seattle in order that you might be properly recognized.

"Thank you for being in attendance."

(Applause.)

**Senate Bill No. 34**, by Senator Foley:

An Act relating to the expenses of the legislature; making appropriations therefor; and declaring an emergency.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 34 was advanced to second reading and read the second time by sections.

Senator Greive moved that the rules be suspended and that the Senate do not resolve itself into a Committee of the Whole for the purpose of considering Senate Bill No. 34.

The motion carried.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 34 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 34, and the bill passed the Senate by the following vote: Yeas, 39; nays, 0; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Herrmann, Hess, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—39.

Those absent or not voting were: Senators DeGarmo, Dore, Durkan, Hanna, Hofmeister, Martin, Morgan, Nunamaker, Petrich, Woodall—10.

Senate Bill No. 34, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Concurrent Resolution No. 3**, by Senator McCormack:

Relating to the city of Richland.

On motion of Senator McCormack, Senator Henry's name was added as sponsor to Senate Concurrent Resolution No. 3.

On motion of Senator McCormack, the rules were suspended, Senate Concurrent Resolution No. 3 was advanced to second reading and read the second time in full.

On motion of Senator McCormack, the rules were suspended, Senate Concurrent Resolution No. 3 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

#### MOTION

On motion of Senator Hallauer, the Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 16:

Senate Chamber,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 16, relating to employee pension plans and taxation of premiums therefor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 22** (reported by Committee on Higher Education and Libraries):

Do pass as amended.

GORDON SANDISON, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 23:

Senate Chamber,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Senate Bill No. 23, authorizing bonds for capital projects for Washington State University, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 24:

Senate Chamber,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Senate Bill No. 24, relating to tuition fees of state colleges, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 25:**

Senate Chamber,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Senate Bill No. 25, authorizing boards of trustees of state colleges to issue bonds, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 26** (reported by Committee on Higher Education and Libraries):

Do pass as amended.

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 28:**

Senate Chamber,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 28, relating to damages in labor disputes, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 30:**

Senate Chamber,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Industrial Insurance, to whom was referred Senate Bill No. 30, declaring public policy as to minimum wage and hour act and prescribing rates, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

AL HENRY, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank Connor, Victor F. DeGarmo, Harry Elway, Jr., Louis E. Hofmeister, Homer O. Nunamaker.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

On motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

**AFTERNOON SESSION**

At 2:00 o'clock p. m., the Senate was called to order by President Cherberg.

On motion of Senator Greive, the Senate recessed until 3:10 o'clock p. m. for the purpose of caucus.

## SECOND AFTERNOON SESSION

At 3:10 o'clock p. m., the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Connor.

### MOTIONS

On motion of Senator Greive, the Senate advanced to the fifth order of business for the purpose of receiving messages from the House of Representatives.

On motion of Senator Greive, the Senate decided to immediately consider the message from the House regarding Senate Bill No. 1.

The Secretary read:

### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 17, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 1 with the following amendments:

Strike all the material after the enacting clause and insert in lieu thereof the following:

**NEW SECTION.** Section 1. That a budget is hereby adopted and subject to the provisions hereinafter set forth the several amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for the salaries, wages, and other expenses of the agencies and officers of the state and for other specified purposes for the fiscal biennium beginning July 1, 1961, and ending June 30, 1963, out of the several funds of the state hereinafter named.

#### STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution \$	710,000
General Fund Appropriation for public utility district excise tax distribution .....	3,530,880
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution .....	290,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	8,000,000
Motor Vehicle Excise Fund Appropriation for motor vehicle excise tax distribution .....	9,385,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax distribution	53,605,400

#### STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

General Fund Appropriation for federal grazing fees distribution.....	10,250
General Fund Appropriation for federal flood control funds distribution	15,000
Forest Reserve Fund Appropriation for forest reserve fund distribution	12,500,000

#### STATE TREASURER—BOND RETIREMENT AND INTEREST

Capitol Building Bond Redemption Fund Appropriation.....	543,388
Institutional Building Bond Redemption Fund of 1949 Appropriation....	2,551,168
Highway Bond Retirement Fund Appropriation.....	15,798,965
Public School Building Bond Redemption Fund Appropriation.....	5,103,371
Public Schools Building Bond Redemption Fund of 1955 Appropriation...	4,478,500
Public Schools Building Bond Redemption Fund of 1957 Appropriation...	9,235,200
School Emergency Construction Bond Redemption Fund Appropriation..	5,082,263
State Building Construction Bond Redemption Fund Appropriation.....	7,158,270
University of Washington Bond Redemption Fund Appropriation.....	1,728,838
War Veterans' Compensation Bond Retirement Fund Appropriation.....	8,956,081
World Fair Bond Redemption Fund Appropriation.....	1,820,750
Institutional Building Bond Redemption Fund of 1957 Appropriation.....	3,378,880

Public School Building Bond Redemption Fund of 1959 Appropriation..\$	4,984,101
General Administration Bond Retirement Fund Appropriation.....	405,300
Public School Building Bond Redemption Fund of 1961 Appropriation....	888,125

STATE LEGISLATURE

General Fund Appropriation	
Senate Expenses and salaries of members.....	133,908
House of Representatives Expenses and salaries of members.....	268,500
Legislative Council .....	163,584
Legislative Budget Committee .....	115,470

PERMANENT STATUTE LAW COMMITTEE

General Fund Appropriation .....	256,900
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SUPREME COURT

General Fund Appropriation .....	723,646
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COURT ADMINISTRATOR

General Fund Appropriation .....	66,082
General Fund Appropriation for Superior Court Judges.....	1,103,103
General Fund Appropriation	
Judges' Retirement Fund Contribution.....	159,900
Additional Judges' Retirement Fund Contributions in accordance with RCW 2.12.070 .....	102,000

JUDICIAL COUNCIL

General Fund Appropriation .....	10,015
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LAW LIBRARY

General Fund Appropriation .....	172,850
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OFFICE OF THE GOVERNOR

General Fund Appropriation	
Executive Operations .....	223,976
Investigation and Emergency Purposes—to be distributed on vouchers approved by the Governor.....	16,000
Extradition Expenses (including prior claims).....	52,000
Mansion Maintenance .....	24,000

LIEUTENANT GOVERNOR

General Fund Appropriation .....	32,416
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SECRETARY OF STATE

General Fund Appropriation, provided that \$150,000 shall be available only for the certification of initiatives and referenda (including the maintenance of the permanent registration records for this purpose), the printing, addressing and mailing of the voters' pamphlets and the advertising of the proposed constitutional amendments.....	654,690
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STATE TREASURER

General Fund Appropriation .....	380,335
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STATE AUDITOR

General Fund Appropriation	
State Auditor .....	720,224
Payment for supplies furnished in previous bienniums.....	100,000
Payment of L. I. D. assessments .....	75,000
Criminal cost bills .....	25,000
Motor Vehicle Fund Appropriation	
State Auditor .....	36,503

ATTORNEY GENERAL

General Fund Appropriation .....	770,224
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<b>CENTRAL BUDGET AGENCY</b>	
General Fund Appropriation .....	\$ 858,812
<b>CAPITOL COMMITTEE</b>	
General Fund—Capitol Building Construction Account Appropriation....	10,000
<b>CENSUS BOARD</b>	
General Fund Appropriation .....	19,000
Motor Vehicle Excise Fund Appropriation.....	37,000
<b>BOARD AGAINST DISCRIMINATION</b>	
General Fund Appropriation .....	105,232
<b>STATE EMPLOYEES' RETIREMENT SYSTEM</b>	
Retirement System Expense Fund Appropriation.....	514,883
<b>FINANCE COMMITTEE</b>	
General Fund Appropriation .....	49,640
Motor Vehicle Fund Appropriation, provided that this expenditure be used solely for expenses incident to the issuance and sale of motor vehicle fuel tax revenue bonds.....	47,000
<b>TAX COMMISSION</b>	
General Fund Appropriation, provided that funds received as reimbursements pursuant to Chapter 84.41 RCW are hereby appropriated to the Tax Commission in excess of this amount, and such funds as are contracted to be paid into the General Fund prior to June 30, 1963, may be allotted in advance of receipt.....	5,993,689
<b>UNIFORM LAW COMMISSION</b>	
General Fund Appropriation .....	3,585
<b>DEPARTMENT OF GENERAL ADMINISTRATION</b>	
General Fund Appropriation .....	3,240,718
<b>INSURANCE COMMISSIONER</b>	
General Fund Appropriation .....	1,002,512
<b>ACCOUNTANCY BOARD</b>	
General Fund Appropriation .....	74,800
<b>AERONAUTICS COMMISSION</b>	
General Fund Appropriation .....	91,770
<b>ATHLETIC COMMISSION</b>	
General Fund Appropriation .....	15,000
<b>CEMETERY BOARD</b>	
General Fund—Cemetery Account Appropriation.....	7,100
<b>BOARD OF INDUSTRIAL INSURANCE APPEALS</b>	
Accident Fund Appropriation .....	426,584
Medical Aid Fund Appropriation.....	426,584
<b>PHARMACY BOARD</b>	
General Fund Appropriation .....	107,042
<b>PUGET SOUND PILOTAGE COMMISSION</b>	
General Fund—Puget Sound Pilotage Account Appropriation.....	6,600
<b>POLLUTION CONTROL COMMISSION</b>	
General Fund Appropriation .....	462,552
<b>PUBLIC SERVICE COMMISSION</b>	
Public Service Revolving Fund Appropriation.....	2,959,928

## BOARD FOR VOLUNTEER FIREMEN

Volunteer Firemen's Relief and Pension Fund Appropriation.....	\$ 18,695
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## STATE PATROL

Highway Safety Fund Appropriation.....	2,753,611
Motor Vehicle Fund—State Patrol Highway Account Appropriation.....	9,471,991
Highway Safety Fund Appropriation—Retirement Fund Contributions...	707,598

## DEPARTMENT OF CIVIL DEFENSE

General Fund Appropriation .....	1,246,949
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## DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation .....	10,030,246
General Fund—Electrical License Account Appropriation.....	472,388
Accident Fund Appropriation .....	1,580,241
Medical Aid Fund Appropriation .....	4,780,789

## DEPARTMENT OF LICENSES

General Fund Appropriation .....	760,708
General Fund Appropriation for Medical Disciplinary Board.....	15,000
General Fund—Optometry Account Appropriation .....	4,882
General Fund—Opticians' Account Appropriation .....	4,483
General Fund—Real Estate Commission Account Appropriation.....	486,428
General Fund—Commercial Automobile Driver Training Schools Account Appropriation .....	4,186
General Fund—Parks and Parkways Account Appropriation.....	50,000
General Fund—Architects' License Account Appropriation.....	19,353
General Fund—Professional Engineers' Account Appropriation.....	24,793
General Fund—Sanitarians' Licensing Account Appropriation.....	4,081
Motor Vehicle Fund Appropriation .....	4,556,523
Highway Safety Fund Appropriation .....	1,386,992

## MILITARY DEPARTMENT

General Fund Appropriation .....	1,817,520
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## BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation .....	1,632,880
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## DEPARTMENT OF INSTITUTIONS—HEADQUARTERS

General Fund Appropriation .....	2,148,469
General Fund—Probation Service Account Appropriation to carry out the provisions of Senate Bill 25.....	35,000

## DEPARTMENT OF INSTITUTIONS—PENITENTIARY

General Fund Appropriation .....	6,030,589
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## DEPARTMENT OF INSTITUTIONS—REFORMATORY

General Fund Appropriation .....	4,470,836
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DEPARTMENT OF INSTITUTIONS—FORESTRY  
HONOR CAMPS

General Fund Appropriation .....	892,874
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DEPARTMENT OF INSTITUTIONS—  
MAPLE LANE SCHOOL

General Fund Appropriation .....	1,718,510
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DEPARTMENT OF INSTITUTIONS—  
MARTHA WASHINGTON SCHOOL

General Fund Appropriation .....	565,800
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DEPARTMENT OF INSTITUTIONS—  
GREEN HILL SCHOOL

General Fund Appropriation .....	1,960,900
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DEPARTMENT OF INSTITUTIONS— LUTHER BURBANK SCHOOL	
General Fund Appropriation .....	\$ 840,753
DEPARTMENT OF INSTITUTIONS— JUVENILE RECEPTION—DIAGNOSTIC CENTER	
General Fund Appropriation .....	1,200,000
DEPARTMENT OF INSTITUTIONS— FORT WORDEN SCHOOL	
General Fund Appropriation .....	2,581,906
DEPARTMENT OF INSTITUTIONS— YOUTH FORESTRY CAMPS	
General Fund Appropriation .....	1,512,113
DEPARTMENT OF INSTITUTIONS— JUVENILE PAROLE SERVICE	
General Fund Appropriation .....	736,388
DEPARTMENT OF INSTITUTIONS— JUVENILE DELINQUENCY PREVENTION AND CONTROL	
General Fund Appropriation .....	686,924
VETERANS' REHABILITATION COUNCIL	
General Fund Appropriation .....	489,599
DEPARTMENT OF INSTITUTIONS— SOLDIERS' HOME AND COLONY	
General Fund Appropriation: <i>Provided</i> , That no part of this appropriation shall be used for the care and maintenance of members in the home having a yearly pension income of over \$1,200 or with assets of over \$1,200 unless all income and assets in excess of these amounts are paid into the general fund: <i>Provided further</i> , That the director of the Department of Institutions may waive the foregoing proviso, for all, or such portion of income over \$1,200, as may be necessary to provide such medical care as is not furnished by the Department for such member .....	905,214
DEPARTMENT OF INSTITUTIONS—VETERANS' HOME	
General Fund Appropriation: <i>Provided</i> , That no part of this appropriation shall be used for the care and maintenance of members in the home having a yearly pension income of over \$1,200 or with assets of over \$1,200 unless all income and assets in excess of these amounts are paid into the general fund: <i>Provided further</i> , That the director of the Department of Institutions may waive the foregoing proviso, for all, or such portion of income over \$1,200, as may be necessary to provide such medical care as is not furnished by the Department for such member .....	2,000,000
DEPARTMENT OF PUBLIC ASSISTANCE	
General Fund Appropriation: <i>Provided</i> , That \$22,451,234 shall be available exclusively for administration including salaries, wages and operations; \$60,246,845 shall be available for old age assistance exclusive of burial costs and exclusive of nursing home and other medical care costs; and \$157,339,245 shall be available for burial costs, foster care, nursing home, and other medical care costs and for assistance grants exclusive of old age assistance grants: <i>Provided further</i> , That there is specifically earmarked the following specified amounts for the support of the following named hospitals: King County Hospital \$9,575,321, Pierce County Hospital \$3,215,989, Clark County Hospital \$1,072,106, Whatcom County Hospital \$752,750, all other county hospitals and/or infirmaries \$956,735: <i>Provided further</i> , That there is	

specifically earmarked the following specified amount for nursing home costs \$31,460,157: *Provided further*, That there is specifically earmarked the following specified amount for aid to dependent children, aid to the permanently and totally disabled and general assistance, exclusive of burial costs and exclusive of nursing home and other medical care costs \$78,247,549: *Provided further*, That there is specifically earmarked the following amount for foster care \$7,305,784: *Provided further*, That if federal grants for the council on the aging are received they may be made available by allotment of the governor: *Provided further*, That federal funds received in excess of estimates may be allotted by the governor if state matching funds are available but federal funds may not be so received or allotted to increase grants or assistance unless the federal funds are specifically granted for such purpose or to meet increased caseloads.....\$240,073,324

The department of public assistance is hereby directed to administer programs for which funds are herein appropriated in such a manner as to strictly comply with the existing statutes relating to public assistance, to adjust assistance payments if necessary and to effect all economies possible in the administration of such programs during the 1961-1963 biennium in order that expenditures for said biennium shall not exceed the funds herein appropriated: *Provided*, That the standards of assistance for any payments from this appropriation for applicants or recipients shall be limited to reasonable allowances for shelter, fuel, food, clothing, household maintenance and operation, personal maintenance, and necessary incidentals, and the department shall review amounts allowed as necessary additional requirements at least twice annually so as to better control allowances made for additional requirements: *Provided*, That to the extent that any savings in expenditures for old age assistance grants are realized as a result of increased payments of federal old age and survivors' insurance during the 1961-1963 biennium, the department of public assistance shall utilize such savings to improve the standards of assistance for all old age assistance recipients to the greatest extent possible under state and federal laws notwithstanding any other provisions to the contrary: *Provided*, That payments to applicants or recipients from this appropriation shall not be increased due to increased costs of living unless funds are available: *Provided*, That the department shall not enter into contracts obligating the department to pay increased rates for supplies or services unless it has been clearly determined that adequate funds are available to provide for the increased rates during the remainder of the biennium, and in no event shall the department enter into a contract to pay increases in rates to suppliers of goods or services before July 1, 1962: *Provided*, That no payments of general assistance shall be made from this appropriation unless the applicant or recipient for general assistance has resided in the state of Washington for three out of the last four years immediately preceding the date of application: *Provided*, That the director may make payments of emergency general assistance to an applicant or recipient notwithstanding the residence provision above for a period of not to exceed one hundred twenty days if a denial of assistance would cause undue hardship: *Provided*, That unemployable persons shall not be eligible for a general assistance grant payable from this appropriation unless they are substantially incapacitated from gainful employment: *Provided*, That the director may expend assistance funds for the purpose of moving employable applicants or recipients from an area within the state where work is not available to another area within the state where the director is reasonably certain the applicant or recipient may find employment: *Provided*, That no payments of aid to dependent children assistance shall be made from this appropriation on behalf of an employable parent or relative with whom the child lives unless the director of public assistance determines that the employment of the parent or relative with whom the child lives would result in danger and/or substantial impairment to the physical or

mental well-being of the child: *Provided*, That where a dependent child is living with a parent and a step-parent, the income and resources of such step-parent shall be taken into consideration in determining the eligibility of the dependent child in the same manner as the income and resources of the dependent child or any other member of the family group. A natural parent is not relieved of any legal obligation to support his children by operation of this provision: *Provided*, That the director shall establish the standards of assistance to be used in the determination of financial need and payment of grants to applicants for and recipients of aid to dependent children who are employable: *Provided*, That the amount paid from this appropriation to or on behalf of a recipient in a nursing home or a hospital for clothing and personal incidentals shall not exceed fifty percent of the amount which would be paid to such recipient if he were living in his own home: *Provided*, That no funds shall be paid from this appropriation for physicians services on a contract basis unless the contract provides that the state will receive sufficient statistical information to determine and evaluate the cost of physicians services for each category of public assistance recipients. No funds shall be paid from this appropriation for county hospitals and county infirmaries unless such hospitals and infirmaries provide the department of public assistance with sufficient statistical information to determine and evaluate the cost of providing services for each category of public assistance recipients: *Provided*, That funds may be expended from this appropriation to purchase drugs on a bid basis, through the customary trade channels or directly from manufacturers or wholesalers: *Provided*, That if any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

DEPARTMENT OF INSTITUTIONS—  
SCHOOL FOR THE BLIND

General Fund Appropriation .....\$ 863,067

DEPARTMENT OF INSTITUTIONS—  
SCHOOL FOR THE DEAF

General Fund Appropriation ..... 1,736,069

WESTERN INTERSTATE COMMISSION FOR  
HIGHER EDUCATION

General Fund Appropriation ..... 20,000

SUPERINTENDENT OF PUBLIC INSTRUCTION  
(including Board of Education)

General Fund—Public School Building Construction Account  
Appropriation ..... 1,050  
General Fund Appropriations

Office of Superintendent of Public Instruction and Board of Education: *Provided*, That \$200,000 shall be available only for research in public schools for which a detailed report on projects and expenditures shall be submitted to the legislature during January, 1963: *Provided further*, That \$24,000 shall be available only for assistance to blind students pursuant to RCW 28.76.130..... 1,924,732

Aid to handicapped children and research related to educational services for exceptional children: *Provided*, That expenditures from this appropriation for pupils in schools in state institutions shall be limited to the education of children who meet criteria of educability to be established by the state board of education..... 7,867,088

Education of Indian Children .....	\$ 140,000
School lunch and school milk programs .....	7,200,000
To carry out the provisions of Public Law 85-864 (National Defense Education Act of 1958) .....	2,787,754
Allocation to County Superintendents of Schools.....	592,725
Distribution to counties, equalization .....	26,500,000
Distribution to counties for school districts, in accordance with the provisions of chapter 141, Laws of 1945, and acts amendatory or supplementary thereto, \$372,200,800 (being \$7,000,000 from the current school fund and \$365,200,800 from the general fund): <i>Provided</i> , That the equalization level of a school district for any equalization payments made from these appropriations shall be forty-eight cents for 1961-62 and forty-nine cents for 1962-63 times the total number of days attendance credit for the district computed on the basis of the estimate of attendance provided for in RCW 28.41.060 and on the basis of the factors prescribed in RCW 28.41.070 and adjusted, if necessary, to provide a minimum of forty-five hundred days of attendance credit for each educational unit to be maintained by the district during the school years 1961-1962 and 1962-1963: <i>Provided further</i> , That apportionment on the attendance credit basis shall be forty-five cents per day: <i>Provided further</i> , That the apportionment on the educational unit basis shall be \$2,791.04 for 1961-1962 and \$3,332.93 for 1962-1963: <i>Provided further</i> , That no part of these appropriations shall be used to supplement or implement any regulation of the board of education promulgated after January 1, 1957: <i>Provided further</i> , That the total apportionment to a school district for the year shall be reduced for each school year by the amount that its revenue as prescribed in the first proviso of this item exceeds one and one-half times the equalization level defined: <i>Provided further</i> , That no more than \$5,600,000 of these appropriations shall be used for ratable state support of kindergartens: <i>Provided further</i> , That none of these appropriations shall be expended for adult evening classes unless such classes have been approved by the state board of education: <i>Provided further</i> , That no part of this appropriation shall be distributed to any school district until it has certified to the superintendent of public instruction that all full time certificated employees are being paid not less than \$4,200 per year: <i>Provided further</i> , That not to exceed \$1,130,000 shall be an apportionment to equalization districts at fifty-four dollars per pupil for any increase in the school enrollment of the district in excess of five percent between October first of the current school year and October first of the preceding school year: <i>Provided further</i> , That \$27,014,055 of this appropriation is intended only for salary increases for certificated classroom teaching personnel at the average rate of \$283 in 1961-1962 and \$333 additional in 1962-1963: <i>Provided further</i> , That \$2,800,000 of this appropriation is intended only for salary increases for noncertificated employees of the school districts.	
General Fund Appropriation .....	365,200,800
Current School Fund Appropriation .....	7,000,000

STATE BOARD FOR VOCATIONAL EDUCATION  
VOCATIONAL EDUCATION

General Fund Appropriation, provided that any federal funds received in excess of \$1,048,952, included herein may be made available by the governor by approved budget allotment.....	1,961,072
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DIVISION OF VOCATIONAL REHABILITATION

General Fund Appropriation, Disabled Program, provided that any federal funds in excess of \$2,169,814 included herein may be made available by the Governor by approved budget allotment.....	2,666,788
General Fund Appropriation, Severely Disabled Program (Extended and Deaf Services Program).....	733,593
General Fund Appropriation, Public Assistance Recipients (Nondisabled Program) .....	1,111,609

## TEACHERS' RETIREMENT SYSTEM

Teachers' Retirement Fund Appropriation.....	\$ 361,443
General Fund Appropriation, Contribution to Teachers' Retirement Fund .....	11,682,000
Teachers' Retirement Pension Reserve Fund.....	12,679,000

## UNIVERSITY OF WASHINGTON

General Fund Appropriation .....	57,751,155
Motor Vehicle Excise Fund Appropriation.....	214,580

## WASHINGTON STATE UNIVERSITY

General Fund Appropriation.....	33,234,809
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## EASTERN WASHINGTON COLLEGE OF EDUCATION

General Fund Appropriation .....	4,799,445
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## CENTRAL WASHINGTON COLLEGE OF EDUCATION

General Fund Appropriation .....	4,910,180
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## WESTERN WASHINGTON COLLEGE OF EDUCATION

General Fund Appropriation .....	6,301,941
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## STATE LIBRARY

General Fund Appropriation .....	984,743
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## WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation .....	116,218
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## EASTERN WASHINGTON HISTORICAL SOCIETY

General Fund Appropriation .....	74,667
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## STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation .....	49,502
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## DEPARTMENT OF HEALTH

General Fund Appropriation for tuberculosis hospitalization and control; state aid to counties.....	4,888,000
General Fund Appropriation provided that of this sum \$250,000 shall be paid by the liquor control board from its receipts which shall be transferred into the general fund prior to July 1, 1962.....	6,605,052

DEPARTMENT OF INSTITUTIONS—  
MENTAL HEALTH RESEARCH INSTITUTE

General Fund Appropriation .....	365,000
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## DEPARTMENT OF INSTITUTIONS—EASTERN HOSPITAL

General Fund Appropriation .....	8,878,511
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## DEPARTMENT OF INSTITUTIONS—NORTHERN HOSPITAL

General Fund Appropriation .....	8,860,292
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## DEPARTMENT OF INSTITUTIONS—WESTERN HOSPITAL

General Fund Appropriation .....	12,184,485
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## DEPARTMENT OF INSTITUTIONS—LAKELAND VILLAGE

General Fund Appropriation .....	5,000,000
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## DEPARTMENT OF INSTITUTIONS—RAINIER SCHOOL

General Fund Appropriation .....	7,582,423
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## DEPARTMENT OF INSTITUTIONS—FIRCREST SCHOOL

General Fund Appropriation .....	3,907,500
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DEPARTMENT OF INSTITUTIONS—  
YAKIMA VALLEY SCHOOL

General Fund Appropriation .....\$ 1,588,494

PARKS AND RECREATION COMMISSION

General Fund—Parks and Parkways Account Appropriation..... 3,038,935

General Fund—Millersylvania Park Current Account Appropriation.... 400

Motor Vehicle Fund Appropriation for maintenance of vehicular roads,  
highways and bridges within state parks..... 150,000

DEPARTMENT OF CONSERVATION

General Fund Appropriation: *Provided*, That \$850,000 thereof shall be  
available for flood control purposes..... 1,830,418

General Fund—Reclamation Revolving Account Appropriation..... 308,186

General Fund—Weather Modification Board Revolving Account Ap-  
propriation ..... 2,000

DEPARTMENT OF FISHERIES

General Fund Appropriation ..... 5,959,139

General Fund—Lewis River Hatchery Account Appropriation..... 28,000

DEPARTMENT OF GAME

Game Fund Appropriation provided that not more than \$40,000 shall be  
expended for payment of game animal damages and expense..... 9,108,330

DEPARTMENT OF COMMERCE AND ECONOMIC  
DEVELOPMENT

General Fund Appropriation ..... 2,198,947

BOARD OF NATURAL RESOURCES

General Fund Appropriation ..... 20,000

DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation, provided that \$1,771,281 hereof shall only  
be available for the conduct of honor camp forest rehabilitation  
programs ..... 8,278,186

General Fund—Forest Development Account Appropriation..... 450,000

General Fund Appropriation to the Contingency Forest Fire Suppression  
Account ..... 200,000

General Fund—Contingency Forest Fire Suppression Account Appro-  
priation ..... 200,000

General Fund—Resource Management Cost Account Appropriation..... 500,000

DEPARTMENT OF AGRICULTURE

General Fund Appropriation ..... 2,300,263

General Fund—Egg Inspection Account Appropriation..... 266,057

General Fund—Feed and Fertilizer Account Appropriation..... 7,496

General Fund—Commercial Feed Account Appropriation..... 57,079

General Fund—Seed Inspection Account Appropriation..... 195,334

General Fund—Fertilizer, Agricultural Mineral and Lime Account Ap-  
propriation ..... 140,875

General Fund—Nursery Inspection Account Appropriation..... 100,746

General Fund—Commission Merchants Account Appropriation..... 135,791

Grain and Hay Inspection Fund Appropriation..... 1,904,119

SPECIAL APPROPRIATIONS TO THE GOVERNOR

General Fund Appropriation

Governor's Emergency, to be allocated for the carrying on of the  
critically necessary work of any agency..... 3,500,000

Council of State Governments ..... 17,500

Surveys and installation, available for expenditure of allotment by  
the Governor ..... 275,000

For Salary adjustments to be allotted to the agencies to implement  
the salary survey findings adopted by the State Personnel Board  
in 1960 ..... 1,951,464

To be allocated by the Governor to the Department of Institutions in the event that appropriations otherwise available are insufficient to carry out the duties required by law of such department.....	\$ 2,000,000
To be allotted to the Governor for the Department of Public Assistance at the discretion of the Governor to support the aid to dependent children program to cover the needs of children who have been deprived of parental support or care by reason of the unemployment of a parent and contingent upon the receipt of anticipated federal matching funds for this purpose: <i>Provided</i> , That if this appropriation is allotted as provided above, the bar on payments to or on behalf of an employable parent or relative from the aid to dependent children program provided for elsewhere in this act shall be of no force and effect and any such person may be included in the aid to dependent children program if otherwise eligible and if such parent or relative does not refuse to accept available employment within his capacity: <i>Provided further</i> , That \$1,104,858 of this appropriation shall be available exclusively for administration including salaries, wages and operations.....	11,089,458

## DEPARTMENT OF EMPLOYMENT SECURITY

General Fund Appropriation ..... 13,491,265

**NEW SECTION.** Sec. 2. The word "agency" used herein shall mean and include every state government office, officer, each institution, whether educational, correctional, or other, and every department, division, board and commission, except as otherwise provided in this act.

**NEW SECTION.** Sec. 3. In order to carry out the provisions of these appropriations and the state budget, the budget director, with the approval of the governor, may:

(1) Allot all or any portion of the funds herein appropriated, or included in the state budget, to the various agencies by such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment: *Provided*, That the budget director shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following: Agencies headed by elective officials; University of Washington; Washington State University; Central Washington College of Education; Eastern Washington College of Education; Western Washington College of Education; Washington State Apple Advertising Commission; Washington State Fruit Commission; Washington Dairy Products Commission or any agricultural commodity commission created under the provisions of RCW 15.66; the legislative branch of state government including the legislative council, the legislative budget committee, the statute law committee, and any legislative interim committee; or the judicial branch of state government: *Provided, however*, That the aggregate of allotments for any agency shall not exceed the total of applicable appropriations and local funds available to the agency concerned. It shall be unlawful for any officer or employee to incur obligations in excess of approved allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959 shall prevent revision of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

**NEW SECTION.** Sec. 4. No part of the appropriations in this act may be used for increasing the salary of any position in the classified service unless each such position has been evaluated and classified according to the provisions of chapter 1, Laws of 1961.

**NEW SECTION.** Sec. 5. Except as otherwise provided in this act, any receipts from federal or other sources or from gifts or grants in excess of those estimated in the budget may be received and allotted by the governor but in the event that receipts shall be less than those estimated in the budget from any source the appropriation shall be limited to the amount actually received and allotments made as provided in section 3. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or the legislature shall be used to support regular programs instead of using appropriated funds. The governor's budget shall

identify allotments made pursuant to this section and shall indicate whether and to what extent the budgets for future bienniums will require any state funds for the continuation of the activities supported by such allotments.

**NEW SECTION.** Sec. 6. Agencies are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

**NEW SECTION.** Sec. 7. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the budget director may direct the repayment of such allocated amount to the general fund from any balance in the fund or funds which finance such agency. No appropriations shall be necessary to effect such repayment, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Hallauer, the Senate refused to concur in the House amendments to Senate Bill No. 1, and asked the House to recede therefrom.

The Secretary read:

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 33 with the following amendment:

In section 1, line 5, strike "fifty-five thousand five hundred" and insert "eighty-one thousand four hundred", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Hallauer, the Senate concurred in the House amendment to Senate Bill No. 33.

The Secretary called the roll on the final passage of Senate Bill No. 33, as amended by the House and the bill passed the Senate by the following vote: Yeas, 30; nays, 17; absent or not voting, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, DeGarmo, Donohue, Durkan, Foley, Foster, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Nunamaker, Papajani, Rasmussen, Sandison, Talley, Washington—30.

Those voting nay were: Senators Cowen, Dore, Elway, Jr., Freise, Gissberg, Happy, Keefe, Lennart, Morgan, Moriarty, Jr., Neill, Petrich, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—17.

Those absent or not voting were: Senators Connor, Riley—2.

Senate Bill No. 33, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 34 with the following amendments:

In section 1, lines 5 and 6, strike "eighty-eight thousand three hundred seventy" and insert "one hundred nineteen thousand three hundred seventy"

In section 1, lines 9 and 10, strike "thirty-eight thousand six hundred twenty" and insert "fifty-one thousand six hundred twenty"

In section 1, line 12, strike "forty-nine thousand seven hundred fifty" and insert "sixty-seven thousand seven hundred fifty", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Hallauer, the Senate concurred in the House amendments to Senate Bill No. 34.

The Secretary called the roll on the final passage of Senate Bill No. 34, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 10; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Durkan, Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Rasmussen, Riley, Sandison, Talley, Washington—39.

Those voting nay were: Senators Dore, Elway, Jr., Freise, Neill, Petrich, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—10.

Senate Bill No. 34, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House of Representatives,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

The House has passed: Senate Concurrent Resolution No. 3, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### SECOND READING OF BILLS

**Senate Bill No. 19**, by Senator Hallauer:

Modifying law relating to vital statistics.

On motion of Senator Hallauer, Senate Bill No. 19 was referred to the Committee on Ways and Means.

#### MOTION

On motion of Senator Greive, Senators Papajani and DeGarmo were excused.

**Senate Bill No. 20**, by Senators Rasmussen and Ryder:

Establishing a state investment council.

The bill was read the second time by sections.

Senator Ryder moved that the rules be suspended, Senate Bill No. 20 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

The motion carried.

#### POINT OF INQUIRY

Senator Washington:

"Will Senator Ryder yield to a question?"

Senator Ryder:

"I will."

Senator Washington:

"In the provision of the bills with the Teachers' Retirement Funds, what control does the executive secretary or the director who now handles much of this function have under this bill?"

Senator Ryder:

"Each of the boards would have a representative on the Investment Council Board, and through them there would be representation of the funds controlled by those boards. The boards would continue as they are now, but they would have no official capacity as the executor of the funds."

Senator Washington:

"If the Teachers' Retirement Board had a disagreement with the council over the investment of the funds whose decision would rule?"

Senator Ryder:

"The Investment Council would be responsible. If they had a disagreement and it couldn't be worked out, then the decision of the Investment Council would be final."

**POINT OF INQUIRY**

Senator McMillan:

"How many members of the Investment Council would be picked for this job?"

Senator Ryder:

"There would be two appointed by the Governor and they would represent the public where public and tax funds would be represented."

Senator Rasmussen:

"Replying further to Senator McMillan's question, the Investment Council will consist of the Governor, Lieutenant Governor, State Treasurer, each of whom shall serve by virtue of his office, one member of the Washington State Employees' Retirement Board, one member of the Washington State Teachers' Retirement Board of Trustees, and two public members to be appointed by the Governor and qualified in finance."

The Secretary called the roll on the final passage of Senate Bill No. 20, and the bill passed the Senate by the following vote: Yeas, 46, nays, 0; absent or not voting 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those absent or not voting were: Senators DeGarmo, Herrmann, Papajani—3.

Senate Bill No. 20, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 6**, by Senators Hallauer and Foley:

Providing a bond issue for school plant construction.

Senate Chamber,  
Olympia, Wash., March 15, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 6, providing a bond issue for school plant construction, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In new section 8, page 6, after line 9 and before subsection (4) on line 10, insert: "Provided, That in the event the percentage of state assistance to any school district based on the above table is less than twenty percent and such school district is otherwise eligible for state assistance under this act, the state board of education may establish for such district a percentage of state assistance not in excess of twenty percent of the approved cost of the project, if the state board finds that such additional assistance is necessary to provide minimum facilities for housing the pupils of the district."

On page 2, section 1, line 7, after "may provide." insert a new sentence as follows: "The state finance committee shall, in making its invitation or call for bids on the sale or issuance of such bonds, secure bids on the condition that the bonds may be

called prior to maturity and it shall also secure bids on the condition that they shall not be subject to prior call."

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, John H. Happy, Karl V. Herrmann, Andy Hess, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John A. Petrich, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

The bill was read the second time by sections.

Senator Hess moved that the first committee amendment be adopted.

#### POINT OF INQUIRY

Senator Gissberg:

"Will Senator Hess yield to a question?"

Senator Hess:

"I will."

Senator Gissberg:

"Senator Hess, it is my understanding that this bill would appropriate \$50,750,000 for school construction. Is that correct?"

Senator Hess:

"Yes, that is right."

Senator Gissberg:

"I wondered, in view of that fact, if this amendment were adopted if there would be a limit on state assistance that would be received by all school districts, is that correct?"

Senator Hess:

"Yes, that is correct."

Senator Gissberg:

"Was that considered at the time the total amount of the bill was being considered? Does this cover the total possibility?"

Senator Hess:

"At the time the original amount in the bill was taken into consideration, the total school districts involved and the amount are in keeping with this language."

#### POINT OF INQUIRY

Senator Freise:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Freise:

"Do you have the list of the school districts, that would be covered in this twenty percent?"

Senator Hallauer:

"Not at my desk. I do have it in my committee room."

Senator Freise:

"Do you know about how many school districts would benefit?"

Senator Hallauer:

"I do know that there are quite a number of school districts on the list, and would estimate probably thirty anyway."

The President stated the question before the Senate to be, it has been moved that the first committee amendment be adopted.

A division was requested.

Senator Hess demanded a roll call which was sustained by Senators Nunamaker, Bargreen, Greive, Sandison, Dore, Hofmeister, Connor and Riley.

The motion carried and the demand for a roll call was sustained.

The President stated the question before the Senate to be, it has been moved that the first committee amendment be adopted.

The Secretary called the roll, and the first committee amendment was adopted by the following vote: Yeas, 25; nays, 22; absent or not voting, 2.

Those voting yea were: Senators Angevine, Connor, Cooney, Cowen, Dore, Durkan, Freise, Gallagher, Greive, Hanna, Happy, Herrmann, Hess, Keefe, Kupka, Lennart, McCutcheon, Morgan, Moriarty, Jr., Nunamaker, Petrich, Rasmussen, Riley, Ryder, Shannon—25.

Those voting nay were: Senators Bailey, Bargreen, Chytil, Donohue, Elway, Jr., Foley, Foster, Gissberg, Hallauer, Henry, Hofmeister, Knoblauch, McCormack, McMillan, Martin, Neill, Raugust, Sandison, Talley, Thompson, Jr., Washington, Woodall—22.

Those absent or not voting were: Senators DeGarmo, Papajani—2.

On motion of Senator Foley, the second committee amendment was adopted.

Senator Foley moved that the following amendment be adopted:

On page 10, section 16, line 33, after "available." insert the following: "Notwithstanding the foregoing provisions of this section, the total amount of bonds authorized for issue under this act and/or the total proceeds from the sale thereof shall not be reduced by reason of any grants to any school district of federal moneys paid under Public Law No. 815 or any other federal act authorizing school building construction assistance to federally affected areas."

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Foley yield to a question?"

Senator Foley:

"I will."

Senator Riley:

"While I am not specifically acquainted with this, I think Public Law 815 was in the amendment. Is that the public law that provides that if there is a terrific influx of students by virtue of some federal project, the federal government will come in and assist?"

Senator Foley:

"That is what I am told."

#### POINT OF INQUIRY

Senator Thompson:

"Will Senator Foley yield to a question?"

Senator Foley:

"I will."

Senator Thompson:

"What is your intention now, under this amendment? Is it your intention that the money from the federal government under Public Law 815 be counted as local money?"

Senator Foley:

"This amendment was given to us by the State Board of Education."

Senator Thompson:

"Would this, then continue the present policy of the State Board's relation to this federal money?"

Senator Foley:

"Yes, this is in compliance with their present policy."

#### POINT OF INQUIRY

Senator McCutcheon:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator McCutcheon:

"Will there be a change from the past philosophy in the federally impacted areas?"

Senator Hallauer:

"In the federally impacted areas, the answer is 'no', but the amendment is to make sure that there is no change in policy on federally impacted areas. This amendment is for the benefit of the new ones to come."

#### POINT OF INQUIRY

Senator Morgan:

"Will Senator Foley yield to a question?"

Senator Foley:

"Yes, I will."

Senator Morgan:

"Is it correct, then, that areas such as the Bremerton Naval Base, would not suffer under your amendment?"

Senator Foley:

"It is my understanding that they would benefit. That is exactly what I was told by the Superintendent of Public Instruction Office."

Debate ensued.

The President state the question before the Senate to be, it has been moved that the amendment by Senator Foley be adopted.

The motion carried and the amendment was adopted.

The Senate returned to the fifth order of business to receive a message from the House.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

The House has refused to recede from its amendment to Engrossed Senate Bill No. 1 and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Greive, the request of the House for a conference on Engrossed Senate Bill No. 1 and the House amendments thereto, was granted.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 1 and the House amendments thereto, Senators Hallauer, Ryder and Foley.

**CONFIRMATION OF COMMITTEE APPOINTMENTS**

On motion of Senator Greive, the Conference Committee appointments on Engrossed Senate Bill No. 1 and the House amendments thereto, were confirmed.

The Secretary read:

**REPORTS OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash, March 18, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 33; also

Senate Bill No. 34, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash, March 18, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Engrossed Senate Bill No. 33; also

Engrossed Senate Bill No. 34; also Senate Concurrent Resolution No. 3, have compared same with the original and engrossed bills and resolution and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**SIGNED BY THE PRESIDENT**

**The President has signed: Senate Bill No. 33; also**

**Senate Bill No. 34; also**

**Senate Concurrent Resolution No. 3.**

**MOTION**

On motion of Senator Keefe, Senator Cowen was excused.

**POINT OF INQUIRY**

Senator Foley:

"Mr. President, do we still have Senate Bill No. 6 before the Senate?"

The President:

"Senate Bill No. 6 is still before the Senate. There are no further amendments."

On motion of Senator Foley, the rules were suspended, Senate Bill No. 6 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**PERSONAL PRIVILEGE**

Senator Talley:

"It seems to me that if we were all backward, we would not need these taxes for education!"

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6, and the bill passed the Senate by the following vote: Yeas, 39; nays, 4; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—39.

Those voting nay were: Senators Chytil, Foster, Moriarty, Jr., Woodall—4.

Those absent or not voting were: Senators Cowen, DeGarmo, Freise, Martin, Papajani, Raugust—6.

Engrossed Senate Bill No. 6, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the fifth order of business to receive a message from the House.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 33; also  
Senate Bill No. 34; also  
Senate Concurrent Resolution No. 3, and the same herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### PARLIAMENTARY INQUIRY

Senator Greive:

"Are there any committee reports on the desk?"

The President:

"There are none on the desk."

Senator Greive:

"May I inquire whether or not it is necessary to await appointment of a conference committee from the House?"

The President:

"The President has been advised by the Secretary that a message from the House is expected in about fifteen minutes granting powers of free conference on Senate Bill No. 1."

Senator Greive:

"May I respectfully request that we be at ease until such time as we receive a message from the House?"

#### PERSONAL PRIVILEGE

Senator Woodall:

"What's wrong with running another bill on the calendar?"

Senator Greive:

"I will withdraw my motion, but I can assure Senator Woodall that if the message comes back, we will adjourn right in the middle."

#### SECOND READING OF BILLS

**Senate Bill No. 12**, by Senator Hallauer, Foley and Woodall:

Regulating liquor revolving fund.

Senate Chamber,  
Olympia, Wash., March 15, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 12, regulating liquor revolving fund, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, page 1, line 26, after "authorization" strike "of the chairman"

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Victor F. DeGarmo, Dewey C. Donohue, Fred H. Dore, Michael J. Gallagher, William A. Gissberg, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr., Perry B. Woodall.

The bill was read the second time by sections.

On motion of Senator Durkan, the committee amendment was adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 12 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 12, and the bill passed the Senate by the following vote: Yeas, 37; Nays, 1; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Moriarty, Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Thompson, Jr., Washington, Woodall—37.

Those voting nay were: Senator Greive—1.

Those absent or not voting were: Senators Cowen, DeGarmo, Freise, Lennart, McCutcheon, Martin, Morgan, Papajani, Raugust, Shannon, Talley—11.

Engrossed Senate Bill No. 12, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President announced that the Senate would be at ease, subject to the call of the President, upon arrival of the Message from the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the Conference Committee on Engrossed Senate Bill No. 1, Representatives Goldmark, Edwards and Canfield.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 1, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 1, adopting the budget and making general appropriation, have had the same under consideration, and we report that we are unable to agree and request the powers of Free Conference.

#### *Senate Members*

WILBUR G. HALLAUER  
FRANK W. FOLEY  
JOHN N. RYDER

#### *House Members*

JOHN GOLDMARK  
A. E. EDWARDS  
DAMON R. CANFIELD

On motion of Senator Greive, the report of the Conference Committee on Engrossed Senate Bill No. 1 was adopted, and the committee was granted the powers of Free Conference.

#### MOTION

At 4:35 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 6:00 o'clock p. m. on Sunday, March 19, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TENTH DAY

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### EVENING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Sunday, March 19, 1961.

The Senate was called to order at 6:00 o'clock p. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Angevine, Bargreen, Cowen and Petrich.

On motion of Senator Greive, Senator Angevine was excused.

On motion of Senator Gissberg, Senator Cowen was excused.

On motion of Senator McCutcheon, Senator Petrich was excused.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Nancy Christiansen, presented the Colors.

Reverend Walter MacArthur, Pastor of the First Methodist Church of Olympia, offered prayer as follows:

"Let us pray:

"Each day brings us before Thee, Eternal God. Take then our frantic hands and feverish hearts and quiet them in this moment of prayer.

"In our headlong hurry in our affairs of state, we are prone to lose the sense of peace and calm. Do lay Thy hand upon us; halt our haste, heal our tired and beaten souls, help us in our trials, stay us in our temptations, gird us with an inner strength and confidence, and abide with us as we seek to do Thy will.

"In the name of the Father, and the Son, and the Holy Spirit. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred: Senate Bill No. 6; also

Senate Bill No. 12, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**Senate Bill No. 29:**

Senate Chamber,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Senate Bill No. 29, relating to firemen's pensions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Fred H. Dore, Louis E. Hofmeister, George W. Kupka, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM  
THE DEMOCRATIC CENTRAL COMMITTEE  
OF THE  
DISTRICT OF COLUMBIA  
WASHINGTON, D. C.  
MARCH 9, 1961**

*To the Honorable Members of the Washington State Senate  
Olympia, Washington.*

GENTLEMEN:

On behalf of the residents of the District of Columbia, I want to express our thanks to Senator Dore and Senator Gissberg, sponsors of the Senate Resolution, and the members of the State Legislature for their support in obtaining ratification, by the Washington Legislature, of the Constitutional Amendment granting to the citizens of the District of Columbia, the right to vote for President and Vice President.

With the assistance of your state we have been advanced that much closer to our goal of participation of District of Columbia residents in the Presidential election in 1964.

Again, our thanks for your great help.

Sincerely,  
(signed) W. JOHN KENNEY, *Chairman*.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the present time, at the request of the honorable and worthy Senator from Pierce County, John T. McCutcheon, the President would like to present the very illustrious Professor Harry Lange and his lovely wife, Mrs. Lange, and her brother, seated in the north gallery. Professor Lange is the principal of the Iva Alice Mann

Junior High School in the Clover Park district. Would this group please stand, along with Senator McCutcheon, and be recognized."

(Applause.)

"Also present, at the request of the noted, respected and worthy Senator from Pierce County, the Honorable Senator A. L. Rasmussen, the President would like to call attention to the presence in the south gallery of the beautiful and kind wife of Senator Rasmussen and his fine and handsome son who is a pre-law student at the University of Washington. Would Mrs. Rasmussen and Mr. Rasmussen please stand along with Senator Rasmussen."

(Applause.)

#### PERSONAL PRIVILEGE

Senator Greive:

"I would like to remind the members of the old saying, 'If you can't beat 'em, join 'em.'"

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 35**, by Senators Lennart, Happy and Gissberg:

An Act relating to revenue and taxation; and amending section 84.52.050, chapter 15, Laws of 1961 and RCW 84.52.050.

Referred to Committee on Ways and Means.

**Senate Bill No. 36**, by Senator Petrich:

An Act relating to civil actions and damages; authorizing exemplary damages in certain instances; and repealing chapter 97, Laws of 1961.

Referred to Judiciary Committee.

#### SECOND READING OF BILLS

**Senate Bill No. 19**, by Senator Hallauer:

Modifying law relating to vital statistics.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 19 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Rasmussen yield?"

Senator Rasmussen:

"I will."

Senator Woodall:

"Along the lines of Senator Gissberg's discussion, Senator Rasmussen, do you realize that this is turning a function over to the corps of lawyers? Is there any peril in this? In the last section, we are going to let the lawyers go into courts. Now the fate will be in the hands of attorneys. Is this wise? Isn't there great danger involved in this?"

Senator Rasmussen:

"No more than at the present time. It has always been a fact that lawyers delay the legal processes, and this has to do with delayed birth certificates. This is as it should be!"

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator McCutcheon:

"Do you know what the changes are in the fees? I didn't hear any actual figures."

Senator Rasmussen:

"Yes. The bill raises the fees from \$1.00 to \$2.00 on the state level, and from fifty cents to \$1.00 on the county level.

"At the present time we operate at a loss, and this will bring the price of the services into conformity."

The Secretary called the roll on the final passage of Senate Bill No. 19, and the bill passed the Senate by the following vote: Yeas, 40; nays, 0; absent or not voting, 9.

Those voting yea were: Senators Bailey, Chytil, Connor, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lenart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those absent or not voting were: Senators Angevine, Bargreen, Cooney, Cowen, Durkan, Hanna, Herrmann, Martin, Petrich—9.

Senate Bill No. 19, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**MOTION**

The Senate reverted to the first order of business for the purpose of considering Senate resolutions.

The Secretary read:

**SENATE RESOLUTION**

By Senator Papajani:

WHEREAS, Saturday evening, March 18, 1961, saw the completion of the class AA basketball tournament in Seattle; and

WHEREAS, The Ballard High Beavers defeated Olympia, Wapato, and Everett high schools, thereby securing the second place ranking in the tournament;

Now, Therefore, Be It Resolved, By the Senate, that the congratulations of the Senate for their fine performance in the class AA basketball tournament be extended to the Ballard Beavers basketball team and the coach thereof;

And Be It Further Resolved, That the Secretary of the Senate transcribe and send a copy of the Senate resolution to the principal of Ballard high school for presentation to the coach and the members of the Ballard high school basketball team.

On motion of Senator Papajani, the resolution was adopted.

**SENATE RESOLUTION**

By Senators Dore and Connor:

WHEREAS, Saturday evening, March 18, 1961, saw the completion of the class AA basketball tournament in Seattle; and

WHEREAS, The Garfield Bulldogs defeated the Ballard Beavers to become the state high school champions;

*Now, Therefore, Be It Resolved*, By the Senate that the congratulations of the Senate be extended to Garfield High School, their coach and student body on winning the class AA basketball tournament in Seattle, and becoming state basketball champions; and

*Be It Further Resolved*, That the Secretary of the Senate transcribe and send a copy of the Senate Resolution to the principal of Garfield High School for presentation to the coach and the members of the Garfield High School basketball team.

On motion of Senator Dore the resolution was adopted.

#### POINT OF INQUIRY

Senator Papajani:

"Will Senator Dore yield to a question?"

Senator Dore:

"I will."

Senator Papajani:

"Is it true that the Harlem Globe Trotters were substituted for the Garfield team?"

Senator Dore:

"I only know that it must have seemed that way to Ballard."

#### PERSONAL PRIVILEGE

Senator Knoblauch:

"I want to make a suggestion. Senator Dore, would you like to suspend the old Rule 40?"

Senator Dore:

"I was in a Highway Committee meeting when this rule was outmoded, so I wasn't even aware that it was now 'old'. Yes, I will suspend old Rule 40."

#### MOTION

At 6:40 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 12:00 o'clock noon, Monday, March 20, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## ELEVENTH DAY

### NOON SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, March 20, 1961.

The Senate was called to order at 12:00 o'clock noon by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senator Morgan.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Susan Harris, presented the Colors.

Reverend J. Edgar Pearson, Pastor of the United Churches—Federated of Olympia, offered prayer as follows:

"O God, our Father Who hast given us the weekend for rest and preparation, reveal to us this day Thy heart of infinite tenderness, that grants to all who seek The strength and patience.

"At the beginning of this week, when we should feel refreshed and eager to face the work of the day, many find themselves tired in nerves and body. Few can measure the strain under which these members are laboring; few can measure the cost in patience, understanding, words hastily exchanged, opinions heatedly expressed.

"So we pray this day that Thy spirit may bring them that peace of mind that comes from a knowledge of their real accomplishments. Strengthen their will to work as a team. Rule their hearts that they may rightly use the trust committed to them for the good of the people.

"May they tolerate nothing in their personal living which, if multiplied, would weaken our state. Knowing that criticisms will come, help them to take what is helpful and forgive that which is unkind and unjust.

"We ask in the Master's name. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"It is with great honor and pride that the President announces the presence of three very important, prominent, respected and esteemed members of the Washington State Youth Legislature, William Almon, Governor; Dave Gresham, Lieutenant Governor; and Dean Uyeno, Speaker of the House."

### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special committee of Senators Bargreen, Freise and McCormack to act as a committee of honor to escort the Washington State Youth Legislature members to the rostrum.

The President:

"Governor Almon, Lieutenant Governor Gresham, and Speaker Uyeno, I know that the members of the Senate and the ladies and gentlemen would like very much for you to address them. It is with great pleasure that the President presents Governor Almon."

Youth Legislature Governor William Almon:

"Good morning Senators and visitors:

"It is with great pleasure that the three of us visit with you this afternoon. I think the Lieutenant Governor will have more to say than I will because this will be his position, come April 28-29, when the Youth Legislature will be in attendance here.

"I would like to thank you very much for the use of your facilities. We will be using, as you know, these very chambers in April, and personally, I can't think of a better place to hold a mock Legislature than in the state Capitol."

The President:

"It is with some significance and pleasure that the President presents Lieutenant Governor, Dave Gresham."

Youth Legislature Lieutenant Governor Gresham:

"I wish to thank the entire Senate for allowing us to use their facilities and I thank the Senate for allowing us to be present today. We hope that what we will learn will help us to increase what we have to offer and add this to our limited capacity to serve in the Youth Legislature.

"Of course, we shall always try to keep in mind what the main question is, and that is to enlighten the future citizenry of the state of Washington to what is a basis of our way of life, and maybe, we can even go so far as to eliminate exceptions."

The President:

"Dean Uyeno, Speaker of the House, will you say a few words?"

Youth Legislature Speaker Uyeno:

"I just want to second what my fellow members have said, and I also want to say from some of the chuckles we got from the House, rather than follow their example, we will follow yours.

"Thank you."

The President:

"The lady and gentlemen of the Senate wish to congratulate you upon the positions which you will hold in the coming Washington State Youth Legislature. We are delighted that you are here to look over the Legislature and observe the fine points, and express the hope that you will overlook some of the shortcomings that you observe."

#### PRESIDENT'S PRIVILEGE

The President:

"At the request of the respected and worthy Senator, the Honorable Gordon Sandison, the President wishes to present a group of students from North Mason School District 409 in Mason County.

"These students are present with their teachers, Messrs. Beck, Connolly and Robbins. Will this group please stand, along with Senator Sandison, in order that you may be properly recognized and welcomed to Olympia.

"A very attractive and handsome group, Senator Sandison."

(Applause.)

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 37**, by Senators McCormack, Hanna and Woodall:

An Act relating to unfair trade practices; and adding a new section to chapter 221, Laws of 1939 and to chapter 19.90 RCW.

On motion of Senator McCormack, the rules were suspended, and the following Senators were added as sponsors to Senate Bill No. 37: Senators Freise, Elway, Jr., Donohue, Keefe, Hallauer, Herrmann, Henry, Foster, Cooney and Happy.

On motion of Senator McCormack, Senate Bill No. 37 was referred to the Committee on Commerce, Manufacturing and Licenses.

**MOTION**

At 12:15 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

**AFTERNOON SESSION**

At 2:00 o'clock p. m., the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Washington, who had been excused, on motion of Senator Henry.

**MOTION**

On motion of Senator Happy, the name of Senator Happy was removed as sponsor of Senate Bill No. 37.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

**Senate Bill No. 8:**

Senate Chamber,  
Olympia, Wash., March 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 8, establishing a department of revenue and a board of tax appeals and abolishing the tax commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Joe Chytil, Dewey C. Donohue, William A. Gissberg, John H. Happy, Karl V. Herrmann, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Frances Haddon Morgan, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John N. Ryder, Gordon Sandison, Albert C. Thompson, Jr.

Senate Chamber,  
Olympia, Wash., March 20, 1961.

MR. PRESIDENT:

We, a minority of your Committee on Ways and Means, to whom was referred Senate Bill No. 8, establishing a department of revenue and a board of tax appeals and abolishing the tax commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

....., *Chairman*,  
Committee on Appropriations.

....., *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Howard Bargreen, Frank Connor, Fred J. Martin.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 14** (reported by Committee on Education):

Do pass as amended.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Dewey C. Donohue, H. B. Hanna, Al Henry, Reuben A. Knoblauch, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr.

**Senate Bill No. 14** (reported by Committee on Ways and Means):

Do pass as amended and that the amendment by the Committee on Education be not adopted.

....., *Chairman.*  
....., *Chairman,*  
*Committee on Appropriations.*  
....., *Chairman,*  
*Committee on Taxation and Revenue.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, Victor F. DeGarmo, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 32:**

Senate Chamber,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, Manufacturing and Licenses, to whom was referred Senate Bill No. 32, modifying unfair practices act, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. *GEORGE W. KUPKA, Chairman.*

We concur in this report: Wayne G. Angevine, Frank Connor, John L. Cooney, Fred H. Dore, Michael J. Gallagher, R. R. (Bob) Greive, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, John Papajani, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Gubernatorial Appointment:**

Senate Chamber,  
Olympia, Wash., January 31, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred the Governor's appointment of Alfred E. Hankins, Olympia, to the State Tax Commission, appointed November 19, 1959, effective November 19, 1959, for the term ending January 31, 1963, succeeding Charles W. Hodde, resigned, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

*WILBUR G. HALLAUER, Chairman.*  
*FRANK W. FOLEY, Chairman,*  
*Committee on Appropriations.*  
*MARTIN J. DURKAN, Chairman,*  
*Committee on Taxation and Revenue.*

We concur in this report: Howard Bargreen, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, John H. Happy, Karl V. Herrmann, George W. Kupka, Mike McCormack, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, John Papajani, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr.

Referred to Committee on Rules and Joint Rules.

The President announced the Senate would be at ease for a few moments for the purpose of holding a meeting of the Committee on Rules and Joint Rules.

At 2:35 o'clock p. m., the President called the Senate to order.

The President announced that the Senate would be at ease for about two hours, subject to the Call of the President.

At 4:30 o'clock p. m., the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Herrmann.

**MOTION**

There being no objection, on motion of Senator Elway, his name was removed as sponsor from Senate Bill No. 37.

The Secretary read:

**REPORT OF STANDING COMMITTEE**

**Gubernatorial Appointment:**

Senate Chamber,  
Olympia, Wash., March 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred the Governor's appointment of Clark Squire, of Seattle, to the State Tax Commission, appointed February 1, 1961, effective February 1, 1961, for the term ending January 31, 1967, succeeding himself, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

WILBUR G. HALLAUER, *Chairman.*

....., *Chairman,*  
Committee on Appropriations.

....., *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Referred to Committee on Rules and Joint Rules.

**MOTION**

On motion of Senator Greive, the rules were suspended, and the confirmation of Clark Squire was ordered to be considered immediately prior to the second reading calendar.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, March 20, 1961.

*To the Honorable, The Senate of the State of Washington*

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills entitled:

**Senate Bill No. 33:**

An Act relating to Legislators' subsistence; making an appropriation; and declaring an emergency.

**Senate Bill No. 34:**

AN ACT relating to the expenses of the legislature; making appropriations therefor; and declaring an emergency.

Very truly yours,

WARREN A. BISHOP,

*Assistant to the Governor.*

**MESSAGE FROM THE HOUSE**  
**HOUSE AMENDMENTS TO SENATE RESOLUTION**

House of Representatives,  
Olympia, Wash., March 20, 1961.

MR. PRESIDENT:

The House has passed: Substitute Senate Joint Resolution No. 1 with the following amendments:

On page 1, line 10, after "*any school district*" insert ", *city, or town*"

On page 1, line 12, after "*School district*" and before "*tax levy*" insert ", *city, or town*"

On page 1, line 20, after "*in such district*" and before the period insert ", *city, or town*"

On page 1, line 22, after "*the school district*" and before "*shall determine*" insert ", *city, or town*"

On page 1, line 24, after "*of the district,*" and before "*and/or*" insert "*city, or town, as the case may be,*"

On page 2, line 3, after "*a school district*" and before "*at any election*" insert ", *city, or town*"

On page 2, line 6, after "*No district*" and before "*shall submit*" insert ", *city, or town*"

On page 2, line 10, after "*A district*" and before "*may however*" insert ", *city, or town*"

On page 2, line 14, after "*of the district*" insert ", *city, or town*", and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

Senator Talley moved that the Senate concur in the House amendments to Substitute Senate Joint Resolution No. 1.

Senators Greive, Nunamaker and Connor demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber, and guarded the elevators.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Herrmann.

**PARLIAMENTARY INQUIRY**

Senator Thompson:

"Is this motion debatable?"

**RULING OF THE PRESIDENT**

The President:

"Yes, it is."

On request of Senator Happy, the Sergeant-at-Arms was ordered to escort the Republican members to the Republican caucus room for the purpose of a caucus, and the Assistant Sergeant-at-Arms was ordered to escort the Democratic members to the Democratic caucus room.

The President declared the Senate to be at ease subject to the Call of the Chair.

At 5:15 o'clock p. m., the Senate was called to order by President Cherberg.

The President stated the question before the Senate to be, it has been moved that the Senate concur in the House amendments to Substitute Senate Joint Resolution No. 1.

Extensive debate ensued.

Senators Durkan, Gallagher and Angevine demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried and the demand for the previous question was sustained.

Senator Greive demanded a roll call which was sustained by Senators Hofmeister, Martin, Connor, Herrmann, Angevine, Papajani, Talley, Sandison and Dore.

The President stated the question before the Senate to be, it has been moved that the Senate concur in the House amendments to Substitute Senate Joint Resolution No. 1.

The Secretary called the roll, and the Senate voted not to concur in the House amendments to Substitute Senate Joint Resolution No. 1 by the following vote: Yeas, 15; nays, 34; absent or not voting, 0.

Those voting yea were: Senators Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Elway, Jr., Hess, Martin, Petrich, Riley, Sandison, Talley, Washington—15.

Those voting nay were: Senators Angevine, Bargreen, Donohue, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—34.

Having failed to receive the majority vote of the Senate, the motion to concur was lost, and the Senate has refused to concur in the House amendments to Substitute Senate Joint Resolution No. 1, and asks the House to recede therefrom.

#### MOTION

On motion of Senator Angevine, the message was ordered immediately transmitted to the House.

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 38**, by Senators Foster, Nunamaker and Donohue:

An Act providing for the assumption of criminal and civil jurisdiction over Indians and their territory, reservations and lands as authorized by federal law; amending section 1, chapter 240, Laws of 1957 and RCW 37.12-.010; adding new sections to chapter 240, Laws of 1957 and to chapter 37.12 RCW; and repealing sections 2, 3, 4 and 7, chapter 240, Laws of 1957 and RCW 37.12.020, 37.12.030, 37.12.040 and 37.12.070; and declaring an emergency.

Referred to Judiciary Committee.

#### SECOND READING OF BILLS

**Senate Bill No. 14**, by Senators Nunamaker, Gissberg and Elway, Jr.:

Relating to the Washington state teachers' retirement system and adding three new sections to chapter 80, Laws of 1947, and to chapter 41.32 RCW.

Senate Chamber,  
Olympia, Wash., March 16, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 14, relating to teachers' retirement benefits, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

On pages 2 and 3, strike all of new sections 4 and 5 and renumber the remaining sections consecutively.

ANDY HESS, *Chairman*.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil,

Dewey C. Donohue, H. B. Hanna, Al Henry, Reuben A. Knoblauch, David E. McMillan, Charles P. Moriarty, Jr., John Papajani, W. C. Raugust, Albert C. Thompson, Jr.

Senate Chamber,  
Olympia, Wash., March 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 14, relating to teachers' retirement system, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the amendments recommended by the Committee on Education be not adopted, and the bill do pass with the Committee on Ways and Means amendments:

In new section 3, page 1, line 22, strike "one dollar and sixty-six" and insert "eighty-three"

In new section 5, page 3, line 2, after "sum of" strike the rest of the section and insert "one million eight hundred forty-seven thousand dollars for the 1961-63 biennium"

....., *Chairman.*

....., *Chairman,*

*Committee on Appropriations.*

....., *Chairman,*

*Committee on Taxation and Revenue.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, Victor F. DeGarmo, Michael J. Gallagher, William A. Gissberg, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Homer O. Nunamaker, John Papajani, A. L. Rasmussen, Albert C. Thompson, Jr.

On motion of Senator Hallauer, the Senate resolved itself into a Committee of the Whole, Senator Henry in the Chair, for the purpose of considering Senate Bill No. 14.

#### COMMITTEE OF THE WHOLE

Senate Bill No. 14 was considered in the Committee of the Whole and reported back to the Senate, President Cherberg presiding, with the recommendation that it do pass as amended.

On motion of Senator Greive, the report of the committee was adopted.

On motion of Senator Greive, the reading had in the Committee of the Whole was considered the second reading of Senate Bill No. 14.

On motion of Senator Hess, the committee amendment by the Committee on Education, considered in the Committee of the Whole, was not adopted by the Senate.

On motion of Senator Hallauer, the committee amendments by the Committee on Ways and Means, adopted in the Committee of the Whole, was adopted by the Senate.

On motion of Senator Hallauer, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "system", insert " ; making an appropriation;"

On motion of Senator Hess, the rules were suspended, Engrossed Senate Bill No. 14 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 14, and the bill passed the Senate by the following vote: Yeas, 43; nays, 6; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess,

Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senators Donohue, Hallauer, Moriarty, Jr., Neill, Raugust, Riley—6.

Engrossed Senate Bill No. 14, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Greive, the Senate reverted to the second order of business for the purpose of receiving a standing committee report.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

**Senate Bill No. 37** (reported by Committee on Natural Resources):  
Do pass as amended.

MIKE McCORMACK, *Chairman.*

We concur in this report: Robert C. Bailey, Dewey C. Donohue, F. Stuart Foster, Michael J. Gallagher, Al Henry, Frances Haddon Morgan, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

#### MOTIONS

On motion of Senator Riley, the Senate dispensed with the Call of the Senate.

At 6:03 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 12:00 o'clock noon on Tuesday, March 21, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWELFTH DAY

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### NOON SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, March 21, 1961.

The Senate was called to order at 12:00 o'clock noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore and Gissberg.

On motion of Senator Petrich, Senator Dore was excused.

On motion of Senator Keefe, Senator Gissberg was excused.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Vicki Peterson, presented the Colors.

Reverend Judson L. Crary, Pastor of the Lutheran Church of the Good Shepherd of Olympia, offered prayer as follows:

"Heavenly Father, we thank Thee for the goodness of this day and for our faculties wherein we may partake of the beauties of Thy creation. Help us to walk

in the paths which Thou hast so graciously laid for us. Let the inspiration of Thy Holy Spirit encourage and guide the members of this Senate that they may labor faithfully for the welfare of our state and people and for the advancement of Thy Kingdom upon earth.

"Let those who are away from loved ones because of service here find peace of heart and mind in the knowledge that these may in confidence be entrusted into Thy merciful care. Give such government, O Lord, that our state and people may do justly, love kindness, and walk humbly with Thee, Our God; through Jesus Christ, Our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PERSONAL PRIVILEGE

The President:

"Members of the Senate:

"It is with great pride and joy that the President announces the presence in the north gallery of the distinguished and eminent Mr. Vincent O'Keefe and Mrs. O'Keefe, and their two lovely daughters.

"Mr. O'Keefe has been a sports writer of many years standing. I first met Mr. O'Keefe at Garfield High School many years ago. He has always been interested in the young people in the state and has done a great deal to further the best interests of the youth of our state.

"It is with great pride that the President presents Mr. and Mrs. O'Keefe and their lovely daughters."

(Applause.)

The President:

"Also present in the south gallery are two prominent University of Washington students who are interested in the legislative processes, and see first hand the actual proceedings. May I present Miss Mary Galbraith and Miss Barbara Jean Cherberg."

(Applause.)

#### MOTION

On motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

#### AFTERNOON SESSION

At 2:00 o'clock p. m., the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Elway, Jr., Gissberg, Hanna, Martin and Petrich.

On motion of Senator Happy, Senator Elway was excused.

On motion of Senator Sandison, Senators Gissberg and Dore were excused.

The Secretary read:

#### MESSAGE FROM THE HOUSE

MR. PRESIDENT:

House of Representatives,  
Olympia, Wash., March 21, 1961.

The House has refused to recede from its amendments to Substitute Senate Joint Resolution No. 1 and asks the Senate for a conference thereon.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Ryder, the request of the House for a conference on Substitute Senate Joint Resolution No. 1 and the House amendments thereto, was granted.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Substitute Senate Joint Resolution No. 1 and the House amendments thereto, Senators Papajani, Happy and Hess.

**CONFIRMATION OF COMMITTEE APPOINTMENTS**

On motion of Senator Angevine, the Conference Committee appointments on Substitute Senate Joint Resolution No. 1 and the House amendments thereto, were confirmed.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 20, 1961.

MR. PRESIDENT:

The House has passed: House Bill No. 22; also  
Engrossed House Bill No. 24, and the same are herewith transmitted.  
S. R. HOLCOMB, Chief Clerk.

**POINT OF INQUIRY**

Senator McCutcheon:

"Is House Bill No. 24. now before the Senate?"

The President:

"Not at this time, Senator McCutcheon. It will be under the sixth order of business."

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title, and acted upon as indicated:

**Senate Bill No. 39**, by Senator DeGarmo:

An Act relating to parks and recreation; amending section 2, chapter 149, Laws of 1921 as last amended by section 1, chapter 317, Laws of 1959, and RCW 43.51.040; and amending section 10, chapter 7, Laws of 1921 as last amended by section 1, chapter 271, Laws of 1947, and RCW 43.51.020.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Senate Bill No. 40**, by Senators Kupka, Durkan and Cooney:

An Act relating to safe deposit boxes; and repealing chapter 274, Laws of 1957 and RCW 22.28.100 through 22.28.150.

Referred to Committee on Ways and Means.

On motion of Senator Kupka, the rules were suspended and the name of Senator Sandison was added as a sponsor to Senate Bill No. 40.

**Senate Joint Memorial No. 1**, by Senators Dore and Freise (by Executive request):

Encouraging the establishment of hotel and related facilities in Mt. Rainier National Park.

Referred to Committee on Capitol Grounds, Public Buildings and Parks.

**Senate Joint Resolution No. 4**, by Senators Riley and Papajani:

Commending the House un-American Activities Committee.

Referred to Judiciary Committee.

Senator Riley moved that the rules be suspended, Senate Joint Resolution No. 4 be advanced to second reading, and read the second time in full.

Senator Greive moved that the motion presented by Senator Riley be laid on the table.

The motion carried, and the motion presented by Senator Riley was laid on the table.

Senate Joint Resolution No. 4 was referred to the Judiciary Committee.

**House Bill No. 22**, by Representative Wedekind:

An Act relating to port districts; regulating the lease of property and providing for performance bonds or security; and amending section 9, chapter 65, Laws of 1955, as last amended by section 1, chapter 157, Laws of 1959, and RCW 53.08.080.

Referred to Committee on Cities, Towns and Counties.

**Engrossed House Bill No. 24**, by Representatives Andersen, King and Marsh:

An Act relating to civil actions and damages; creating a committee, making an appropriation; repealing chapter 97, Laws of 1961; and declaring an emergency.

Senator McCutcheon moved that the rules be suspended, Engrossed House Bill No. 24 be advanced to second reading, and read the second time in full.

A division was requested and the motion was lost on a rising vote.

Senator Riley moved that Engrossed House Bill No. 24 be referred to the Judiciary Committee with instructions to report back on the bill within twenty-four hours.

#### POINT OF INQUIRY

Senator Ryder:

"With a suspension of the rules, can a motion be made now to refer this bill to another committee?"

Senator Greive:

"Rule 21 says the two motions would be of the same rank and the motion put first would take precedence."

#### RULING OF THE PRESIDENT

The President:

"That is correct, Senator Greive."

Debate ensued.

#### POINT OF ORDER

Senator Foster:

"I believe that the motion before the Senate is the matter of the referral of this bill to the Judiciary Committee, and I don't believe that the merits of the bill are now before the Senate."

#### RULING OF THE PRESIDENT

The President:

"Senator Foster, a motion to refer a bill to a committee with instructions opens the discussion up for complete debate, and Senator Kupka is in order."

Senators Greive, Hofmeister and Hess demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried and the demand for the previous question was sustained.

Senator McCutcheon demanded a roll call, which was sustained by Senators Talley, Connor, Rasmussen, DeGarmo, Moriarty, Chytil, Foster and Cowen.

The President stated the question before the Senate to be, it has been moved that Engrossed House Bill No. 24 be referred to the Judiciary Committee with instructions that the committee report the bill back within twenty-four hours.

The Secretary called the roll on the referral of Engrossed House Bill No. 24 to the Judiciary Committee with instructions, and the motion failed to pass the Senate by the following vote: Yeas, 15; nays, 29; absent or not voting, 5.

Those voting yea were: Senators Foster, Freise, Gallagher, Greive, Hallauer, Hanna, Herrmann, Hess, Knoblauch, Martin, Morgan, Nunamaker, Petrich, Riley, Washington—15.

Those voting nay were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Foley, Happy, Hofmeister, Keefe, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Papajani, Rasmussen, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—29.

Those absent or not voting were: Senators Dore, Durkan, Elway, Jr., Gissberg, Henry—5.

On motion of Senator Ryder, Engrossed House Bill No. 24 was referred to the Committee on Rules and Joint Rules.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred the Governor's appointment of Clark Squire, of Seattle, to the State Tax Commission, appointed February 1, 1961, effective February 1, 1961, for the term ending January 31, 1967, succeeding himself, term expired, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

WILBUR G. HALLAUER, *Chairman*,  
....., *Chairman*,  
Committee on Appropriations.  
....., *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Robert C. Bailey, Howard Bargreen, Joe Chytil, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, Michael J. Gallagher, R. R. (Bob) Greive, John H. Happy, Karl V. Herrmann, Andy Hess, George W. Kupka, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, John Papajani, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

**CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**  
**APPOINTMENT OF CLARK SQUIRE**

Senator Greive moved that the report of the committee be adopted and that the appointment of Clark Squire to the State Tax Commission be confirmed.

**POINT OF INQUIRY**

Senator Woodall:

"Was there a previous committee report on this matter?"

The President:

"The Committee on Ways and Means reported, and the report was referred to the Committee on Rules and Joint Rules, which committee has now referred it back."

Senator Woodall:

"What was their report?"

The President:

"It recommended that the appointment be confirmed."

The Secretary called the roll and the appointment of Clark Squire to the State Tax Commission was confirmed by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Foley, Foster, Freise, Gallagher, Greive, Hanna, Happy, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Dore, Durkan, Elway, Jr., Gissberg, Hallauer, Henry, Herrmann, Martin, Morgan, Papajani, Ryder—11.

Having received the approval of the Senate, the appointment of Clark Squire to the State Tax Commission was confirmed.

Senate Chamber,  
Olympia, Wash., March 20, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred the the Governor's appointment of Alfred E. Hankins, Olympia, to the State Tax Commission, appointed November 19, 1959, effective November 19, 1959, for the term ending January 31, 1963, succeeding Charles W. Hodde, resigned, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that said appointment be confirmed.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Howard Bargreen, Frank Connor, John L. Cooney, David C. Cowen, Dewey C. Donohue, John H. Happy, Karl V. Herrmann, George W. Kupka, Mike McCormack, David E. McMillan, Charles P. Moriarty, Jr., Marshall A. Neill, John Papajani, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Albert C. Thompson, Jr.

#### APPOINTMENT OF ALFRED E. HANKINS

Senator Greive moved that the report of the committee be adopted and that the appointment of Alfred E. Hankins to the State Tax Commission be confirmed.

The Secretary called the roll and the appointment of Alfred E. Hankins to the State Tax Commission was confirmed by the following vote: Yeas, 38; nays, 0; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Foley, Foster, Freise, Gallagher, Greive, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those absent or not voting were: Senators Connor, Dore, Durkan, Elway, Jr., Gissberg, Hallauer, Happy, Herrmann, Lennart, Riley, Ryder—11.

Having received the approval of the Senate, the appointment of Alfred E. Hankins to the State Tax Commission was confirmed.

**MOTION**

At 2:45 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 12:00 o'clock noon on Wednesday, March 22, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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**THIRTEENTH DAY**


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**NOON SESSION**

SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, March 22, 1961.

The Senate was called to order at 12:00 o'clock noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Cooney, Morgan, Petrich and Woodall. On motion of Senator Happy, Senator Woodall was excused.

On motion of Senator Greive, Senator Petrich was excused.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Susan Harris, presented the Colors.

Reverend Judson L. Crary, Pastor of the Lutheran Church of the Good Shepherd of Olympia, offered prayer as follows:

"Let us pray:

"Heavenly Father, Thou who hast set Thy glory above the heavens, open our spiritual eyes that we may behold Thy countenance. Give us grace to go forward where duty leads, making a record upon which our people will look with approval. Let there be that in our hearts which will echo back to these hours with justification and peace of a good conscience void of offense.

"In humility, may we come in accord with those with whom we serve, for through humility Thou wouldst pour the strength and splendor that makes for a brotherly relationship. Bless the labors of body, mind and spirit in this Senate today, through Jesus Christ our Lord. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the respected and noted Senator from Pierce County, the Honorable 'Slim' Rasmussen, our attention has been called to the presence of several very prominent citizens from Tacoma, the very illustrious parents of the Assistant Secretary of the Senate, Don Wilson, Mr. and Mrs. Carl Wilson. With Mr. and Mrs. Carl Wilson is the lovely and gracious wife of Don Wilson. Would Mrs. Don Wilson and Mr. and Mrs. Carl Wilson please stand in order that the members may properly recognize and welcome you to Olympia."

(Applause.)

The Secretary read:

## SENATE RESOLUTION

By Senator Riley:

WHEREAS, Pacific Telephone Northwest provided for the members and staff of the Legislature a telephone directory containing a list of the members, their resident addresses and phone numbers, a list of committees to which the members belong and other valuable and useful information; and

WHEREAS, This complimentary service is extremely advantageous to the legislative process and to all persons concerned herewith in that the directory provides an expeditious method of locating members of the Legislature; and

WHEREAS, The members of the Senate of the State of Washington are grateful to Pacific Telephone Northwest for this valuable contribution to state government and wish to express their appreciation to Pacific Telephone Northwest for this service;

Now, Therefore, Be It Resolved, by the Senate of the State of Washington that it does hereby extend to Pacific Telephone Northwest its sincere appreciation for having distributed the complimentary telephone directory of the thirty-seventh Legislature for the regular 1961 session and for the similar service provided in other sessions;

Be It Further Resolved, That the Secretary of the Senate be and he is hereby instructed to transmit certified copies of this resolution to the President, and General Manager of Pacific Telephone Northwest.

On motion of Senator Riley, the resolution was adopted.

## SENATE RESOLUTION

By Senators Nunamaker and Gissberg:

WHEREAS, For many years the United States and Canada have had a common border line at Blaine, Washington, being a port of entry from the United States to Canada and a port of entry from Canada to the United States and no border obstruction or barrier of any kind has ever existed; and

WHEREAS, A Peace Arch has been erected on the border line evidencing the mutual good will of these nations and bearing several inscriptions indicating the friendliness existing between the people of these two great countries: The inscription on the American side being "Children of a common mother"; and

WHEREAS, A new freeway known as the Blaine freeway is being built and is a part of primary state highway No. 1 which will link the United States highway system with that of Canada; and

WHEREAS, Such freeway will be partially financed by the Federal government and will be a part of the Federal interstate highway system and subject to restrictions, requirements and regulations pertaining to fences, access roads and other matters as are prescribed by the Federal interstate highway system; and

WHEREAS, The Blaine freeway will be fenced as required and said fence would lead to the Peace Arch which may cause our Canadian neighbors to feel that we are setting up a barrier or obstruction tending to destroy the feeling of friendliness and security that has existed over these many years, and

WHEREAS, By authorizing the state highway commission to terminate the freeway fence at the Blaine City Park without incurring loss of Federal money for the Blaine Project would solve this problem and would enable the United States to continue the friendly relations between the United States and Canada;

Now, Therefore, Be It Resolved, By the Senate of the state of Washington that we do hereby respectfully urge the United States Bureau of Public Roads to allow the state highway commission to terminate the Blaine Freeway fence at the Blaine City Park without incurring any loss of Federal moneys for the Blaine Project; and

Be It Further Resolved, That copies of this resolution be transmitted by the Secretary of the Senate to the Bureau of Public Roads and to each Senator and Representative in Congress from the state of Washington.

On motion of Senator Gissberg, the resolution was adopted.

## PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the honorable Senator from Kelso, Don L. Talley, the President should like to introduce a group of junior and senior high school students from

Toutle Lake, Washington. Would this group please stand in order that the members of the Senate may properly recognize and welcome you to the Senate Chamber. Thank you very much for being in attendance today."

(Applause.)

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

**House Bill No. 9,** (reported by Committee on Ways and Means):  
Do pass as amended.

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Howard Bargreen, Joe Chytil, David C. Cowen, Dewey C. Donohue, Michael J. Gallagher, John H. Happy, Andy Hess, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, A. L. Rasmussen, John N. Ryder, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**House Bill No. 22:**

Senate Chamber,  
Olympia, Wash., March 21, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred House Bill No. 22, relating to security by lessee in lease of port district property, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman.*

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Joe Chytil, Frank Connor, Dewey C. Donohue, Frank W. Foley, Michael J. Gallagher, Andy Hess, George W. Kupka, Mike McCormack, A. L. Rasmussen, W. C. Raugust, William D. Shannon.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 22, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the Conference Committee on Substitute Senate Joint Resolution No. 1, Representatives Holmes, Brouillet and Morrissey.

S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 41,** by Senator Bargreen:

An Act relating to motor vehicles and the licensing thereof, and amending section 46.16.080, chapter 12, Laws of 1961 and RCW 46.16.080.

Referred to Committee on Highways.

**Senate Bill No. 42,** by Senators Elway, Jr., Talley and Sandison:

An Act relating to public utility districts; and adding a new section to chapter 54.24 RCW; and declaring an emergency.

Referred to Committee on Public Utilities.

**Senate Bill No. 43**, by Senators Knoblauch and Talley (by Executive request):

An Act relating to municipal corporations of the fourth class commonly known as towns, validating certain incorporations thereof and annexations of territory thereto; repealing section 5, chapter 277, Laws of 1961; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

**Senate Bill No. 44**, by Senator Hallauer:

An Act relating to state government; creating the charitable, educational, penal reformatory institutions account in the general fund; amending section 3, chapter 170, Laws of 1961 (uncodified), making an appropriation, and declaring an emergency.

Referred to Committee on Public Institutions.

**Senate Bill No. 45**, by Senators Papajani and Bargreen:

An Act relating to revenue and taxation; and adding two new sections to chapter 82.24 RCW.

Referred to Committee on Ways and Means.

On motion of Senator Greive, the rules were suspended and the name of Senator DeGarmo was added as a co-sponsor of Senate Bill No. 45.

**Senate Bill No. 46**, by Senators Hallauer, Ryder, Durkan and Moriarty, Jr.:

An Act relating to revenue and taxation; amending section 84.52.050, chapter 15, Laws of 1961 and RCW 84.52.050; and adding two new sections to chapter 15, Laws of 1961 and to chapter 84.40 RCW.

Referred to Committee on Ways and Means.

**Senate Joint Resolution No. 5**, by Senators Hallauer, Ryder, Durkan and Moriarty, Jr.:

Amending the Constitution to permit levy of 50 mills on thirty percent of true and fair market value and authorizing legislature to establish criteria.

Referred to Committee on Ways and Means.

#### PERSONAL PRIVILEGE

Senator Riley:

"Mr. President, members of the Senate:

"Yesterday a resolution was introduced by Senator Papajani and myself. The title was something to the effect of commending the House un-American Activities Committee.

"On a motion I made to have the resolution, after a suspension of the rules, advanced to second reading and read in full, a motion was made by Senator Greive to table my motion. Strangely enough, Mr. President and members, that motion prevailed. I was deeply hurt to think that there were forty-eight Senators present who did by their vote, or lack of vote, permit a resolution to be tabled that was not even heard.

"The final result was that the measure was referred to the Judiciary Committee. I intended to speak to Senator Petrich about his attitude, and whether there would be a committee meeting, or what action he would take. Unfortunately, Senator Petrich is not here today. I felt, therefore, Mr. President, that I should express the deep cut that I personally felt that, today in the Senate, elective officials could be termed so disinterested, and that's about as charitable as I can make it, as to not want to hear a resolution commending a congressionally constituted committee. The resolution that Senator Papajani and I wanted to offer was to commend our Congressional Committee on un-American Activities for their work.

"Just three or four days ago I noticed a comment in the press that the Wisconsin Legislature had passed a similar resolution.

"Now, Mr. President and members of the Senate, I want to say to you with all

the sincerity that I can muster, that I truly believe that the Communists and Communist sympathizers want to abolish the Committee on un-American Activities, and may I again say to you that this committee was constituted by your Congress.

"I believe that we live in a country partially occupied by the enemy. The House Committee on un-American Activities is necessary if America is not to share in the fate of countries like Uruguay, Czechoslovakia or Cuba. I recall quotations from a certain Mr. Dimitri dated back to 1930 in which he practically said verbatim that a university professor, without being a member of the party, lent himself to the interest of the Soviet Union and as he lends himself to the Soviet Union, he is worth more to the Soviet Union and its cause than are one hundred men carrying Communist Party cards."

"Last evening, those of you who read the Seattle Times, saw on the front page an article which says, 'Russia can't rest until the world is red.' And here is the quotation printed in the Seattle Times:

"We are happy when we build Communism, but that is not enough, Khrushchev said, but we shall be happy when the people of all countries stand under the pillar of Marxism, and Leninism, and the Communist flag shall fly over the entire world."

"Mr. President, members, again I repeat, I just cannot understand, and I am hurt to think that there would be members of the Senate who would not permit the resolution to be read which would then give them an opportunity to vote for or against."

#### PERSONAL PRIVILEGE

Senator DeGarmo:

"I wish to inform all members of the Senate and the President that I have been working for three days and we have two large barrels of those little steam clams for lunch today, and they will be ready at 1:00 o'clock. There will be gallons of fine nectar, also."

#### MOTION

At 12.45 p. m. o'clock, on motion of Senator Greive, the Senate recessed until 2:30 o'clock p. m.

#### AFTERNOON SESSION

At 2:30 o'clock p. m., the Senate was called to order by President Cherberg. Senator Greive demanded a Call of the Senate, which was sustained by Senators Hofmeister, Connor, Petrich, McMillan, Henry, Talley, DeGarmo and Martin.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

The President announced that the Senate would be at ease for approximately twenty minutes.

At 3:00 o'clock p. m., the Senate was called to order by President Cherberg.

The President announced that the Senate would be at ease for the purpose of a meeting by the Committee on Rules and Joint Rules.

At 4:00 o'clock p. m., the President called the Senate to order.

#### SECOND READING OF BILLS

**House Bill No. 9**, by Representatives Goldmark, Edwards and Litchman, Jr. (by Executive request):

Imposing a net income tax.

Senate Chamber,  
Olympia, Wash., March 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred House Bill No. 9, imposing a net income tax, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

Section 1. Section 82.08.150, chapter 15, Laws of 1961 and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected from and after the first day of November, 1961, a tax upon each retail sale of spirits, wine, or strong beer in the original package at the rate of ten percent of the selling price, and the term "retail sale" as used therein shall include, in addition to the meaning ascribed thereto in chapter 82.04, any sale not for resale in such original package. The tax imposed in this section shall apply to the sale of spirits, wine, or strong beer by the Washington state liquor stores and agencies, including sales to Class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this section.

(2) There is levied and shall be collected from and after the first day of April, 1959, an additional tax upon each retail sale of spirits, wine, or strong beer in the original package at the rate of five percent of the selling price, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits, wine, or strong beer by the Washington state liquor stores and agencies, excluding sales to Class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this paragraph.

(3) *There is levied and shall be collected from and after the first day of May, 1961, an additional tax upon each retail sale of spirits, wine, or strong beer in the original package at the rate of seven percent of the selling price, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits, wine, or strong beer by the Washington state liquor stores and agencies, including sales to Class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this paragraph. On or before the fifteenth day of each month beginning with the month of July, 1961, the Washington state liquor control board shall remit to the state tax commission, to be deposited with the state treasurer, all moneys collected by it under this paragraph during the preceding month on sales made and subject to this paragraph. Upon receipt of such moneys the state treasurer shall deposit in the state general fund and the provisions of RCW 82.08.160 and 82.08.170, and the provisions of chapter 43.66 relating to deposits, apportionment and distribution, shall have no application to the collections under this paragraph.*

[(3)] (4) The additional [five percent tax] taxes enacted in subdivisions (2) and (3) of this section shall not be levied upon or applied to sales of wine which have been subjected to the tax imposed by RCW 66.24.220.

[(4)] (5) As used in this section, the terms, "spirits", "wine", "strong beer", and "package" shall have the meaning ascribed to them in chapter 66.04.

Sec. 2. Section 82.24.020, chapter 15, laws of 1961 and RCW 82.24.020 are each amended to read as follows:

There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling or distribution of all cigarettes, in an amount equal to the rate of [one and one-half] two mills per cigarette.

Sec. 3. Section 82.24.070, chapter 15, Laws of 1961 and RCW 82.24.070 are each amended to read as follows:

Wholesalers and retailers subject to the provisions of this chapter shall be allowed as compensation for their services in affixing the stamps herein required a sum equal to [five] *three and seventy-five one hundredths* percent of the value of the stamps purchased or affixed by them.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect on May 1, 1961.

In line 1 of the title after "taxation;" strike all of the matter down to and including "82.04.296." on line 11, and insert "amending section 82.08.150, chapter 15,

Laws of 1961 and RCW 82.08.150; amending section 82.24.020, chapter 15, Laws of 1961 and RCW 82.24.020; amending section 82.24.070, chapter 15, Laws of 1961 and RCW 82.24.070; and declaring an emergency."

WILBUR G. HALLAUER, *Chairman.*

FRANK W. FOLEY, *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Howard Bargreen, Joe Chytil, David C. Cowen, Dewey C. Donohue, Michael J. Gallagher, John H. Happy, Andy Hess, Ernest W. Lennart, Mike McCormack, David E. McMillan, Fred J. Martin, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, A. L. Rasmussen, John N. Ryder, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator Bargreen, the committee amendment was adopted.

On motion of Senator Bargreen, the committee amendment to the title was adopted.

On motion of Senator Durkan, the rules were suspended, House Bill No. 9, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 9, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 25; nays, 24; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, DeGarmo, Donohue, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Hess, Kupka, McCormack, McMillan, Martin, Morgan, Nunamaker, Petrich, Rasmussen, Sandison, Washington—25.

Those voting nay were: Senators Chytil, Cooney, Cowen, Dore, Elway, Jr., Foster, Freise, Happy, Herrmann, Hofmeister, Keefe, Knoblauch, Lennart, McCutcheon, Moriarty, Jr., Neill, Papajani, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Woodall—24.

House Bill No. 9, as amended by the Senate, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 10:

Senate Chamber,  
Olympia, Wash., March 14, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 10, modifying law relating to taxes on goods sold through coin-operated vending machines, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman.*

....., *Chairman,*  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman,*  
Committee on Taxation and Revenue.

We concur in this report: Wayne G. Angevine, Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, David C. Cowen, Michael J. Gallagher, R. R.

(Bob) Greive, Karl V. Herrmann, George W. Kupka, Ernest W. Lennart, David E. McMillan, Fred J. Martin, Frances Haddon Morgan, Homer O. Nunamaker, John Papajani, Gordon Sandison, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Bill No. 38:**

Senate Chamber,  
Olympia, Wash., March 21, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Bill No. 38, relating to jurisdiction over Indians, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman.*

We concur in this report: Fred H. Dore, F. Stuart Foster, Herbert H. Freise, R. R. (Bob) Greive, H. B. Hanna, John T. McCutcheon, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 4:30 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m., Thursday, March 23, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## FOURTEENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, March 23, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherb-  
berg.

The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Vicki Peterson, presented the Colors.

Reverend J. Burton Salter, Pastor of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Let us pray:

"Almighty God, we pray for the Senators of the state of Washington who are responsible for the welfare of this state. May Thy Holy Spirit guide them that they may have a care only for what will promote good government, and for what will benefit the people.

"May they bring to their work today brains that think and hearts that feel; grant that they may have ideals, imagination, wisdom and courage and that they may never be enslaved by routine, convention and popular opinion, but ever be upheld by Thy free spirit, through the grace of our Lord Jesus Christ. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PERSONAL PRIVILEGE**

Senator Cowen:

"I would like to tell the gentleman who gave us our prayer that they are just as good as they have always been for the many, many years that he has addressed our Senate. His invocations have been inspiring and sincere. I just want to comment on the wonderful service he has given this Senate for so many years."

Senators Greive, Gallagher and Washington demanded a Call of the Senate.

A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present.

On motion of Senator Dore, the Senate proceeded with business under the Call of the Senate.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate; Ladies and Gentlemen:

"It is with great pleasure that the President notes the presence of a distinguished and esteemed former member of the State Senate, former Senator Gerald G. Dixon."

**APPOINTMENT OF SPECIAL COMMITTEE**

The President appointed a special committee of the following Senators to escort the honored guest, former Senator Gerald G. Dixon, to a seat of honor upon the rostrum: Senators Cowen, Rasmussen, and Assistant Secretary of the Senate, Don Wilson.

Former Senator Dixon was escorted to the rostrum.

**MOTION**

On motion of Senator Greive, the rules were suspended and Senator Washington was excused, subject to roll call.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate; Ladies and Gentlemen:

"One of the greatest aspects of the position of the President of the Senate is that it places the President in close contact with many illustrious Senators. Present today is one of the most outstanding in a long, long time who has come to see us in the Senate Chamber. This particular occasion is marked with significance in that members of the Senate and the House of Representatives have extended their appreciation to this great Senator in documentary proof in a certificate of service. At this time it is with the greatest of pride that the President presents to the Honorable Senator Dixon this Certificate of Service.

"Senator Dixon, with your indulgence, the President should like you to stand while Peter Brudevold reads the citation."

**CERTIFICATE OF SERVICE**

As authenticated by public records it is hereby certified that the:

HONORABLE GERALD G. DIXON

has served the State of Washington in its Legislative Branch of State Government

in the following capacities and for the periods as set forth to wit:

From January 9, 1933 to March 9, 1933  
as employee of the Senate

From January 14, 1935 to January 13, 1941  
as Member of the House of Representatives

From December 29, 1941 to January 9, 1961  
as Member of the Senate

A total of twenty-five years and two months distinguished and meritorious service to the State of Washington.

Certified by:

JOHN A. CHERBERG,  
*Lieutenant Governor.*

JOHN L. O'BRIEN,  
*Speaker of the House.*

Attested by:

VICTOR A. MEYERS,  
*Secretary of State.*

(SEAL OF THE STATE OF WASHINGTON)

Senator Dixon:

"Mr. President and Members of the Senate:

"It is with a great feeling of pride and affection, if I might say so, that I do accept this Certificate of Service, and I will treasure it. I will frame it, and hang it in my little office at home where it will be viewed by everybody who comes to see me. I want to say, members of the Senate that I have missed very much being among you during this session of 1961. I consider that in view of the times of the State and Nation that our conservative policy was necessary to this session and that this, the Senate has done.

"I understand from some of my colleagues who served with me before, that I was missed on the Rules Committee. I do say that during my term of office, I tried to see that the affairs of the state of Washington were carried out within the income of the state. And it would have been my policy, had I been seated down in front, to vote no more taxes and no more commissions at this session. One of the things that I did when I served with all of you, was to do away with commissions that somehow or another creep up, first of all as an idea, then as a commission, and then as a staff, and it is very expensive. I would rather see annual sessions of the Legislature and less commissions, so that the Senators could all be a commission every year to carry on the work of the state of Washington. This is a growing state and to foresee ahead two years and allocate the money and dispose of some of the problems for two years is too difficult.

"I regard all of you, on both sides of the aisle, as my friends, I will never forget you; and once again, I want to say I appreciate very, very much, the opportunity and the privilege of appearing before you, Mr. President, and all of you. My health is good and I will still carry on as a layman, watching you perform your jobs.

"I do think that Senators Foley and Hallauer have done a remarkable job on the budget. But stay with it. You have good leadership, and the Senate has the right idea; hold the line against further expenses. Thank you very much."

The President:

"Thank you very much, Senator Dixon. Everyone joins in the thought that it is wonderful to hear from you again, and the President should like to remark on behalf of the Senate, you have been sorely missed, both in the Senate and on the Rules Committee, and though you are gone, the members of the Senate and the President have tried to carry on the same standards that you established while serving in the Senate."

#### POINT OF INQUIRY

Senator Gallagher:

"Will Senator Cowen yield to a question?"

Senator Cowen:

"Yes, I will."

Senator Gallagher:

"You mentioned that you were in hopes that I was listening to the Senator, our friend, Jerry Dixon. I don't quite get the implication of your words. Would you please explain it to me?"

Senator Cowen:

"Senator Gallagher, as the years go by, I think we all mellow. I have seen men come into this legislative body who were great legislators. As the time goes by, usually they become mellow. They realize they do not need so many commissions. I for one, am like Senator Dixon. I think the less commissions we have, the better for the state of Washington."

Senator Gallagher:

"I just hope I never mellow completely."

The Secretary read:

#### SENATE RESOLUTION

By Senator Kupka:

WHEREAS, The Century 21 Exposition is expected to bring great honor to the state of Washington; and

WHEREAS, This World's Fair is of such magnitude that it has been decided that an official theme should be composed as the theme song of the World's Fair; and

WHEREAS, Antoinette Mineo has composed a beautiful rhapsody which portrays the geographical history of the state of Washington; and

WHEREAS, Attilio Mineo has orchestrated this rhapsody for full symphonic orchestra; and

WHEREAS, This masterpiece, Rhapsody "21" (Awakening of the Sleeping Giant), has been proclaimed by the Governor of the state of Washington the theme music for the forthcoming Century 21 Exposition; and

WHEREAS, Attilio and Antoinette Mineo have through their efforts in this great theme brought credit to the state of Washington and to the American Society of Composers, Authors and Publishers, of which they are members; and

WHEREAS, Rhapsody "21" shall be recorded and distributed throughout the world extending to all an invitation to Century 21; and

WHEREAS, It is for the best interests of the Century 21 Exposition and the state of Washington that the Senate do officially adopt Rhapsody "21" as the official theme music for the forthcoming Century 21 Exposition;

*Now, Therefore, Be It Resolved*, By the Senate of the state of Washington, that Rhapsody "21" (Awakening of the Sleeping Giant) be and it is hereby adopted as the official theme music for the forthcoming Century 21 Exposition; and

*Be It Further Resolved*, That copies of this resolution be sent by the Secretary of the Senate to Mr. and Mrs. Attilio Mineo, to Mr. Stanley Adams, President of the American Society of Composers, Authors and Publishers, and to such members of the press, radio and television media throughout the state as the Secretary shall determine.

Senator Kupka moved that the resolution be adopted.

The President stated the question to be the adoption of the resolution by Senator Kupka.

A division was requested.

The motion carried on a rising vote and the resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"At the request of the worthy Senator from the thirty-third district, the Honorable Frank Connor, the President would like to present a group of eighth grade students from the Mount Virgin School in Seattle who are present today in the north gallery. This group is under the direction of Sister Eugene. Would Sister Eugene and this group please stand, along with Senator Connor, in order that you may be properly recognized and welcomed to the Senate Chamber."

(Applause.)

The Secretary read:

#### SENATE RESOLUTION

By Senators Thompson, Jr., Hess, Washington:

WHEREAS, We are proud of the lifesaving services provided our children by young

patrolmen who guard school crossings and do hereby call attention to the fact that the state of Washington had the first school safety patrols west of the Mississippi River commencing in 1926; and

WHEREAS, We enthusiastically congratulate the sponsors and communities who have selected and provided the means by which patrol members from this state will take part in the twenty-fifth annual School Safety Patrol Rally Day and parade in Washington, D. C. on May 12 and 13, 1961; and

WHEREAS, These outstanding young citizens will join with 30,000 other School Safety patrolmen to parade down Constitution Avenue before a reviewing stand of national dignitaries, and the Washington State delegation will occupy the honored position at the head of the parade;

Now, Therefore, *Be It Resolved*, That the Senate in the Special Session of the thirty-seventh Washington State Legislature takes this means to applaud and commend the services rendered to our citizens by the young members of School Safety Patrols at pedestrian crossings throughout the State and Nation; and

*Be It Further Resolved*, That we concur in the customary action of Governor Albert D. Rosellini in setting aside a day in May as Patrol Recognition Day in the state of Washington; and

*Be It Further Resolved*, This Legislature does endorse and commend the action of the American Automobile Association (AAA) for sponsoring the National School Patrol Recognition Program and the local communities, schools, enforcement agencies, Parent-Teacher Associations and other sponsoring groups, and the Automobile Club of Washington for its successful efforts to provide participation from this state in the national celebration for the first time since its inception.

On motion of Senator Thompson, the resolution was adopted.

#### REPORTS OF STANDING COMMITTEES

##### Senate Bill No. 39:

Senate Chamber,  
Olympia, Wash., March 22, 1961.

MR. PRESIDENT:

We, your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred Senate Bill No. 39, modifying law relating to state parks and recreation commission, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Charles P. Moriarty, Jr., William D. Shannon, Albert C. Thompson, Jr., Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 43:

Senate Chamber,  
Olympia, Wash., March 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Cities, Towns and Counties, to whom was referred Senate Bill No. 43, relating to municipal corporations of the fourth class and validating certain incorporations and annexations, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

DON L. TALLEY, *Chairman*.

We concur in this report: Robert C. Bailey, Dewey C. Donohue, Fred H. Dore, Harry Elway, Jr., Michael J. Gallagher, John H. Happy, Al Henry, James E. Keefe, Mike McCormack, Homer O. Nunamaker, John Papajani, W. C. Raugust, William D. Shannon, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

##### Senate Bill No. 44:

Senate Chamber,  
Olympia, Wash., March 22, 1961.

MR. PRESIDENT:

We, your Committee on Public Institutions, to whom was referred Senate Bill

No. 44, amending section relating to new correctional institutions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED J. MARTIN, *Chairman*.

We concur in this report: Joe Chytil, Herbert H. Freise, Karl V. Herrmann, James E. Keefe, Reuben A. Knoblauch, George W. Kupka, Frances Haddon Morgan, Charles P. Moriarty, Jr., John A. Petrich, Gordon Sandison, Don L. Talley, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**Senate Joint Memorial No. 1:**

Senate Chamber,  
Olympia, Wash., March 22, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Capitol Grounds, Public Buildings and Parks, to whom was referred Senate Joint Memorial No. 1, encouraging the establishment of hotel and related facilities in Mount Rainier National Park, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

VICTOR F. DEGARMO, *Chairman*.

We concur in this report: Howard Bargreen, Wilbur G. Hallauer, James E. Keefe, Frances Haddon Morgan, Nat Washington.

Passed to Committee on Rules and Joint Rules for second reading.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 22, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 6; also Senate Bill No. 7; also Engrossed Senate Bill No. 12; also Senate Bill No. 19, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 47**, by Senators Bargreen and Hofmeister:

An Act relating to vehicles and the operation thereof upon public highways; granting the blind and partially blind the right of way under certain conditions; making it unlawful for the misuse of certain canes and walking sticks; amending section 46.60.260, chapter 12, Laws of 1961 and RCW 46.60.260; amending section 46.60.270, chapter 12, Laws of 1961 and RCW 46.60.270; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.60 RCW.

Referred to Committee on Highways.

**Senate Bill No. 48**, by Senators Woodall, Gissberg and Talley:

An Act relating to the judges' retirement system; and amending section 2, chapter 229, Laws of 1937 and RCW 2.12.020.

Referred to Judiciary Committee.

**Senate Concurrent Resolution No. 4**, by Senators Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hanna, Happy, Henry, Hofmeister, Keefe, Kupka, Lennart, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr. and Woodall:

Creating an American Heritage and Citizenship council.

On motion of Senator Bargreen, the rules were suspended and additional sponsors were permitted on Senate Concurrent Resolution No. 4.

On motion of Senator Bargreen, Senate Concurrent Resolution No. 4 was advanced to second reading and read the second time in full.

On motion of Senator Bargreen, the rules were suspended, Senate Concurrent Resolution No. 4 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Bargreen yield to a question?"

Senator Bargreen:

"Yes, I will."

Senator Rasmussen:

"Senator Bargreen, the first question would be on line 8 of the resolution. At the time I understood this resolution yesterday, I thought we had re-emphasized this country's great and glorious past, and didn't that have the future in it also? It does occur to me that if we just stand and look back and never look ahead, that we might turn to pillars of salt."

Senator Bargreen:

"In answer to your question, I think we took the wording right out of House Bill No. 591. I would have no objection to this wording and I certainly think it has merit."

Senator Rasmussen:

"Would you want to do it here on the floor of the Senate, or in the House?"

Senator Bargreen:

"I think that can be done in the House."

Senator Rasmussen:

"At the time we were discussing the resolution yesterday and the make up it had, that the Council should be composed of six members, after a security check had been made on each of them, I don't see any mention in the resolution about the security check."

Senator Bargreen:

"The Governor who makes the appointments, makes many appointments to all these committees and commissions, and his responsibility to the people is to see that these people have been checked upon. The security check would not be necessary until after the Governor appoints these people, because then these appointments would be subject to the attorney general's approval. For that reason I felt it was not necessary to have this additional requirement. After the people were selected, then they would have a security check by the attorney general's office."

Senator Rasmussen:

"I think that that security check should be made prior to the Governor's appointment, rather than after. It would be a little embarrassing to make an appointment and then find out that he was not qualified."

Senator Talley demanded the previous question, which was sustained by Senators Hofmeister and Greive.

The President stated the question to be, shall the main question be now put.

The motion carried.

The Secretary called the roll on the final passage of Senate Concurrent

Resolution No. 4, and the resolution passed the Senate by the following vote: Yeas, 44; nays, 5; absent or not voting—0.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Woodall—44.

Those voting nay were: Senators Angevine, Gallagher, Hallauer, McCormack, Washington—5.

Senate Concurrent Resolution No. 4, having received the constitutional majority, was declared passed.

On motion of Senator Bargreen, Senate Concurrent Resolution No. 4 was ordered immediately transmitted to the House.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"The Honorable Senator from King County, Michael J. Gallagher, has requested the President to announce the presence in the gallery of four very respected and distinguished gentlemen that have dedicated their lives to the service of the people of the state of Washington. These four gentlemen have served the state of Washington for a combined period exceeding that of an entire lifetime. They are Mr. Merritt E. Adams and David Scribner, of Seattle; Mr. W. D. Sharpnack, from Spokane; and Mr. G. W. Minter, of Tacoma.

"The President would like to respectfully request that these gentlemen please stand in order that the members present may acknowledge you and welcome you to the Senate Chamber."

(Applause.)

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

#### PRESIDENT'S PRIVILEGE

The President:

"At the request of the Honorable Senator Gissberg, the President should like to call attention to the presence in the south gallery of a former teaching and coaching colleague of the President, the Honorable Jay Kempkies, who is present today with the Everett Port Commissioner, Bert Vanderwilt, an ex-baseball coach.

"Mr. Kempkies coached at Everett for fourteen years, serving the young people and citizens of Everett for many years. Among his former students are Representative Dick Taylor, Senator Gissberg, Ernest Dore, the Superintendent of Buildings and Grounds for the state, Dan Donovan and Tony Dyre.

"Would Mr. Kempkies and Mr. Vanderwilt please stand along with Senators Gissberg and Bargreen, in order that the members of the Senate may properly recognize you. Thank you for being with us today.

(Applause.)

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., March 23, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred: Senate Bill No. 6; also

Senate Bill No. 7; also

Senate Bill No. 12; also  
Senate Bill No. 19, have compared same with the original and engrossed bills and  
find them correctly enrolled. MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**SIGNED BY THE PRESIDENT**

**The President has signed: Senate Bill No. 6; also**

**Senate Bill No. 7; also**

**Senate Bill No. 12; also**

**Senate Bill No. 19.**

**MOTION**

At 12:15 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:10 o'clock p. m.

**AFTERNOON SESSION**

At 2:10 o'clock p. m. the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Connor, DeGarmo, Dore, Elway, Jr., Hanna, McMillan, Nunamaker and Washington.

**SECOND READING OF BILLS**

**Senate Bill No. 29**, by Senators Papajani and Gallagher:  
Relating to firemen's pensions.

The bill was read the second time by sections.

Senators Greive, Herrmann and Bailey demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary started to call the roll on the Call of the Senate.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

**PRESIDENT'S PRIVILEGE**

At the request of Senator Morgan from Bremerton, and Senator Cowen from Spokane, the President announced the presence in the gallery of Mrs. Monte Percival, whose husband served in the State Senate with the Honorable Senator Lula D. Haddon and David C. Cowen. Mrs. Percival, Senator Morgan and Senator Cowen were asked to stand and be recognized.

(Applause.)

**PERSONAL PRIVILEGE**

Senator Cowen:

"I think I am the only Senator who served with the Honorable Senator Percival and I am happy to see Mrs. Percival here today. It was a great honor to have served with her husband."

**MOTION**

Senator Greive moved that the rules be suspended and Senator Hanna be excused from under the Call of the Senate.

A division was requested.

The motion carried on a rising vote, and Senator Hanna was excused.

Senator Gallagher moved that the rules be suspended, Senate Bill No. 29 be advanced to third reading, the second reading considered the third, and the bill placed on final passage.

The motion carried.

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Gallagher yield to a question?"

Senator Gallagher:

"Yes, I will."

Senator Woodall:

"My first question is a very easy one to answer. Does this relate to first class cities only?"

Senator Gallagher:

"Yes."

Senator Woodall:

"You said that we have received benefits from the firemen of reduced insurance, and otherwise. Would you like to elaborate on this 'and otherwise'?"

Senator Gallagher:

"Immediately after recess, Senator."

The Secretary called the roll on the final passage of Senate Bill No. 29, and the bill passed the Senate by the following vote: Yeas, 30; nays, 18; absent and excused, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Greive, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCutcheon, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Thompson, Jr.—30.

Those voting nay were: Senators Chytil, Donohue, Gissberg, Hallauer, Happy, Lennart, McCormack, McMillan, Moriarty, Jr., Neill, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—18.

Those absent and excused were: Senator Hanna—1.

Senate Bill No. 29, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the fifth order of business.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 23, 1961.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to House Bill No. 9, and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

On motion of Senator Durkan, the Senate refused to recede from its amendment to House Bill No. 9 and asked the House for a conference thereon.

## MOTION

On motion of Senator Martin, the Senate commended Mr. and Mrs. Wing Lock of the New Shanghai Cafe for the wonderful luncheon that was put on by them today.

The President declared the Senate to be at ease for approximately forty minutes, subject to the Call of the President

## SECOND AFTERNOON SESSION

At 3:55 o'clock p. m. the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

## HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 22, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 2 with the following amendments:

On page 14, between lines 19 and 20, insert the following:

"Construct addition to Roberts Hall State Building Construction Bonds of 1961: *Provided*, That such construction shall enable the Bureau of Mines to maintain their Northwest Experimental Station on the University campus 500,000"

On page 14, line 20, strike "\$19,595,850" and insert "\$20,095,850" and strike "(2,141,000)" and insert "(2,641,000)"

On page 19, line 17, after "Park" and before "(53,500)" insert "and vicinity"

On page 20, line 32, strike "Jones Beach" and insert "A park in Thurston County located adjacent to salt water"

On page 21, between lines 6 and 7 of the engrossed and printed bill, insert "Develop Boat Moorages at Langley..... 15,000"

On page 21, line 11 of the engrossed bill, being line 7 of the printed bill, strike "50,000" and insert "35,000", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Hallauer, the Senate did not concur in the House amendments and asked the House to recede therefrom.

## HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 22, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 5, with the following amendment:

On page 1, section 1, after "million" on line 9 and before "thousand" on line 10, strike "three hundred and twenty-four" and insert "eight hundred and twenty-five", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Hallauer, the Senate did not concur in the House amendment to Senate Bill No. 5, and asked the House to recede therefrom.

## PRESIDENT'S PRIVILEGE

At the request of Senator Louis Hofmeister, the President introduced two prominent members of the Enumclaw Democratic Club, Mr. and Mrs. Robert Duesen. Mr. Duesen is chairman of the Enumclaw Democratic Club of the thirtieth legislative district. Mr. and Mrs. Duesen were asked to stand and be recognized, along with Senator Hofmeister.

(Applause.)

## SECOND READING OF BILLS

**Engrossed House Bill No. 24**, by Representatives Andersen (James A.), King and Marsh:

Relating to civil actions and damage, creating a committee, and making an appropriation.

The bill was read the second time by sections.

On motion of Senator McCutcheon, the Senate did not resolve itself into a Committee of the Whole for the purpose of considering Engrossed House Bill No. 24.

On motion of Senator McCutcheon, the rules were suspended, Engrossed House Bill No. 24 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 24, and the bill passed the Senate by the following vote: Yeas, 46; nays, 3; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Freise, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—46.

Those voting nay were: Senators Foster, Gallagher, Hallauer—3.

Engrossed House Bill No. 24, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Herrmann announced that the candy and cigars being distributed were through the courtesy of King Lister of the Washington Savings and Loan League, in appreciation of the fine legislation passed by this body.

The Senate reverted to the fifth order of business.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 23, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 6; also  
Senate Bill No. 7; also  
Senate Bill No. 12; also  
Senate Bill No. 19, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 23, 1961.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on House Bill No. 9 and the Senate amendments thereto and the Speaker has appointed as members of the conference committee thereon: Representatives Backstrom, Ackley and Ahlquist.

S. R. HOLCOMB, *Chief Clerk.*

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on House Bill No. 9 and the Senate amendments thereto, Senators Durkan, Happy and Bargreen.

**CONFIRMATION OF COMMITTEE APPOINTMENTS**

On motion of Senator Greive, the Conference Committee appointments on House Bill No. 9 and the Senate amendments thereto, were confirmed.

**SECOND READING OF BILLS**

**Senate Bill No. 30**, by Senators Durkan and Dore (by Executive request):  
Relating to wages and employment.

The bill was read the second time by sections.

**MOTIONS**

On motion of Senator Greive, Senators Papajani, DeGarmo and Henry were excused subject to roll call.

On motion of Senator Herrmann, the following amendment was adopted:

On page 1, after section 2, add a new section reading as follows:

**NEW SECTION.** Sec. 3. The provisions of this act shall not apply to charitable or nonprofit institutions engaged in the care and custody of minor children.

Senator Foster moved that the following amendment be adopted:

Add a new section following section 2 as follows:

Sec. 3. Section 1, chapter 294, Laws of 1959 and RCW 49.46.010 are each repealed and reenacted to read as follows:

For the purpose of this act:

(1) "Director" means the director of labor and industries, or his duly appointed representative.

(2) "Wage" means compensation due to an employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges, or allowances as may be permitted or required by law or agreement between employer and employee or their respective representatives.

(3) "Employ" means to suffer or to permit to work

(4) "Employer" means any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee: *Provided*, That the term employer shall not include the state, or any county, city or town, municipal corporation or quasi-municipal corporation, political subdivision, or any instrumentality thereof: *Provided further*, That the term employer shall not include those engaged in the automotive and farm implement retail trade industry, and within the meaning of this proviso, all sales of automobiles, trucks, tractors, automobile parts and accessories, tractor parts and accessories, servicing and repair work shall be considered retail except sales for resale, sales made pursuant to a formal invitation to bid, fleet sales, sales of specialized motor vehicles or bodies, and sales of servicing and repair work performed under a fleet maintenance arrangement: *Provided further*, That the term employer shall not include any charitable organization or institution charged with child care responsibilities.

(5) "Employee" means any individual employed by an employer but shall not include:

(a) Any individual employed (i) on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or (ii) in packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; or (iii) in connection with the operation or maintenance of ditches, canals, reservoirs or waterways, not owned or operated for profit, or operated on a share crop basis, and which are used for supply and storing water for agricultural purposes; or (iv) grooms or attendants of domestic livestock and the exclusions from the term "employee" provided in this item shall not be deemed applicable with respect to commercial canning, commercial freezing, or any other commercial processing, or with respect to services performed

in connection with the cultivation, raising, harvesting and processing of oysters or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption;

(b) any individual employed in domestic service in or about a private home;

(c) any individual employed in a bona fide executive, administrative, or professional capacity or in the capacity of outside salesman, or as a radio or television announcer and part time outside salesman;

(d) any individual employed by the United States or by the state, or by any county, city or town, municipal corporation or quasi-municipal corporation, political subdivision, or any instrumentality thereof;

(e) any individual engaged in the activities of an educational, charitable, religious, or nonprofit organization where the employer-employee relationship does not in fact exist or where the services are rendered to such organizations gratuitously;

(f) Any newspaper, vendor, carrier, or weekly newspaper employees;

(g) any individual engaged in forest protection and forest fire prevention activities;

(h) any individual employed as a master or member of a crew of a vessel (as used herein the term "vessel" includes but is not limited to barges), and whether or not during such employment the vessel is engaged or preparing to engage in navigation or trade or is commissioned or de-commissioned;

(i) any individual employed by a street, suburban or interurban electric railway, or local trolley or motor-bus carrier or auto transportation company as defined by RCW 81.68.010;

(j) any individual employed by any charitable institution charged with child care responsibilities;

(k) any individual employed in planting or tending trees, cruising, surveying, or felling timber, or in preparing or transporting logs or other forestry products to the mill, processing plant, railroad, or other transportation terminal, if the number of employees employed by his employer in such forestry or logging operations does not exceed twelve;

(l) any individual employed in the production, processing or distribution of dairy products working under a bona fide labor contract between an employer, as first processor of an agricultural commodity and a labor union;

(m) any individual employed in connection with the planting, raising, or harvesting of oysters;

(n) any individual engaged in performing services in a hospital licensed pursuant to chapter 70.41 RCW;

(o) any individual engaged in performing services in a nursing home licensed pursuant to chapter 18.51 RCW;

(p) any individual employed in the automotive and farm implement retail trade industry; within the meaning of this subdivision, all sales of automobiles, trucks, tractors, automobile parts and accessories, tractor parts and accessories, servicing and repair work shall be considered retail except sales for resales, sales made pursuant to a formal invitation to bid, fleet sales, sales of specialized motor vehicles or bodies, and sales of servicing and repair work performed under a fleet maintenance arrangement;

(q) any individual employed on or about the premises of a hotel, motel or apartment house whose duties may require him to be on call twenty-four hours a day at any time of the day or night or at varying times of the day or night;

(r) any individual employed by an person engaged in the practice of law in this state or licensed to practice law in this state;

(s) any individual employed by a theatre whose duties may require that he work irregular hours or on varying days during the week;

(t) any individual whose duties require that he reside or sleep at the place of his employment or who otherwise spends a substantial portion of his work week subject to call, and not engaged in the performance of active duties, (as such employment may be defined and delineated by regulations of the director).

(6) "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

(7) "Seasonal industry" means a trade, business, industry, or branch thereof, or group of industries in which individuals are gainfully employed, and which industry engages in the handling, extracting or processing of materials or engages in the sale and dispensation of services during a season or seasons occurring in regularly, annually recurring part or parts of the year not substantially greater than six months, and

ceases production or operations, apart from work such as maintenance, repair, clerical, or sales work, in the remainder of the year because of the fact that owing to climate or other natural conditions materials handled, extracted, or processed in the form in which such materials are handled, extracted or processed are not available in the remainder of the year, or the services sold or rendered cannot be rendered or are not desired owing to climate or other natural conditions during the remainder of the year.

Senator Hess moved that the amendment be laid on the table.

A division was requested.

The motion carried on a rising vote, and the amendment was laid on the table.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Riley:

"Now, to be pretty clear in my own mind, are employees of hospitals included?"

Senator Durkan:

"These employees are not included. Any individual engaged in the activity of any charitable institution or hospital."

Senator Riley:

"If there are employee relations in the hospital, they are included?"

Senator Durkan:

"This act also excludes any employee relationships where there is a collective bargaining agreement."

Senator Riley:

"Would you say, Senator Durkan, then, with the language which you read, that nursing homes and foster homes are excluded?"

Senator Durkan:

"I can only say to this extent. If it is a non-profit nursing home they would probably be exempt, or if there were a collective bargaining agreement. If there were not, then I would say they would not be exempt."

#### POINT OF INQUIRY

Senator Elway:

"Would Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Elway:

"Would it also exclude those who manage apartment houses and motels?"

Senator Durkan:

"Yes, this area of those people who live on the premises. The attorney general's opinion was that he thought it would exclude those. He did not specifically pass on the others, and I wouldn't want to say."

#### POINT OF INQUIRY

Senator Woodall:

"Will Senator Durkan yield to a question?"

Senator Durkan:

"Yes, I will."

Senator Woodall:

"There are many of these old folks homes. There are many of these people who are hardly paid enough to get by now. Any of these people hired there would still come under this, would they not?"

Senator Durkan:

"Yes, although the director can by rule and regulation exempt these people.

"The law doesn't clearly exempt them but the rules and regulations can, I believe. This is sort of a 'gray area'."

Senator Woodall:

"I am under the impression that the Supreme Court has rather taken out the power of the director, and if this does remain in the 'gray area', I can see a tremendous hardship in some of these homes of welfare recipients that are going to come right back to the state and say they can't get by on the amount allowed. Would you object to an amendment of that particular category?"

Senator Durkan:

"My only problem here is that this bill has been introduced in this form after some negotiations, and my feeling is that if we open this bill up now for amendments we will go down the road, and with that in mind, I have to recede."

Senator Woodall moved that Senate Bill No. 30 be retained at the end of the second reading calendar.

Senator Greive moved that the motion by Senator Woodall be laid on the table.

A division was requested.

The motion carried on a rising vote, and the motion presented by Senator Woodall was laid on the table.

On motion of Senator McCutcheon, further consideration of Senate Bill No. 30 was ordered placed immediately after Senate Bill No. 15.

#### PRESIDENT'S PRIVILEGE

At the request of Senator Washington, the President introduced from the gallery, Gene Farrell, a very prominent civic leader and businessman from Ellensburg. Senator Washington was asked to stand, along with Mr. Farrell, and Mr. Farrell was welcomed to the Senate Chamber.

(Applause.)

**Senate Bill No. 15**, by Senators Gissberg, Durkan and Shannon:

Relating to bond elections.

The bill was read the second time by sections.

On motion of Senator Gallagher, the rules were suspended, Senate Bill No. 15 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary started to call the roll on the final passage of Senate Bill No. 15.

#### PERSONAL PRIVILEGE

Senator Hallauer: . . . . (Interruption)——

#### POINT OF ORDER

Senator Gissberg:

"I wish to call attention to the fact that no roll call may be interrupted for personal privilege."

The Secretary called the roll on the final passage of Senate Bill No. 15, and the bill passed the Senate by the following vote: Yeas, 39; nays, 10; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Neill, Nunamaker, Papajani, Petrich, Rasmussen, Shannon, Thompson, Jr., Washington, Woodall—39.

Those voting nay were: Senators Cowen, Dore, Happy, Lennart, Moriarty, Jr., Raugust, Riley, Ryder, Sandison, Talley—10.

Senate Bill No. 15, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Gallagher:

"I would like to suggest that the President recognize Senator Hallauer who might now explain to us why he was absent."

Senator Hallauer:

"A grave misunderstanding on my part. I thought it was another bill that we were on."

The President:

"Under the circumstances, if you would like to change your vote, it will be in order."

Senator Hallauer:

"Mr. President, I would like to vote 'aye'."

**Senate Bill No. 30**, by Senators Durkan and Dore (by Executive request):  
Relating to wages and employment.

The bill was read the second time by sections.

Senator Moriarty moved that the following amendment be adopted:

In section 2, page 1, line 27, add the following proviso: "*Provided further*, That nothing in this chapter shall be construed to amend, affect, or in any way change the terms and conditions of any labor-management agreement or collective bargaining agreement entered into prior to the effective date hereof."

On motion of Senator Greive, the amendment by Senator Moriarty was laid on the table.

Senator Woodall moved that the following amendment be adopted:

In section 2, page 1, line 27, add the following: "*Provided further*, Any individual engaged in performing services in a nursing home licensed pursuant to chapter 18.51 RCW shall not be subject to this act. *Provided further*, That any individual whose duties require that he reside or sleep at the place of his employment and who spends a substantial portion of the time on the employer's premises without being engaged in the performance of active duties shall not be subject to this act."

Senator Greive moved that the amendment by Senator Woodall be laid on the table.

Senator Greive demanded a roll call, which was sustained by Senators Bargreen, Connor, Rasmussen, Gallagher, Henry, Kupka, Angevine and Cooney.

The President stated the question before the Senate to be the motion to lay on the table the amendment by Senator Woodall.

The Secretary called the roll and the amendment by Senator Woodall was laid on the table by the following vote: Yeas, 26; nays, 23; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Durkan, Elway, Jr., Gallagher, Gissberg, Greive, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Papajani, Rasmussen, Sandison, Washington—26.

Those voting nay were: Senators Chytil, Cowen, Donohue, Foley, Foster, Freise, Hallauer, Hanna, Happy, Keefe, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Shannon, Talley, Thompson, Jr., Woodall—23.

#### MOTION

On motion of Senator Greive, the Senate was declared to be at ease pending completion of an amendment by Senator Elway.

#### POINT OF INQUIRY

Senator Woodall:

"Under the Call of the Senate, I thought that lobbyists were not to invade the inner walls of the lobby."

#### RULING OF THE PRESIDENT

The President:

"Your point of inquiry is well taken. The Sergeant-at-Arms will please escort all unauthorized personnel from the lobby of the Senate."

Debate ensued.

#### PERSONAL PRIVILEGE

Senator Greive:

"Just so Senator Lennart and members of the press will understand, if any reference is made to Mr. Weston as a lobbyist, he has been sitting in the gallery all the time. He is not on the floor."

Senator Durkan:

"Senator Lennart, for your information, President Weston of the A.F. of L. and David Gordon of the Association of Washington Industries, don't affect my voting at all. You and I have worked well together this session."

Senator Herrmann:

"It is all right for anyone to approach a Senator if that Senator wishes to speak to them."

Senator Elway moved that the following amendment be adopted:

In section 2, page 1, line 27, after "hour" and before the period, insert the following: "*PROVIDED FURTHER, Any individual whose duties require that he reside or sleep at the place of his employment and who spends a substantial portion of the time on the employer's premises without being engaged in performance of active duties shall not be subject to this act.*"

#### POINT OF ORDER

Senator Dore:

"That amendment is the same as the amendment we have already voted down. I don't think he can raise it now."

#### POINT OF ORDER

Senator Woodall:

"The fact that this amendment before was voted down earlier does not bar an amendment which is less than all of which was submitted first. It was a compound amendment in a sense. It described two categories. It was voted down in the full. Now the amendment by Senator Elway embodies a portion of it and therefore it does not come under that rule and cannot be considered as the same amendment."

Senator Greive:

"I would like to support Senator Woodall. Actually, something less certainly cannot be considered to be the same amendment."

#### RULING OF THE PRESIDENT

The President:

"The President believes that the explanation offered by Senator Woodall is correct. The amendment is in order."

Debate ensued.

Senators Greive, Hofmeister and Gallagher, demanded the previous question.

The President stated the question to be, shall the main question be now put.

The demand for the previous question was sustained.

The President stated the question to be the adoption of the amendment presented by Senator Elway.

The motion carried, and the amendment was adopted.

On motion of Senator Elway, the following amendment to the title was adopted:

On line 1 of the title, after "adding" strike "a" and insert "two"

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 30 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 30, and the bill passed the Senate by the following vote: Yeas, 31; nays, 18; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Dore, Elway, Jr., Foley, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Talley, Washington—31.

Those voting nay were: Senators Chytil, Cowen, Donohue, Durkan, Foster, Freise, Hallauer, Happy, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—18.

Engrossed Senate Bill No. 30, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

#### PRESIDENT'S PRIVILEGE

The President:

"Gentlemen of the Senate; Mrs. Morgan:

"The Secretary will read the story of the theme music for Century 21, the musical story of Rhapsody '21', (Awakening of the Sleeping Giant)."

The Secretary read:

THE MUSICAL STORY OF RHAPSODY "21"  
(AWAKENING OF THE SLEEPING GIANT)

Antoinette (Toni) Mineo  
(Composer) ASCAP

Attilio (Art) Mineo  
(Orchestrator) ASCAP

For many years the Herculean feats of the legendary Paul Bunyon and his great blue ox shaping the natural beauties of our state of Washington have been favored tongue in cheek stories sounded on the eardrums of the unsuspecting tourist. The story tellers have pointed to beautiful Puget Sound and explained how Paul and his beast scooped out the many cubic miles of earth to make this great water basin and then having no use for all the dirt left it in a huge pile which, of course, today we call Mount Rainier.

This, to be sure, happened in the many yesteryears.

What has happened to this great State benefactor? Has he died? But, no, how can a legend die? Has he moved elsewhere? Certainly not, when he personally landscaped Washington to his liking. What then? To find our answer we resolve to Rhapsody "21", The Awakening of the Sleeping Giant, by Antoinette Mineo, a native Washingtonian.

As we hear the first few bars of this composition we can picture Paul Bunyon with head resting on the snow cushions of Mount Rainier bathing his feet in the Sound as he quietly breaks the quiet of his long sleep. He rises, slowly rubs his eyes and looks down from his pinnacle. He sees and hears the passionate pulsation of progress as Horace Greeley advocates terminate their westward trek in his wondrous Evergreen State. He senses a problem. These people must live, work, build and propagate to achieve fulfilled happiness. Hunting the bountiful game on the many mountain slopes and prairie lands, fishing the game salmon and the wily trout, seeking the beauties of nature, sailing the uncluttered waters, skiing the thrilling snow runs . . . vacation throughout the year . . . yes, all these things may seem pleasantly satisfying, thinks Paul . . . but more than peaceful pleasures are needed now.

So Paul awakens. . . .

He surveys the mighty Columbia and knows that here is power . . . the power to build . . . wasted power flowing unused to the sea. He builds a dam, then another and another. As his ambitions grow the music tempo keeps pace as we musically picture him fashioning channels to bring nourishing water to barren wastelands, creating green gardens where formerly weeds refused to grow. He sees this life-giving liquid pulsing through the veins of progress to fashion an integral component of the Atomic Age.

Still . . . within our theme all is not power and progress . . . the string section describes fertile valleys of golden daffodils . . . ever green bowers of Douglas fir and pine . . . the brilliant yellow of the Scotch broom plant . . . the varicolored hues of beautiful wildflowers in a confusion of disarrangement. The woodwinds picture the bear, the deer and the elk in their mountain habitats and the flurry of a Chinese pheasant's wings, the blatant sound of a duck and the honk of the goose . . . all unhurried and unchallenged as they flourish in the protection of natural camouflage.

The brass section returns us to Paul Bunyon speeding over his path of progress as with his mammoth thumb he builds super highways, provides a jet airport with a stamp of his foot . . . ever increasing in size and beauty our hamlets and cities.

Justly proud, Paul desires the attention and compliments of the world for the work he has done . . . and now . . . wise to the ways of the men of today he schemes, he plans and he builds an exhibit of modernistic architecture devoted to the skills of science and in tribute to tomorrow . . . with full knowledge that when a people, a state, a nation and even a world fail to constantly move forward they can only lose pace with human conscience and revert to the bygone . . . fully neglectful of God's gift of life to man.

So as we contemplate the melodic fusion in the ending of Rhapsody "21" we sense that here within the desires, ambitions and capabilities of this great legend of yesterday is a true parody for the unified purpose of each man and his neighbor, the people of the state of Washington.

as described by

WENDELL L. PARKER.

**MOTION**

At 5:40 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Friday, March 24, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

**FIFTEENTH DAY****MORNING SESSION**

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, March 24, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Nancy Christiansen, presented the Colors.

Reverend J. Burton Salter, Pastor of the St. John's Episcopal Church of Olympia, offered prayer as follows:

"Let us pray.

"O Lord our God, we remember Thy promise that wheresoever and whensoever two or three are gathered together in Thy Name, Thou art there in the midst of them. We claim that promise this day, and pray that each one of us may be aware of Thy presence, for Thou knowest our needs, and how inadequate we feel ourselves to be in the presence of the problems of the state of Washington. If Thou wilt help us, O Lord, then we shall be better than we are, wiser than we know, and stronger than we dream. We ask Thy blessing upon these Senators who feel the weight of responsibility and the need of divine guidance. Bestow upon them the courage to do the right as Thou hast given them to see the right and make it clear unto us all, for Jesus Christ's sake. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

**SENATE RESOLUTION**

By Senators Riley, Sandison and Cowen:

WHEREAS, Throughout the thirty-seventh legislative session and during part of the 1961 first-extraordinary session, Lula Liedtke has prepared exceptional meals for the Senate cafeteria; and

WHEREAS, The pleasant and efficient service provided in the Senate cafeteria is in part due to the efforts of Lula Liedtke; and

WHEREAS, Due to illness, Mrs. Liedtke was required to leave her job as head cook in the Senate cafeteria before the end of the 1961 extraordinary session; and

WHEREAS, The members of the Senate wish to express to Mrs. Liedtke their sincere appreciation for her work and her kindness and also to wish her a swift recovery;

Now; Therefore, Be It Resolved, By the Senate of the state of Washington that the gratitude of the Senators and their best wishes for her recovery are extended to Mrs. Liedtke;

*Be It Further Resolved*, That the Secretary of the Senate be instructed to send a certified copy of this resolution to Mrs. Lula Liedtke.

On motion of Senator Riley, the resolution was adopted.

#### REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 24, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred House Bill No. 9, imposing a net income tax, have had the same under consideration, and are unable to agree, and request the powers of free conference.

##### *Senate Members*

MARTIN J. DURKAN

JOHN H. HAPPY

HOWARD BARGREEN

##### *House Members*

HENRY BACKSTROM

NORMAN B. ACKLEY

H. MAURICE ABLQUIST

On motion of Senator Greive, the report of the Conference Committee on House Bill No. 9 was adopted, and the committee was granted the powers of Free Conference.

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,

Olympia, Wash., March 23, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 30, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### Senate Bill No. 31:

Senate Chamber,

Olympia, Wash., March 23, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Social Security, to whom was referred Senate Bill No. 31, revising definition of "surplus" relating to employment security experience rating credits, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WAYNE G. ANGEVINE, *Chairman*.

We concur in this report: Victor F. DeGarmo, Louis E. Hofmeister, George W. Kupka, Mike McCormack, Frances Haddon Morgan, Charles P. Moriarty, Jr., Homer O. Nunamaker, W. C. Raugust, Edward F. Riley, John N. Ryder, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

#### MESSAGE FROM THE HOUSE

House of Representatives,

Olympia, Wash., March 23, 1961.

MR. PRESIDENT:

The House has passed: House Joint Resolution No. 6, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS

The following were introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 49**, by Senators Washington, Henry, Martin, Donohue and Hofmeister:

Omnibus bill relating to public highways.

Referred to Committee on Highways.

**Senate Concurrent Resolution No. 5**, by Senators Angevine, Gissberg and Washington:

Relating to the Youth Peace Corps.

On motion of Senator Angevine, the rules were suspended, Senate Concurrent Resolution No. 5 was advanced to second reading, and read the second time in full.

On motion of Senator Angevine, the rules were suspended, Senate Concurrent Resolution No. 5 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage and adopted.

#### FIRST READING OF HOUSE BILLS

The following were read first time by title and acted upon as indicated:

**House Joint Resolution No. 6**, by Representatives Henry, Wedekind and Garrett:

Designating official song for Century Twenty-One.

On motion of Senator Henry, the rules were suspended, House Joint Resolution No. 6 was advanced to second reading, and read the second time in full.

On motion of Senator Henry, the rules were suspended, House Joint Resolution No. 6 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

#### POINT OF INQUIRY

Senator Kupka:

"Will Senator Henry yield to a question?"

Senator Henry:

"Yes, I will."

Senator Kupka:

"Would you kindly tell us whether this is 'bebop' or 'rock and roll' before we adopt this resolution?"

Senator Henry:

"I understand from the musicians around that this is a very simple type western ballad, something like 'The Shooting of Dan McGrew.'"

Senator Kupka:

"So long as it doesn't encroach on this beautiful rhapsody, I won't complain."

Debate ensued.

On motion of Senator Henry, the rules were suspended, and House Joint Resolution No. 6 was reverted to second reading for the purpose of amendment.

On motion of Senator Rasmussen, further consideration of House Joint Resolution No. 6 was held over until the afternoon in order that the Senate might have an opportunity to hear the song.

#### SECOND READING OF BILLS

**Senate Bill No. 21**, by Senators Neill, Hallauer and Foley:

Relating to University of Washington tuition fees.

The bill was read the second time by sections.

Senator Hess moved that the following amendment be adopted:

On page 3, add a new section following section 1 as follows:

**NEW SECTION.** Sec. 2. The board of regents of the University of Washington, in lieu of collecting general tuition and other fees in cash from needy resident students, may adopt a deferred payment plan for such students whenever need and inability to pay is clearly demonstrated. Any such deferred payment plan shall contain a promissory note from the student bearing interest at the rate of four percent on the declining balance. Such plans shall be approved by the board on the basis of the

greatest need demonstrated. The number of such plans shall not exceed ten percent of the student enrollment at any one time.

Senators Hess, Martin and DeGarmo demanded a Call of the Senate.  
A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

#### MOTION

On motion of Senator Ryder, the rules were suspended and Senator Freise was excused.

The Secretary called the roll on the Call of the Senate, all members being present except Senator Freise, who was excused.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Hess yield to a question?"

Senator Hess:

"I will."

Senator Riley:

"The report from which you quoted, was that a national study, or a study of high school graduates in the state of Washington?"

Senator Hess:

"The article quoted was called the 'Conservation of Intellectual Talent', and the national figures I used most conservatively were from ten publications all over the United States. The Washington figures indicate that the student potential in Washington for loans of this type are somewhat greater than throughout the Nation."

Senator Riley:

"My thought was this: If it were a national level, embracing fifty states, because of the higher position of financing in this state, that those figures might not be typical."

Senator Hess:

"I think these figures for the state of Washington are conservative."

#### POINT OF INQUIRY

Senator Moriarty:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Moriarty:

"Your amendment, as it is prepared, limits the qualifications for these deferred payment plans to the needy, and you say that some of our most brilliant students are not going to college because of this condition. I wonder if we should not also put in your amendment standards of academic qualifications."

Senator Hess:

"This was considered and discouraged by the colleges themselves. They report that there are many excellent students who do not get the high grades in high school, and are greatly qualified, and they find many doors closed to them because most scholarships are on this basis. Many of these students perhaps were involved in athletics and other things. This is the reasonable approach to it. This position was taken only after talking with the scholarship boards and college people."

Debate ensued.

Senator Hess demanded a roll call, which was sustained by Senators

Nunamaker, Talley, Donohue, Rasmussen, DeGarmo, Washington, Greive, Martin and Connor.

The Secretary called the roll on the adoption of the amendment by Senator Hess, and the amendment was not adopted by the following vote: Yeas, 12; nays, 36; absent and excused, 1.

Those voting yea were: Senators Bargreen, Donohue, Gissberg, Hess, McCormack, Morgan, Neill, Nunamaker, Rasmussen, Talley, Thompson, Jr., Washington—12.

Those voting nay were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Martin, Moriarty, Jr., Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Woodall—36.

Those absent and excused were: Senator Freise—1.

Senator Hess moved that the following amendment be adopted:

On page 2, section 1, line 18, after "*seventy-five dollars*" strike the period and insert "*: PROVIDED, That such combined fees shall not be increased more than fifteen percent in any one year.*"

The motion lost and the amendment was not adopted.

On motion of Senator Neill the following amendment was adopted:

In section 1, subdivision (5) (ii), page 2, line 18, after "*seventy*" and before "*dollars*" strike "*-five*"

On motion of Senator Lennart, the following amendment was adopted:

On page 2, section 1, line 18, after "*dollars*" and before the period, insert "*: PROVIDED, That the total of the general tuition fees together with other fees shall not exceed an amount of three hundred dollars in any one year exclusive of the summer session*"

Senator Lennart moved that the following amendment be adopted:

On page 2, section 1, line 22 after "*dollars*" and before the period insert "*: PROVIDED, That the board may waive all or any part of the general tuition fee for any nonresident if the state colleges or universities of the state or province of Canada of his residence waive general tuition nonresident fees for resident students of this state: PROVIDED FURTHER, That the general tuition fee charged to such nonresident shall not be less than resident general tuition fees herein provided*"

The motion lost and the amendment was not adopted.

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 21 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

#### POINT OF INQUIRY

Senator Washington:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Washington:

"In preface, the Colleges of Education, now the State Colleges, there is a general feeling that a graduate, after he has gone through one of these colleges, doesn't have quite the academic status as a graduate from the University of Washington or Washington State University. Is that not true? In recognition of this fact, there has been a difference in fees between these two types of institutions. Could you state in your opinion, and your understanding of the fees, what the fees will be in the Colleges of Education, and what the fees will be in the University of Washington and Washington State University, so that we could have a definite understanding of the difference?"

Senator Hallauer:

"I do appreciate what you are driving at here. The idea has been to create a relationship on the level of \$4.00 to the universities to \$3.00 to the state colleges. So, we would have, in effect, a fee schedule in accordance, in expectation that would boost their total fees from \$250 to \$275. It is my understanding that the parallel is that of the University of Oregon, where the \$275 fee prevails. Anyone speaking on this, at this time, is however in a difficult position, because the Board of Regents may react differently, but the \$250 to \$275 range, I am sure, is what the Committee had in mind when they acted."

#### PERSONAL PRIVILEGE

Senator Lennart:

"Regarding the question of Senator Washington as to the relationship in fees, the proposed tuition bills before us for our institutions of higher learning are supposed to set a pattern of comparative fairness. Under the amendment of Senator Neill, the bill just passed, the State College minimum tuition would be \$210. Under the present bill, the Western Washington College would be \$223. This is correct, but I do not understand why that amendment is put in there. The relationship is not true under these conditions."

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 21, and the bill passed the Senate by the following vote: Yeas, 44; nays, 4; absent and excused, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Washington, Woodall—44.

Those voting nay were: Senators Gissberg, Hess, Talley, Thompson, Jr.—4.

Those absent and excused were: Senator Freise—1.

Engrossed Senate Bill No. 21, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 24, 1961.

MR. PRESIDENT:

The House has refused to recede from its amendments to Engrossed Senate Bill No. 2, and asks the Senate for a conference thereon. S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Greive, the request of the House for a conference on Engrossed Senate Bill No. 2 and the House amendments thereto, was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 2, and the House amendments thereto, Senators Angevine, Lennart and Riley.

**CONFIRMATION OF COMMITTEE APPOINTMENTS**

On motion of Senator Greive, the Conference Committee appointments on Engrossed Senate Bill No. 2, and the House amendments thereto, were confirmed.

House of Representatives,  
Olympia, Wash., March 24, 1961.

MR. PRESIDENT:

The House has refused to recede from its amendment to Engrossed Senate Bill No. 5, and asks the Senate for a conference thereon. S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Greive, the request of the House for a conference on Engrossed Senate Bill No. 5, and the House amendment thereto, was granted.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 5, and the House amendment thereto, Senators Angevine, Lennart and Riley.

**CONFIRMATION OF COMMITTEE APPOINTMENTS**

On motion of Senator Greive, the Conference Committee appointments on Engrossed Senate Bill No. 5, and the House amendment thereto, were confirmed.

House of Representatives,  
Olympia, Wash., March 24, 1961.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on House Bill No. 9, and has granted said committee the powers of Free Conference.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 24, 1961.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Substitute Senate Joint Resolution No. 1, and has receded from its amendments and has passed the bill without the House amendments. The resolution and the report of the Conference Committee are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., March 24, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Substitute Senate Joint Resolution No. 1, enabling school districts to authorize excess levies for a number of years at a single election, have had the same under consideration, and we recommend that the resolution be passed without the House amendments.

*Senate Members*  
JOHN PAPAJANI  
JOHN B. HAPPY  
ANDY HESS

*House Members*  
PAUL HOLMES  
FRANK BUSTER BROUILLET  
ED M. MORRISSEY

House of Representatives,  
Olympia, Wash., March 24, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 24, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

**SIGNED BY THE PRESIDENT**

The President has signed: House Bill No. 24.

**MOTIONS**

On motion of Senator McCutcheon, the Senate dispensed with the Call of the Senate.

At 1:02 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

**AFTERNOON SESSION**

At 2:00 o'clock p. m. the Senate was called to order by President Pro Tempore Al Henry.

The President Pro Tempore announced that the Senate would be at ease for approximately fifteen minutes.

At 2:15 o'clock p. m. the Senate was called to order by President Pro Tempore Henry.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bargreen, Durkan, Freise, Hanna and Petrich.

**MOTION**

On motion of Senator Ryder, Senators Petrich, Happy, Durkan, Freise and Bargreen were excused.

The Secretary read:

**MESSAGE FROM THE SECRETARY OF STATE****DEPARTMENT OF STATE  
OFFICE OF THE SECRETARY**

Olympia, Washington, March 22, 1961.

*To the Honorable, the President of the Senate,  
The Legislature of the State of Washington, Olympia, Washington.*

SIR:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the State Senate, the following bills passed by the State Senate and House of Representatives at the Regular Legislative Session of 1961, and *partially* vetoed by the Governor, together with his veto message attached thereto.

They are Enrolled Senate Bills Nos. 129, 288 and 548.

Respectfully,

(signed) VICTOR A. MEYERS,  
Secretary of State.

State of Washington, Executive Department,  
Olympia, March 21, 1961.

*To the Honorable, the Senate of the State of Washington.*

(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to one section, **Substitute Senate Bill No. 129** entitled:

"An Act relating to state government; changing the membership of the Washington toll bridge authority; relating to the powers and duties of the Washington toll bridge authority and the state highway commission; amending section 47.56.020, chapter 13, Laws of 1961 and RCW 47.56.020; amending section 47.56.030, chapter 13, Laws of 1961 and RCW 47.56.030; adding six new sections to chapter 13, Laws of 1961 and chapter 47.56 RCW; declaring an emergency; and providing effective dates." This bill, which is sponsored by the Committee on Highways, completely revamps

and reorganizes the Washington Toll Bridge Authority. It removes from the Toll Bridge Authority the State Auditor, the Chairman of the Public Service Commission, the Chairman of the State Highway Commission, and the Director of General Administration.

The members removed are replaced by two members of the State Highway Commission designated by the Commission, and two members appointed by the Governor, leaving the Governor as a member of the Commission.

Section 3 of this bill provides that one of the members appointed by the Governor shall reside east of the Cascades; the other one west thereof. It also provides that one member each, shall be selected from each of the major political parties. The section further provides that no elected state official or state officer shall be appointed by me to the Authority. The section further provides that members of the Authority can be removed only for specified grounds after a hearing in the Superior Court of the State of Washington in and for Thurston County.

It is my considered judgment that there is no need that one of the two members of this Authority to be appointed by me reside east of the Cascade Mountains. I expect that the Highway Commission will elect one of the members designated by the Commission to be a member whose residence is east of the Cascade Mountains. Secondly, it should be recognized that meetings of the membership of this Authority will be frequent. Members appointed from east of the Cascades may not attend the frequent meetings which will be called and which will take place at the State Capitol. The major function of the Authority deals with problems related to the State ferry system. In addition, most of the toll facilities will be located west of the Cascades. Therefore, reason demands that the majority of the members of this Authority should reside west of the Cascades. I also believe it would be unwise to categorically refuse membership on this Authority to elected or appointed State officials. By virtue of their residence, and their experience in governmental affairs, I would consider it a serious mistake to deprive ourselves of the services of a well trained and qualified individual who may be a State officer, from serving on the Authority.

For the reasons indicated, section 3 of the bill is vetoed. The remainder of the bill is approved.

Respectfully submitted,  
(signed) ALBERT D. ROSELLINI,  
Governor.

On motion of Senator Greive, Substitute Senate Bill No. 129 and the Governor's partial veto thereto, were referred to the Committee on Rules and Joint Rules.

State of Washington, Executive Department,  
Olympia, March 21, 1961.

To the Honorable, The Senate of the State of Washington  
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to one section, Senate Bill No. 288 entitled:

"An Act relating to highways and acquisition of property therefor; authorizing the investment of state funds; amending section 6, chapter 274, Laws 1955, and RCW 41.32.200; amending section 8, chapter 274, Laws of 1947, as last amended by section 1, chapter 220, Laws of 1955, and RCW 41.40.070; and amending section 51.44.100 chapter ....., Laws of 1961 (House Bill No. 4) and RCW 51.44.100."

Senate Bill No. 288 authorizes the State Highway Commission to purchase or condemn real property or property rights necessary for the improvement of the State highway system, at times reasonably in advance of programmed construction of the highways. Section 8 of this bill amends RCW 41.32.200. It amends said section of the Revised Code of Washington by permitting the Board of Trustees of the Teachers' Retirement System to invest in motor vehicle fund warrants to be issued by the Highway Commission to pay for the costs of advance acquisition of real property or property rights as previously explained.

Section 1 of Senate Bill No. 314 likewise purports to amend RCW 41.32.200. This section outlines in detail the various securities in which the Board of Trustees of the Washington State Teachers' Retirement System may authorize the State Finance Committee to invest for the Teachers' Retirement System. The provisions contained in section 1 of Senate Bill No. 314 are of the utmost importance to the Teachers'

Retirement System because the investments provided therein will allow that System to obtain an increased yield from its investments which will assure the Teachers' Retirement System to remain actuarially sound.

Since retirement systems other than those of the teachers have been allowed to invest in the Highway warrants above described, the Highway Commission will be able to achieve the principal purpose of Senate Bill No. 288, and by vetoing section 8 of Senate Bill No. 288 the Teachers' Retirement System will benefit from the provisions contained in Senate Bill No. 314.

For the reasons indicated, section 8 of Senate Bill No. 288 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,  
(signed) ALBERT D. ROSELLINI,  
Governor.

Senator Greive moved that the partial veto message of the Governor on Senate Bill No. 288, together with the bill, be referred to the Committee on Rules and Joint Rules.

State of Washington, Executive Department,  
Olympia, March 21, 1961.

To the Honorable, The Senate of the State of Washington  
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am returning herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to subsection 1, of section 5, Senate Bill No. 548 entitled:

"An Act providing for the control or elimination of mosquitoes."

This bill is approved with the exception of subsection 1 of section 5, which is vetoed.

Subsection 1 of section 5 requires the consent of both the owner and occupant prior to any inspection to determine the existence of mosquito breeding places. This requirement would unnecessarily restrict health officials in establishing a proper program for the control or elimination of mosquitoes. It would in effect make routine inspections during the short mosquito breeding season administratively impossible, and add considerably to the public expense of mosquito control. Since the health department is already given the power to make inspections and investigations in section 2 of the bill, the requirement of prior consent, particularly in instances where property is owned by an absentee landlord, imposes an unequal burden on resident land owners and undue expense and restriction on public health authorities.

The reasons stated in the preceding paragraph impel me to veto subsection 1, of section 5. The remainder of the bill is approved.

Respectfully submitted,  
(signed) ALBERT D. ROSELLINI,  
Governor.

Senator Greive moved that the Governor's veto message on Senate Bill No. 548 together with the bill be referred to the Committee on Rules and Joint Rules.

Senator Woodall moved that further veto messages be held up until tomorrow and the Senators be given copies of the messages.

The motion carried.

## SECOND READING OF BILLS

**Senate Bill No. 22**, by Senators Neill, Hallauer and Foley:

Relating to tuition fees and the disposition thereof at Washington State University.

Senate Chamber,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Senate Bill No. 22, relating to tuition fees and the disposition thereof at Washington State University, have had the same under consideration, and we re-

spectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In section 1, page 2, line 19, strike "tuition"

GORDON SANDISON, *Chairman.*

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

The bill was read the second time by sections.

On motion of Senator Neill, the committee amendment was adopted.

On motion of Senator Neill, the following amendments were adopted:

In section 1, page 2, line 6, after "hundred" strike the remainder of the sentence and insert "five dollars."

In section 2, page 3, line 12, after "credited" and before "as follows" insert "to the Washington State University building account until June 30, 1963 and thereafter"

In section 3, page 3, line 30, after "act the" and before "fund" insert "account within the general"

In section 3, page 3, line 31, after "Building" strike "Fund" and insert "Account"

On motion of Senator Lennart, the following amendment was adopted:

In section 1, page 2, line 6, as amended by Senator Neill's amendment, after "dollars" and before the period, insert " : PROVIDED, That the total of the general tuition fees together with other fees shall not exceed an amount of three hundred dollars in any one year exclusive of the summer session"

On motion of Senator Neill, the rules were suspended, Engrossed Senate Bill No. 22 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 22, and the bill passed the Senate by the following vote: Yeas, 37; nays, 5; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foster, Gallagher, Greive, Hallauer, Henry, Herrmann, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Washington, Woodall—37.

Those voting nay were: Senators Gissberg, Hess, Keefe, Talley, Thompson, Jr.—5.

Those absent or not voting were: Senators Bargreen, Durkan, Foley, Freise, Hanna, Happy, Petrich—7.

Engrossed Senate Bill No. 22, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 23**, by Senators Neill, Hallauer and Foley:

Authorizing bonds for capital projects for Washington State University.

The bill was read the second time by sections.

On motion of Senator Neill, the following amendment was adopted:

In section 5, subsection (2), page 4, line 14, after "Any" and before "grants" strike "gifts, bequests, or"

On motion of Senator Neill, the rules were suspended, Engrossed Senate Bill No. 23 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 23, and the bill passed the Senate by the following vote: Yeas, 37; nays, 4; absent or not voting, 8.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foster, Gallagher, Greive, Hallauer, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Woodall—37.

Those voting nay were: Senators Gissberg, Hess, Talley, Thompson, Jr.—4.

Those absent or not voting were: Senators Bargreen, Durkan, Foley, Freise, Hanna, Happy, Martin, Washington—8.

Engrossed Senate Bill No. 23, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate:

"This morning you heard considerable discussion between Senator Kupka and myself regarding various types of music, whether it be 'long-hair' or 'ballad.' This afternoon we have Miss Dwyla Donohue, accompanied by Mr. Phillip Raboin. Will Miss Donohue and Mr. Raboin please come forward."

Miss Donohue, accompanied by Mr. Raboin, sang "Century 21."

(Applause.)

Senator Kupka:

"If I hadn't read the words I would swear that they had copied something from 'Darling Clementine'."

**House Joint Resolution No. 6**, by Representatives Henry, Wedekind and Garrett:

Designating official song for Century 21.

Senator Hess moved that the resolution be referred to the Committee on Rules and Joint Rules.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Kupka yield to a question?"

Senator Kupka:

"Yes, I will."

Senator Riley:

"This is a serious question. In view of the fact that the Department of Commerce and Economic Development has been selected as the state agency to represent all of the State on Century 21, I am wondering whether any of that body have ever seen or heard of this music."

Senator Kupka:

"My answer to you, Senator Riley, is if they haven't, they haven't been doing a very good job. If they haven't discovered these songs by now, it is too late to start."

#### POINT OF INQUIRY

Senator Rasmussen:

"Will Senator Hess yield to a question?"

Senator Hess:

"Yes, I will."

Senator Rasmussen:

"Senator Hess, this Rhapsody 21—on the music, I see a slip here on the outside that says 'It is my pleasure to inform you that Rhapsody 21 has been declared the official music for Century 21,' signed, Albert D. Rosellini. In tearing off the slip, I see that the piece is published by Mineo and Hess. My question is, are you officially affiliated?"

Senator Hess:

"All I can say is I don't know who Mineo is, and there might be several people with the same name as mine still floating about the State, but I still think the resolution should go to the Committee on Rules and Joint Rules."

#### POINT OF INQUIRY

Senator Hess:

"Will Senator Riley yield to a question?"

Senator Riley:

"Yes, I will."

Senator Hess:

"If we put this in the Rules Committee, do you suppose we might prevail upon your friend, Mercedes, to come down and sing her song for us?"

Senator Riley:

"I am certain, Senator Hess if we are here that long!

"It will be no effort to get my friend, Mercedes, down to sing this song and some others."

Debate ensued.

The President stated the question before the Senate to be referral of House Joint Resolution No. 6 to the Committee on Rules and Joint Rules.

The motion carried, and House Joint Resolution No. 6 was referred to the Committee on Rules and Joint Rules.

**Senate Bill No. 24**, by Senators Neill, Hallauer and Foley:

Relating to tuition fees of State Colleges.

The bill was read the second time by sections.

Senator Lennart moved that the following amendment be adopted:

On page 2, section 1, line 11 after "*such*" and before "*fee*" strike "*general tuition*" and insert "*capital project*"

Debate ensued.

The motion lost and the amendment was not adopted.

Senator Lennart moved that the following amendment be adopted:

On page 2, section 1, line 16 after "*(a)*" and before "*; and*" strike "*General tuition fee, not less than fifteen dollars*" and insert "*fee, not less than ten dollars*"

Debate ensued.

The motion was lost and the amendment was not adopted.

On motion of Senator Lennart, the following amendment was adopted:

In section 3, subsection (b), page 2, line 18, after "*dollars*" and before the period insert the following: "*: PROVIDED, That the total of the tuition fees together with other fees shall not exceed an amount of two hundred and thirty dollars in any one year exclusive of the summer session*"

On motion of Senator Neill, the rules were suspended, Engrossed Senate Bill No. 24 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill

No. 24, and the bill passed the Senate by the following vote: Yeas, 33; nays, 5; absent or not voting, 11.

Those voting yea were: Senators Angevine, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Hallauer, Henry, Herrmann, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Washington, Woodall—33.

Those voting nay were: Senators Gissberg, Hess, Lennart, Nunamaker, Thompson, Jr.—5.

Those absent or not voting were: Senators Bailey, Bargreen, Durkan, Freise, Gallagher, Greive, Hanna, Happy, Hofmeister, Martin, Talley—11.

Engrossed Senate Bill No. 24, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

Senator Lennart:

"My point has reference to Art. IX, Sec. 2 of the State Constitution which specifically exempts teacher colleges from tuition fee, as part of the public school system.

"I do not believe this now would be constitutional, therefore, I voted 'no'."

#### PERSONAL PRIVILEGE

Senator McCormack:

"During the regular session we passed Senate Bill No. 427 which was a bill dealing with nuclear energy in the state of Washington. At that time there were expressed some details hoping that the contents of the bill were satisfactory.

"A few days ago the United States Atomic Energy Commission issued a statement which said it is proper to release sources to the states. They announced yesterday the plan to improve standards in which this is to be handled. The responsibility for this requires regulation between the A. E. C. and the Governors of the states. Many states will have to amend their laws in order to meet this. Section 11, Senate Bill No. 427 does expressly that, and we in the state of Washington, will be able to move into this field in safety."

**Senate Bill No. 25**, by Senators Neill, Hallauer and Foley:

Authorizing boards of trustees of state colleges to issue bonds.

The bill was read the second time by sections.

On motion of Senator Neill, the following amendment was adopted:

In section 6, subsection (2), page 6, line 17, after "Any" and before "grants" strike "gifts, bequests, or"

On motion of Senator Neill, the rules were suspended, Engrossed Senate Bill No. 25 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 25, and the bill passed the Senate by the following vote: Yeas, 34; nays, 3; absent or not voting, 12.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Greive, Hallauer, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McMillan, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Washington, Woodall—34.

Those voting nay were: Senators Gissberg, Hess, Thompson, Jr.—3.

Those absent or not voting were: Senators Bargreen, Durkan, Freise,

Gallagher, Hanna, Happy, Henry, McCutcheon, Martin, Papajani, Raugust, Talley—12.

Engrossed Senate Bill No. 25, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 26**, by Senators Neill, Hallauer and Foley:

Authorizing community colleges to charge tuition fees to nonresidents.

Senate Chamber,  
Olympia, Wash., March 18, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Higher Education and Libraries, to whom was referred Senate Bill No. 26, authorizing community colleges to charge tuition fees to nonresidents, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, page 2, lines 5 and 6, strike "one hundred" and insert "eighty"

In section 1, page 2, line 6, strike "person" and insert "student"

GORDON SANDISON, *Chairman*.

We concur in this report: Wayne G. Angevine, Frank W. Foley, Wilbur G. Hallauer, Marshall A. Neill, John N. Ryder, William D. Shannon, Nat Washington.

The bill was read the second time by sections.

Senator Sandison moved that the committee amendments be adopted.

Senators Greive, Washington and Knoblauch demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

The President stated the question before the Senate to be the adoption of the committee amendments.

The motion carried, and the committee amendments were adopted.

#### MOTION

On motion of Senator Greive, Senators Freise and Happy were excused.

On motion of Senator Sandison, the rules were suspended, Engrossed Senate Bill No. 26 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 26, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent and excused, 2.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—46.

Those voting nay were: Senator Talley—1.

Those absent and excused were: Senators Freise, Happy—2.

Engrossed Senate Bill No. 26, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PRESIDENT'S PRIVILEGE

The President:

"With the permission of the Senate, the President should like to take a few minutes to honor an associate of the President and the Secretary of the Senate.

"The President requests that Senator Cowen take the gavel and perform this ceremony of honor."

Senator Cowen:

"At this time, we would like to honor an employee of our Senate. This certificate of commendation is an award to Peter S. Brudevold, our Senate Reading Clerk, for devoted and excellent service to the Senate of the state of Washington during the 1961 session of the legislature. We sincerely hope that in the 1963 Session that you will be back with us."

Mr. Brudevold was presented with the citation.

Mr. Brudevold:

"Thank you very much, Senator Cowen."

Senator Cowen:

"I wish you the best of health and that you will be back with us in 1963, and also the Minute Clerk."

The President announced the Senate would be at ease for fifteen minutes.

At 4:10 o'clock p. m. the Senate was called to order by President Cherberg.

On motion of Senator Greive, the Senate advanced to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE

##### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 23, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 3 with the following amendment:

On page 4 of the engrossed bill, being page 5 of the printed bill, immediately following section 8 add a new section to read as follows:

**NEW SECTION.** Sec. 9. The Washington toll bridge authority shall periodically report to the joint fact-finding committee on highways, streets and bridges its plans and progress relating to the financing and refinancing of the Washington state ferries and Hood Canal bridge, including the issuance of bonds authorized by this act, to the end that the committee may be informed of plans which may affect its recommendations to the legislature.

Renumber the remaining section consecutively, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Washington, the Senate concurred in the House amendment to Engrossed Senate Bill No. 3.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 3, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 38; nays, 10; absent and excused, 1.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Gallagher, Gissberg, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill,

Nunamaker, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington—38.

Those voting nay were: Senators Bargreen, Chytil, Donohue, Foley, Foster, Greive, Herrmann, Keefe, Papajani, Woodall—10.

Those absent and excused were: Senator Freise—1.

Engrossed Senate Bill No. 3, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 23, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 4 with the following amendments:

In section 1, page 3, line 9 of the engrossed bill, strike "section 20" and on page 3, line 10 of the printed bill, strike "section 22" and insert "section 18"

In section 1, page 3, line 10 of the engrossed and printed bill, after "1961," strike all of the matter down to and including "1961." on line 12 of the engrossed bill, being line 13 of the printed bill, and insert the following: "*and one-half cent shall be distributed to the cities and towns directly and allocated between them as provided by RCW 46.68.110: PROVIDED, That the funds allocated to a city or town which are attributable to such one-half cent of the additional tax imposed by this 1961 amendatory act shall be matched twenty-five percent by such city or town and seventy-five percent from the proceeds of such one-half cent of additional tax: AND PROVIDED FURTHER, That the proceeds of such one-half cent of additional tax and the matching funds provided by such city or town shall be used exclusively for the construction, improvement and repair of arterial highways as that term is defined in RCW 46.04.030.*"

In section 4, page 4, line 24 of the engrossed bill, strike "section 20" and on page 3, line 28 of the printed bill, strike "section 22" and insert "section 18"

In section 4, page 4, beginning on line 25 of the engrossed bill, being page 4, line 28 of the printed bill, after "1961," strike all of the matter down to and including the period following "1961" on line 27 of the engrossed bill, being line 31 of the printed bill and insert "*and one-half cent shall be distributed to the cities and towns directly and allocated between them as provided by RCW 46.68.110: PROVIDED, That the funds allocated to a city or town which are attributable to such one-half cent of the additional tax imposed by this 1961 amendatory act shall be matched twenty-five percent by such city or town and seventy-five percent from the proceeds of such one-half cent of additional tax: AND PROVIDED FURTHER, That the proceeds of such one-half cent of additional tax and the matching funds provided by such city or town shall be used exclusively for the construction, improvement and repair of arterial highways as that term is defined in RCW 46.04.030.*"

On pages 7 and 8, strike all of sections 9 and 10.

Renumber the remaining sections consecutively, and correct the internal section references accordingly.

Amend the title on page 1, line 26 and on page 2, line 1 of the engrossed bill being page 1, line 27 and page 2, line 1 of the printed bill, by striking "adding a new section to chapter 46.68 RCW;" and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

Senator Washington moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 4.

Extensive debate ensued.

Senators Talley, Nunamaker and Greive demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

The President stated the question to be, it has been moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 4.

The Secretary called the roll, and the Senate concurred in the House amendments to Engrossed Senate Bill No. 4 by the following vote: Yeas, 38; nays, 10; absent and excused, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cowen, DeGarmo, Dore, Durkan, Elway, Jr., Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Raugust, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—38.

Those voting nay were: Senators Cooney, Donohue, Foley, Herrmann, Keefe, McMillan, Martin, Petrich, Rasmussen, Riley—10.

Those absent and excused were: Senator Freise—1.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 26; nays, 22; absent and excused, 1.

Those voting yea were: Senators Bailey, Connor, DeGarmo, Dore, Gallagher, Hallauer, Happy, Henry, Hess, Hofmeister, Knoblauch, Kupka, McCormack, McCutcheon, Martin, Morgan, Moriarty, Jr., Nunamaker, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Washington—26.

Those voting nay were: Senators Angevine, Bargreen, Chytil, Cooney, Cowen, Donohue, Durkan, Elway, Jr., Foley, Foster, Gissberg, Greive, Hanna, Herrmann, Keefe, Lennart, McMillan, Neill, Papajani, Rasmussen, Thompson, Jr., Woodall—22.

Those absent and excused were: Senator Freise—1.

Engrossed Senate Bill No. 4, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

On motion of Senator Greive, the remaining bills were ordered retained on the second reading calendar for tomorrow.

At 4:00 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m., Saturday, March 25, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## SIXTEENTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, March 25, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Freise.

On motion of Senator Happy, Senator Freise was excused.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Susan Harris, presented the Colors.

Reverend J. Burton Salter, Pastor of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Let us pray:

"Almighty God Who hast given us this good land for our heritage, grant that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will.

"Today we humbly beseech Thee to give the Senators a clearer knowledge of Thyself so that thinking and acting in Thy strength they may accomplish their work.

"Endue the Senators with wisdom and strength to make and carry out thorough, effective and constructive legislation for the prosperity and welfare of the people of this state. Give us all a pure intention, patient faith and sufficient success, and now and always, the joy of serving Thee. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate, the Legislative Record No. 8, the final record, is completed and has been placed in your bill files, and on page 104 you will find the Governor's Message on Senate Bills vetoed or partially vetoed."

The Secretary read:

#### SENATE RESOLUTION

By Senators Washington, Hallauer, Nunamaker and Lennart:

WHEREAS, The Province of British Columbia desires to be the host for the Tenth Olympic Winter Games to be conducted in 1968; and

WHEREAS, The mountains of the Pacific Northwest offer excellent opportunities for the conducting of international ski competition; and

WHEREAS, There are in Washington State a large number of experienced and competent officials and technicians, many of whom worked at Squaw Valley during the Eighth Olympic Winter Games in 1960, who have expressed a desire to help conduct an Olympic Winter Games in the Pacific Northwest; and

WHEREAS, The hosting of an Olympic Winter event in the Pacific Northwest would focus international attention on the Pacific Northwest as a winter recreational area and as an outdoor vacation center;

Now, Therefore, Be It Resolved, That the Senate of the state of Washington endorses and supports British Columbia in its effort to have the Olympic Winter Games held in that province in 1968 and urges the International Olympic Commission to accept the invitation offered by the Province of British Columbia and urges that the United States delegates to the International Olympic Commission give their full support to the Province of British Columbia in this effort; and

*Be It Further Resolved*, That copies of this resolution be transmitted to the Minister of Recreation and Conservation of British Columbia and to the United States delegation to the International Olympic Commission.

On motion of Senator Washington, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Woodall, Happy and Thompson, Jr.:

WHEREAS, The House and Senate have defeated attempts to change the terms of the members of the Washington State Liquor Control Board; and

WHEREAS, The term of a member has expired January 15, 1961; and

WHEREAS, The Senate is, by law, obligated to approve appointments; and

WHEREAS, The Senate is now in session and it is desirable to receive said appointment while in session;

*Now, Therefore, Be It Resolved*, That the Honorable Albert D. Rosellini, Governor of the state of Washington, be requested to promptly forward to the Senate the name of his nominee for said appointment so that the matter can be considered in this, the first extraordinary session of the thirty-seventh Legislature.

On motion of Senator Woodall, the resolution was adopted.

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 24, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 21; also

Senate Bill No. 22; also

Senate Bill No. 23; also

Senate Bill No. 24; also

Senate Bill No. 25; also

Senate Bill No. 26, have compared same with the original bills and find them correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### Senate Bill No. 17:

Senate Chamber,  
Olympia, Wash., March 24, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 17, making appropriations, reappropriations, and supplemental appropriations for operation of state highway commission and toll bridge authority, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the attached substitute bill be substituted therefor and the substitute bill do pass.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, John L. Cooney, Dewey C. Donohue, Frank W. Foley, F. Stuart Foster, William A. Gissberg, Wilbur G. Hallauer, H. B. Hanna, Karl V. Herrmann, Andy Hess, Louis E. Hofmeister, Ernest W. Lonnard, Mike McCormack, Frances Haddon Morgan, A. L. Rasmussen, W. C. Raugust, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Bill No. 49 (reported by Committee on Highways):

Do pass as amended.

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Frank W. Foley, F. Stuart Foster, William A. Gissberg, Wilbur G. Hallauer, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W.

Lennart, Mike McCormack, Frances Haddon Morgan, Gordon Sandison, William D. Shannon, Don L. Talley.

Passed to Committee on Rules and Joint Rules for second reading.

#### SECOND READING OF BILLS

**Senate Bill No. 37**, by Senators McCormack, Hanna, Woodall, Freise, Donohue, Keefe, Hallauer, Herrmann, Henry, Foster and Cooney:  
Relating to unfair trade practices.

Senate Chamber,  
Olympia, Wash., March 20, 1961.

#### MR. PRESIDENT:

We, a majority of your Committee on Natural Resources, to whom was referred Senate Bill No. 37, relating to unfair trade practices, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

On page 1, section 1, beginning on line 5, after "follows:" strike the balance of the section and insert the following:

Any manufacturer or distributor of motor vehicle fuel within this state shall charge but one price throughout the state for each brand or grade of fuel sold at wholesale to any retail service station outlet serving the general public: *Provided*, That nothing herein contained shall prevent differentials which make allowances for differences in quantity when based and justified in the cost of manufacture, sale, or delivery, or the actual cost of transportation within the state.

**NEW SECTION.** Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately. **MIKE MCCORMACK, Chairman.**

We concur in this report: Robert C. Bailey, Dewey C. Donohue, F. Stuart Foster, Michael J. Gallagher, Al Henry, Frances Haddon Morgan, Albert C. Thompson, Jr.

The bill was read the second time by sections.

On motion of Senator McCormack, the committee amendments were adopted.

On motion of Senator McCormack, the following amendment to the title was adopted:

In line 1 of the title, after "practices;" insert "declaring an emergency;" also, after "adding" strike "a new section" and insert "two new sections"

Senator McCormack moved that the rules be suspended, Engrossed Senate Bill No. 37 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

A division was requested, and the motion lost.

Passed to Committee on Rules and Joint Rules for third reading.

**House Bill No. 22**, by Representative Wedekind:

Relating to security by lessee in lease of port district property.

The bill was read the second time by sections.

On motion of Senator Sandison, the rules were suspended, House Bill No. 22 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 22, and the bill passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust,

Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those absent or not voting were: Senators Bailey, Durkan, Freise, Happy, Martin, Nunamaker—6.

House Bill No. 22, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President announced that the Senate would be at ease, subject to the Call of the President.

At 12:10 o'clock p. m., the Senate was called to order by the President.

The Senate reverted to the second order of business for the purpose of receiving standing committee reports.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 25, 1961.

MR. PRESIDENT:  
Your Committee on Engrossed and Enrolled Bills to whom was referred Substitute Senate Joint Resolution No. 1, have compared same with the original resolution and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### Senate Bill No. 46:

Senate Chamber,  
Olympia, Wash., March 23, 1961.

MR. PRESIDENT:  
We, a majority of your Committee on Ways and Means, to whom was referred Senate Bill No. 46, authorizing levy of fifty mills on thirty percent of true and fair market value, allocating millage to schools and cities, and establishing evaluation criteria and methods, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Robert C. Bailey, John L. Cooney, Victor F. Degarmo, Michael J. Gallagher, William A. Gissberg, Karl V. Herrmann, Andy Hess, George W. Kupka, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

#### Senate Joint Resolution No. 5:

Senate Chamber,  
Olympia, Wash., March 23, 1961.

MR. PRESIDENT:  
We, a majority of your Committee on Ways and Means, to whom was referred Senate Joint Resolution No. 5, amending the Constitution to permit levy of fifty mills on thirty percent of true and fair market value and authorizing legislature to establish criteria, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILBUR G. HALLAUER, *Chairman*.

FRANK W. FOLEY, *Chairman*,  
Committee on Appropriations.

MARTIN J. DURKAN, *Chairman*,  
Committee on Taxation and Revenue.

We concur in this report: Robert C. Bailey, John L. Cooney, Victor F. DeGarmo, Michael J. Gallagher, William A. Gissberg, Karl V. Herrmann, Andy Hess, George W. Kupka, Charles P. Moriarty, Jr., Marshall A. Neill, Homer O. Nunamaker, A. L. Rasmussen, Edward F. Riley, John N. Ryder, Gordon Sandison, Don L. Talley, Albert C. Thompson, Jr.

Passed to Committee on Rules and Joint Rules for second reading.

**SIGNED BY THE PRESIDENT**

**The President signed: Substitute Senate Joint Resolution No. 1.**

**MOTION**

On motion of Senator Happy, Senator Freise was excused.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following were introduced, read first time by title and acted upon as indicated:

**Senate Joint Resolution No. 6**, by Senators Petrich and Dore:

A constitutional amendment relating to the judiciary.

On motion of Senator Petrich, Senate Joint Resolution No. 6 was referred to the Judiciary Committee.

**SECOND READING OF BILLS**

**Senate Bill No. 43**, by Senators Knoblauch and Talley:

Relating to municipal corporations of the fourth class and validating certain incorporations and annexations.

The bill was read the second time by sections.

On motion of Senator Knoblauch, the rules were suspended, Senate Bill No. 43 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Knoblauch yield to a question?"

Senator Knoblauch:

"Yes, I will."

Senator Riley:

"What are we repealing in section 2?"

"In section 2, it says: 'section 5, chapter 277, Laws of 1961, is hereby repealed.'"

Senator Knoblauch:

"Senator Petrich, will you help me on that?"

Senator Petrich:

"The part referred to as being repealed is the section 5 of House Bill No. 455 which validated annexations in excess of one square mile. Section 5 was one of the few remaining portions of the bill after the Governor vetoed sections 1, 2 and 3."

The Secretary called the roll on the final passage of Senate Bill No. 43, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan,

Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—43.

Those voting nay were: Senator Rasmussen—1.

Those absent or not voting were: Senators Bargreen, Durkan, Freise, Hanna, Happy—5.

Senate Bill No. 43, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Senator Greive, the rules were suspended and Senate Bills Nos. 17 and 49 were ordered to take their places at the end of the second reading calendar.

With the approval of the Senate, Senator Lennart was excused.

**Senate Bill No. 44**, by Senator Hallauer:

Amending section relating to new correctional institution, by striking reference to bonds issued pursuant to Senate Bill No. 481 of the regular session and substituting reference to Senate Bill No. 5 of the extraordinary session.

The bill was read the second time by sections.

On motion of Senator Hallauer, the rules were suspended, Senate Bill No. 44 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 44, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 8.

Those voting yea were: Senators Bailey, Chytil, Connor, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Gallagher, Greive, Hallauer, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those voting nay were: Senator Gissberg—1.

Those absent or not voting were: Senators Angevine, Bargreen, Cooney, Durkan, Freise, Hanna, Happy, Lennart—8.

Senate Bill No. 44, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**Senate Bill No. 17**, by Senators Washington, Donohue and Martin:

Making appropriations, reappropriations, and supplemental appropriations for operation of state highway commission and toll bridge authority.

On motion of Senator Riley, Substitute Senate Bill No. 17 was substituted for Senate Bill No. 17 and Substitute Senate Bill No. 17 was placed on second reading.

On motion of Senator Gissberg, the rules were suspended, and the Senate did not resolve itself into the Committee of the Whole for the purpose of considering Substitute Senate Bill No. 17.

The bill was read the second time by sections.

**PERSONAL PRIVILEGE**

Senator Gissberg:

"For the purpose of the record, I wish to read a letter addressed to me from Mr. Bugge, director of highways, who should be in a position to know, which he handed to me yesterday at my request at the time we were considering this bill:

"It is the plan of the State Highway Commission to complete the sale of bonds as authorized by legislative act in 1957 for the acceleration of the construction of the Tacoma-Seattle-Everett freeway.

"So as to expedite the construction of certain sections of this freeway in order that they can be opened to traffic at an earlier date than was originally projected, the sale of these bonds in the 1961-1963 biennium will accelerate the construction of that section of the freeway from Everett south to James Street in the City of Seattle by approximately one year, which would be in 1964 instead of the original completion date of 1965."

"I think it should be pointed out that I have been of the opinion for some time that the freeway would not be completed by 1965. It is possible that the contracts might be let by 1965, but I am confident that the freeway would not be completed so I think that had the commission succeeded in the original plan, the freeway would not be completed until 1967. I think that by the issuance of these bonds, we should have the freeway completed in three years."

**POINT OF INQUIRY**

Senator Riley:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Riley:

"My question is this. Based on the letter that you have and from which you quote and from your statement, do I understand that the commission is on record as saying that they will sell additional bonds, and upon that basis and by that method accelerate, expedite and bring to conclusion earlier that portion of the Seattle-Tacoma freeway?"

Senator Gissberg:

"I am not able to answer that categorically 'yes', or 'no'. For that reason, I explained this as carefully as I could. The fact is that I did receive a letter saying that the bonds would be issued, but the director did not indicate this was the official action of the state department of highways. I have here a letter from the director of highways saying that it is the plan of the state highway commission, and the reason that I made the remarks that I have, is to continue to make them as public as I could in order to have every possible effect on expediting the completion of this freeway."

Senator Riley:

"I am likewise asking a question which will indicate that it is the hope of at least Senator Gissberg and myself that they shall do this so that the program will be expedited to an earlier conclusion."

**POINT OF INQUIRY**

Senator Petrich:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Petrich:

"My question is directed to section 10 of the subject bill. It is my understanding that the tolls were way ahead of schedule, and there is no problem about the feasibility of that program in view of the fact that it is a well-paying project. What is the purpose of the loan?"

Senator Washington:

"This was a part of the original plan and the bond resolution of setting up the Tacoma Narrows Bridge, making that a responsibility of the highway commission, and this expense being borne by the motor vehicle fund. It is assisted by the funds of the Narrows Bridge and has helped by paying it off faster than it otherwise would."

The Secretary called the roll on the final passage of Substitute Senate Bill No. 17, and the bill passed the Senate by the following vote: Yeas, 44; nays, 0; absent or not voting, 5.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Gallagher Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those absent or not voting were: Senators Bargreen, Durkan, Freise, Lennart, Nunamaker—5.

Substitute Senate Bill No. 17, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate reverted to the first order of business.

The Secretary read:

#### SENATE RESOLUTION

By Senators Woodall, Happy and Thompson, Jr.:

WHEREAS, The first extraordinary session of the thirty-seventh Legislature has now been in session some fifteen days; and

WHEREAS, Said Legislature costs in excess of \$10,000 per day; and

WHEREAS, Legislative leaders of both parties have been working hard and long to arrive in an area of agreement on the important matters of appropriation and revenue and taxation; and

WHEREAS, In response to the appeals of the taxpayers, the Senate has passed a moderate appropriation bill calling for new revenues in the approximate sum of 18 million; and

WHEREAS, An area of agreement was being arrived at resolving the differences between the House and the Senate to the end of a speedy adjournment and a minimum of new taxes; and

WHEREAS, Said efforts have been delayed by the untimely declaration of the Governor that he would veto the appropriation bill unless it conforms to figures suitable to him; and

WHEREAS, He has had several terms in the State Senate and is now commencing his second term as Governor;

Now, Therefore, Be It Resolved, That the Governor be invited and urged to submit the minimum figures which he would accept on all budget matters and to submit the plan for taxes as he would propose, to the end that leadership be given, that generalities shall cease between both branches of the legislature and the executive branch, that this extraordinary session can be terminated to the relief of the members thereof and the citizens and taxpayers.

Senator Woodall moved that the resolution be adopted.

A division was requested and the motion carried. The resolution was adopted on a rising vote.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"It is with great pride that the President introduces several gracious and kind sisters from St. Peter's Hospital in Olympia. These are Sister Germaine, Sister Mary

Cabrina, Sister Dominic, Sister Helen Celine, Sister James Marcellin, and Sister Monica.  
 "Would this group please stand in order that the Senators and the President may properly recognize and welcome you."

The President:

"Seated in the north gallery is a very respected and esteemed visitor from Los Angeles, California, Mr. Frank Chuman, national president of the Japanese-American Citizens' League, making a courtesy visit to the state legislature today. Members of the legal profession may be interested in knowing that Mr. Chuman is also an attorney, and a Democratic leader in Los Angeles. Present with Mr. Chuman is Mr. Tak Kubota and another guest.

"Would this group please stand in order that the members may properly recognize you, and welcome you to Olympia and the Senate Chamber."

(Applause.)

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
 Olympia, Wash., March 25, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 21; also  
 Engrossed Senate Bill No. 22; also  
 Engrossed Senate Bill No. 23; also  
 Engrossed Senate Bill No. 24; also  
 Engrossed Senate Bill No. 25, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 25, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the conference committee on Engrossed Senate Bill No. 5, Representatives Schaefer, Campbell and Pence.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
 Olympia, Wash., March 25, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the conference committee on Engrossed Senate Bill No. 2, Representatives Schaefer, Campbell and Pence.

S. R. HOLCOMB, *Chief Clerk.*

#### PERSONAL PRIVILEGE

At the request of the President, Senator Al Henry introduced his small daughter, Jenefer Fay.

(Applause.)

#### MOTION

At 1:00 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:10 o'clock p. m.

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#### AFTERNOON SESSION

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At 2:00 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bargreen, Bailey, Durkan, Freise, Lennart and Happy; Senators Freise and Lennart having previously been excused.

Senator Greive, Hofmeister and Washington demanded a Call of the the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors.

The Secretary called the roll on the Call of the Senate.

On motion of Senator Gissberg, the Senate proceeded subject to roll call.

#### SECOND READING OF BILLS

**Senate Bill No. 49**, by Senators Washington, Henry, Martin, Donohue and Hofmeister:

Omnibus bill relating to public highways.

On motion of Senator Greive, the Senate did not resolve itself into a Committee of the Whole for the purpose of considering Senate Bill No. 49.

Senate Chamber,  
Olympia, Wash., March 24, 1961.

#### MR. PRESIDENT:

We, a majority of your Committee on Highways, to whom was referred Senate Bill No. 49, omnibus bill relating to public highways, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 16, page 13, line 32, add a new subsection to read as follows:

(9) In conjunction with the Washington toll bridge authority, the feasibility of a ferry run between Camano Island and Whidbey Island.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of five thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

In section 27, page 20, after "sum of" on line 10 and before "which shall" on line 11, strike "one dollar" and insert "two dollars"

In section 27, page 20, line 11, after "motor vehicle" and before "fund." on line 12, strike "records revolving"

Strike all of section 28 and renumber the remaining sections consecutively.

In section 29, being renumbered section 28, page 20, line 26 of the printed bill, after "activities of" and before "department relating" strike "his" and insert "the"

In section 35, being renumbered section 34, page 29, following "highway department" on line 19 and before "be issued" on line 21, strike "shall" and insert "may"

In section 35, being renumbered section 34, page 29, line 21, after "county permits" and before "be assessed" strike "shall" and insert "may"

In section 35, being renumbered section 34, page 29, line 32, after "county permit" and before "shall be" insert "when required by the board of county commissioners"

In section 41, page 34, line 7, after "and Paterson," and before "secondary" insert "that portion of primary state highway No. 8 beginning at a junction with primary state highway No. 8 in the vicinity south of Goldendale, thence in an easterly direction via Goodnoe Hills to a junction with the new location of primary state highway No. 8 west of Roosevelt, shall revert to Klickitat county. At such time"

On page 34, after section 43 add two new sections to read as follows:

Sec. 44. Section 18, chapter ....., Laws of 1961, extraordinary session (Senate Bill No. 4) is hereby repealed.

**NEW SECTION.** Sec. 45. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 46. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and sections 21 through 25 of this act shall take effect immediately.

On page 2, line 12 of the title, after "(uncodified)," and before "adding two" insert "repealing section 18, chapter ....., Laws of 1961, extraordinary session (Senate Bill No. 4);"

On page 2, line 16 of the title, after "RCW 47.20.520;" and before "making appropriations" strike "and"

On page 2, line 16 of the title, strike the period following "making appropriations" and add "; providing effective dates and declaring an emergency."

NAT WASHINGTON, *Chairman*,  
AL HENRY, *Vice-Chairman*,  
FRED J. MARTIN, *Vice-Chairman*.

We concur in this report: Robert C. Bailey, Howard Bargreen, Frank Connor, John L. Cooney, Dewey C. Donohue, Frank W. Foley, F. Stuart Foster, William A. Gissberg, Wilbur G. Hallauer, Andy Hess, Louis E. Hofmeister, Reuben A. Knoblauch, Ernest W. Lennart, Mike McCormack, Frances Haddon Morgan, Gordon Sandison, William D. Shannon, Don L. Talley.

The bill was read the second time by sections.

On motion of Senator Washington, the first committee amendment was adopted.

Senator Washington moved that the second committee amendment be adopted.

#### POINT OF INQUIRY

Senator Rasmussen:

"Would Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Rasmussen:

"Would you have any objection if we put a further amendment to say that twenty percent of that would go into the general fund?"

Senator Washington:

"Yes, I would object.

"This section of the License Department is supported solely by the motor vehicle fund. I feel that we have gone very thoroughly into this in committee meeting, and I feel that we should not do too much amending on the floor. If we do, we will wind up without knowing what we have."

The President stated the question to be the adoption of the second committee amendment.

The motion carried and the second committee amendment was adopted.

Senator Washington moved that the third committee amendment be adopted.

#### POINT OF INQUIRY

Senator Petrich:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Petrich:

"As I understand your proposed amendment, this is available to the Director of Licenses for the purpose of keeping track of records. Is that correct?"

Senator Washington:

"Yes, that is correct."

Senator Petrich:

"If this particular amendment were adopted, then the Director of Licenses, as charged by law to keep certain records and books, would have no funds with which to keep these records. Is this true?"

Senator Washington:

"I suppose there is some possibility of that.

"This particular amendment was pressed by Senator Hess who was a member of that committee, and frankly, will be more informed on the revolving fund than I am. He would be more able to answer questions on the revolving fund."

Senator Hess:

"The committee's thinking is that we had too many revolving funds. This involves a lot of money, and funds for operation should be drawn from the general motor vehicle fund."

Debate ensued.

The President stated the question to be the adoption of the third committee amendment.

The motion carried and the third committee amendment was adopted.

On motion of Senator Washington, the fourth, fifth, sixth, seventh, eighth and ninth committee amendments were adopted.

Senator Washington moved that the tenth committee amendment be adopted.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Riley:

"The amendment in the book records the new sections as sections 44 and 45, whereas I believe the Secretary wrote them as sections 45 and 46. It may not be of major concern, but the record should be clear."

The President:

"The Secretary has assured me that it will be taken care of, Senator Riley."

The President stated the question to be the adoption of the tenth committee amendment.

The motion carried and the tenth committee amendment was adopted.

On motion of Senator Washington, the committee amendments to the title were adopted.

On motion of Senator Washington, the following amendment on page 3 was considered first:

In section 1, page 3, line 1, after "to Anacortes;" strike "[also beginning at Everett in the vicinity of Broadway Avenue, thence in a southwesterly direction to a junction with primary state highway No. 1, in the vicinity south of Everett;]" and insert "also beginning at Everett in the vicinity of Broadway Avenue, thence in a southwesterly direction to a junction with primary state highway No. 1, in the vicinity south of Everett;"

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Riley:

"I am trying to follow this. Am I now clear, Senator Washington, that your amendment puts back on page 3 the bracketed material appearing in lines 1, 2 and 3?"

Senator Washington:

"That is correct."

The motion carried, and the amendment was adopted.

Senator Raugust moved that the following amendment be adopted:  
In section 14, page 10, strike everything on line 19 to and including line 28.

Debate ensued.

**POINT OF INQUIRY**

Senator Elway:

"Will Senator McCormack yield to a question?"

Senator McCormack:

"Yes, I will."

Senator Elway:

"You made the statement that ninety-five million dollars is forthcoming from the federal level to stimulate the traffic. Is the federal government not going to assume any more responsibility than fifty percent in this matter?"

Senator McCormack:

"This will be ninety-five percent. This means all sorts of business."

Senator Elway:

"My question is, if this is normal, that the servicing of federal projects is not the responsibility of the federal government, or have they been approached to spend more than fifty percent?"

Senator McCormack:

"It is not a federal project."

Debate ensued.

**POINT OF INQUIRY**

Senator Donohue:

"Will Senator Rasmussen yield to a question?"

Senator Rasmussen:

"Yes, I will."

Senator Donohue:

"Did I understand you in your statement to say that this would make a short connection by the tri-city area to Yakima?"

Senator Rasmussen:

"You understood me to say it would be a short cut-off. And furthermore, I said that it would give the people a chance to get to Yakima."

Senator Donohue:

"Are you familiar with that area?"

Senator Rasmussen:

"Not with all the sticks and stones, but fairly familiar."

Senator Donohue:

"Do you realize that this road doesn't go to Yakima at all?"

Senator Rasmussen:

"Quite right! But possibly the people would have a short-cut whereby they could get to Yakima."

Senator Greive moved that the amendment by Senator Raugust be laid on the table.

Senator Raugust demanded a roll call, which was sustained by Senators Elway, Shannon, Woodall, Foster, Chytil, DeGarmo, Moriarty and Nunamaker.

The Secretary started to call the roll on the tabling of the amendment by Senator Raugust.

**MOTION**

Senator Woodall moved that the rules be suspended, and the Senators not answering this roll call be excused.

A division was requested.

The motion carried on a rising vote, and the Senators not answering this roll call were excused from the roll call.

The Secretary continued calling the roll, and the proposed amendment by Senator Raugust was laid on the table by the following vote: Yeas, 35; nays, 9; absent and excused, 5.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, DeGarmo, Donohue, Dore, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Talley, Thompson, Jr., Washington—35.

Those voting nay were: Senators Chytil, Cowen, Elway, Jr., Foster, Moriarty, Jr., Neill, Raugust, Shannon, Woodall—9.

Those absent and excused were: Senators Bargreen, Durkan, Freise, Happy, Lennart—5.

**PERSONAL PRIVILEGE**

Senator Rasmussen:

"I stayed too long in the Highway Committee, and I wish to apologize to Senator Donohue. He was entirely right. The town I was thinking of was Ellensburg, rather than Yakima."

Senator Woodall moved that the following amendment be adopted:

On page 19, beginning on line 33 strike all of section 27 and renumber the remaining sections consecutively.

Senator Gissberg moved that the amendment proposed by Senator Woodall be laid on the table.

Senator Woodall demanded a roll call, which was sustained by Senators Raugust, Neill, Dore, Ryder, DeGarmo, Thompson, Foster, Chytil and Moriarty.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator Woodall be laid on the table.

**MOTION**

On motion of Senator Greive, the rules were suspended and the absent Senators were excused from this roll call.

The Secretary called the roll, and the amendment by Senator Woodall was not laid on the table by the following vote: Yeas, 19; nays, 26; absent and excused, 4.

Those voting yea were: Senators Bailey, Connor, Cowen, Elway, Jr., Gissberg, Hallauer, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, McCormack, Martin, Morgan, Riley, Sandison, Talley, Washington—19.

Those voting nay were: Senators Angevine, Chytil, Cooney, DeGarmo, Donohue, Dore, Foley, Foster, Gallagher, Greive, Happy, Herrmann, Kupka, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Ryder, Shannon, Thompson, Jr., Woodall—26.

Those absent and excused were: Senators Bargreen, Durkan, Freise, Lennart—4.

The President stated the question before the Senate to be the adoption of the amendment by Senator Woodall.

Senator Hallauer moved that the following amendment to Senator Woodall's amendment be adopted:

In section 27, page 20, line 3, reinstate all of section 27 except the words "business or person" on page 20, line 3.

Senator Greive moved that the amendment by Senator Hallauer to the amendment by Senator Woodall be laid on the table.

A division was requested.

The motion lost on a rising vote, and the amendment to the amendment was not laid on the table.

#### MOTION

Senator Herrmann moved that Senate Bill No. 49 hold its place on the the second reading calendar for Monday.

#### POINT OF INQUIRY

Senator McCormack:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator McCormack:

"Could it be true. I heard a rumor that this bill was already held in committee?"

Senator Washington:

"The entire bill. Definitely both bills have been held. We had a revenue measure, and as you know, the legislature can sometimes dissolve very quickly after the revenue bills are passed. This bill was held until the revenue bill was out of the way. You are right in that, Senator McCormack."

Senator Rasmussen:

"The Highway Committee met yesterday from the time we adjourned until 8:00 o'clock last night. There were arguments in there about why this bill should be expedited. I think this bill should be held over now. I would appreciate more time, and I think the members would appreciate more time also. We would be making ourselves ridiculous if we were to take an important bill like this and let the House clean it up. If we do the job here, we should make any changes that are necessary."

#### POINT OF ORDER

Senator Greive:

"I think maybe we can settle this entire matter by referring to Senate Rule 59. 'No bill shall embrace more than one subject, and that shall be expressed in the title,' and I ask a ruling on that matter, as it certainly involves two entirely different groups of people."

#### RULING OF THE PRESIDENT

The President:

"In ruling on the point of order, the President rules that the title is broad enough to include the section. The section is properly within the bill."

Senator Greive:

"I did not raise that point. My point was not that it wasn't within the title, but that there were two subjects in one bill.

"Temporarily, I will withdraw my point of order."

The President:

"If there are no objections, Senator Greive may withdraw his point of order."

There were no objections, and the point of order by Senator Greive was withdrawn.

Senator Hofmeister moved that the motion by Senator Herrmann, that Senate Bill No. 49 retain its place on the second reading calendar for Monday, be laid on the table.

There being no objection, Senator Herrmann withdrew his motion.

**POINT OF INQUIRY**

Senator Morgan:

"Will Senator Hallauer yield to a question?"

Senator Hallauer:

"Yes, I will."

Senator Morgan:

"Did I understand you correctly when you said there was one company who had the people employed in an investigation company, as a claims agency?"

Senator Hallauer:

"Do you have the name of that company?"

"There are many such companies. These are profit-making organizations. We have many such companies in this state. This seems a little odd to me."

Senator Morgan:

"May I ask you, would the press be able to get the information as well as this investigating company?"

Senator Hallauer:

"I presume not, but the press men could secure this information."

Senator Morgan:

"The information given to us was that the insurance companies resorted to this device because of the matter of time involved."

Senators Ryder, Neill and Moriarty demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried, and the demand for the previous question was sustained.

**MOTION**

On motion of Senator Keefe, the rules were suspended and Senators Gissberg and Raugust were excused.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator Hallauer to the amendment by Senator Woodall, be adopted.

The motion lost, and the amendment to the amendment was not adopted.

**MOTION**

Senator Hallauer moved that further consideration of Senate Bill No. 49 take its place on second reading on the next calendar day.

A division was requested and the motion lost on a rising vote.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator Woodall be adopted.

A division was requested.

The motion carried on a rising vote, and the amendment by Senator Woodall was adopted.

Senator Rasmussen moved that the following amendment be adopted:

Add a new section as follows:

**NEW SECTION.** Sec. 46. If any of the provisions of this act are vetoed for any reason other than being invalid, all of the provisions of this act shall be presumed to be vetoed.

Senator Greive moved that the amendment proposed by Senator Rasmussen be laid on the table.

The motion carried, and the amendment was laid on the table.

On motion of Senator Washington, the following amendment to the title was adopted:

On page 2, line 12 of the title after "(uncodified);" strike all of the matter down to and including "46.52 RCW;" on line 13

#### MOTION

On motion of Senator Woodall, the rules were suspended and the absent Senators were excused from this roll call.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 49 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 49, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent and excused, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—44.

Those voting nay were: Senator Papajani—1.

Those absent and excused were: Senators Freise, Gissberg, Lennart, Raugust—4.

Engrossed Senate Bill No. 49, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Woodall:

"I merely want to state that on a bill of this nature where there is no controversy, I see no purpose to hold up the vote in order to bring in three men for the purpose of voting, when they are working hard on another matter."

#### PERSONAL PRIVILEGE

Senator Riley:

"I want to speak on a matter of the suspension of the rules constantly on roll call. I particularly dislike the arrangement when we have a Call of the Senate that we find it convenient to suspend the rules and excuse people from roll call. Either there is no excuse for a Call of the Senate, and if that is the case, let's dispense with the Call of the Senate. And when we have a Call of the Senate, it is bad enough to even suspend the rules to ask that the Senators' names be called at the bottom of roll call. We live by rule of majority. The majority of the Senators are here in their seats and ready to vote. I think that we are abusing the privilege and making a mockery of our own rules on important measures, such as roll call. If I am here next session and my memory is any good, I am going to try to tighten up on this matter of roll call and have the members here when there are matters to be done."

#### NOTICE OF RECONSIDERATION

Senator Rasmussen:

"Having voted on the prevailing side, I hereby give notice that on the next working day I will move for reconsideration of the vote by which Engrossed Senate Bill No. 49 passed the Senate."

**PERSONAL PRIVILEGE**

Senator Rasmussen:

"I make this motion out of consideration for the chairman, Senator Hallauer. He made the motion that he wanted this held over until he had time to consult with the department of licenses."

**MOTION**

Senator Greive moved that the rules be suspended and that the Senate do immediately reconsider the vote by which Engrossed Senate Bill No. 49 passed the Senate.

The motion carried.

**POINT OF ORDER**

Senator Hess:

"For the record, I ask the question if it is not correct that the President required a two-thirds vote on that motion requesting reconsideration?"

**RULING OF THE PRESIDENT**

The President:

"The motion asked for a suspension of the rules, Senator Hess. It would require a two-thirds vote."

Senator Greive:

"The motion to suspend the rules did not involve the reconsideration. I did not move that the rules be suspended for reconsideration. I merely moved that the rules be suspended and Senator Rasmussen's motion be put to the body immediately."

The President stated the question before the Senate to be, it has been moved that the Senate do now reconsider the vote by which Engrossed Senate Bill No. 49 was passed.

The motion was lost, and the Senate voted not to reconsider the vote by which Engrossed Senate Bill No. 49 passed the Senate.

**MOTION**

On motion of Senator Washington, Engrossed Senate Bill No. 49 was ordered immediately transmitted to the House.

**THIRD READING OF BILLS**

**Engrossed Senate Bill No. 37**, by Senators McCormack, Hanna, Woodall and Freise:

Relating to unfair trade practices.

The bill was read the third time by sections.

Extensive debate ensued.

**POINT OF INQUIRY**

Senator Rasmussen:

"Will Senator Greive yield to a question?"

Senator Greive:

"Yes, I will."

Senator Rasmussen:

"You studied this problem quite extensively, I know, in the legislative council. This bill that we have before us, is it solely related to the wholesale price? Would this bill, if it were to become a law, outlaw the companies not charging the same price? Would it prevent that?"

Senator Greive:

"No, it wouldn't. It says, 'make allowances for differences in sale delivery, quality and quantity.' The off-brand lines wouldn't be affected and the selling wouldn't be affected."

Senator Rasmussen:

"Then, do you see any good reason for passing this bill?"

Senator Greive:

"The reason for passing it is that in the same city two stations right next to each other would not have to pay a different price. Actually, we should have it for independent gas dealers, but in that way we need some sort of explanation. The companies give different types of rebates and charge different prices to the same dealers, causing unfair competition."

#### PERSONAL PRIVILEGE

Senator Hallauer:

"The members of the Senate will note that I am listed as a sponsor of this bill. I want to try and explain the circumstances under which this condition arose, because I do not go along with the bill. As it was related to money, this was a simple way to investigate the prices of the gas, and during the hurry of the first few days of the session, I agreed that I would sign the bill, and I regret that this was done."

Senators Bailey, Knoblauch and Herrmann demanded the previous question.

The President stated the question to be, shall the previous question be now put.

The motion carried, and the demand for the previous question was sustained.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 37, and the bill passed the Senate by the following vote: Yeas, 26; nays, 19; absent and excused, 4.

Those voting yea were: Senators Angevine, Bailey, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Gallagher, Greive, Hanna, Henry, Herrmann, Keefe, Knoblauch, Kupka, McCormack, Morgan, Petrich, Sandison, Talley, Washington, Woodall—26.

Those voting nay were: Senators Bargreen, Chytil, Durkan, Hallauer, Happy, Hess, Hofmeister, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Nunamaker, Papajani, Rasmussen, Riley, Ryder, Shannon, Thompson, Jr.—19.

Those absent and excused were: Senators Freise, Gissberg, Lennart, Raugust—4.

Engrossed Senate Bill No. 37, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

#### REPORTS OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., March 25, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 3; also

Senate Bill No. 21; also

Senate Bill No. 22; also

Senate Bill No. 23; also

Senate Bill No. 24; also

Senate Bill No. 25, have compared the same with the engrossed bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 25, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 37, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 3; also  
Senate Bill No. 21; also  
Senate Bill No. 22; also  
Senate Bill No. 23; also  
Senate Bill No. 24; also  
Senate Bill No. 25.**

**MOTION**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**POINT OF INQUIRY**

Senator Riley:

"I want to inquire of the President or the Secretary on the matter of absentees on the last roll call. We are still under the Call of the Senate, and I still can't understand how these Senators can avoid answering on this roll call."

**MOTION**

Senator Greive moved that the rules be suspended and that Senator Durkan and Senator Happy be excused.

**POINT OF ORDER**

Senator Hess:

"I raise the point of order that this would require the unanimous vote of the Senate."

**RULING OF THE PRESIDENT**

The President:

"That is correct, Senator Hess.

"The Sergeant-at-Arms will escort Senators Durkan and Happy to the bar of the Senate."

Senators Durkan and Happy were escorted to the bar of the Senate.

**PERSONAL PRIVILEGE**

Senator McCormack:

"With reference to the remarks made by Senator Hallauer in the sponsorship of this bill, I would like to say that I regret that Senator Hallauer was confused on the intent of the bill, but if there was any confusion on the bill, it was on his part and not on mine. I can understand how this might have occurred in all the confusion of the last few days, but do you think it is fair to blame it on the hurry and confusion of the first few days!"

Senator Hallauer:

"I apologize to Senator McCormack if he feels that he allegedly deliberately trapped me into this. What happened was that I was talking to some other people at the time he asked me about going on this bill, and I misunderstood."

**MOTION**

At 5:30 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 12:00 o'clock noon on Monday.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

## EIGHTEENTH DAY

### NOON SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, March 27, 1961.

The Senate was called to order at 12:00 o'clock noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Herrmann, Petrich and Talley.

On motion of Senator Greive, Senator Herrmann was excused.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Vicki Peterson, presented the Colors.

Reverend Teddy E. Turner, Minister of the First Christian Church of Olympia, offered prayer as follows:

"Let us pray:

"Our Father, as we listen again to the familiar sounds of a new day—the roar of traffic, the ringing of phones, the clamor of voices—let us not be strangers to that which is beyond our sense of hearing, but no less real: the cry of a homeless child, the agony of those who suffer physical and mental torment, the horror of those whose lives have been stabbed to death by dreariness and purposelessness.

"We just ask, O God, that our own private world shall not be too much with us, late and soon, getting and spending, lest we lay waste; broaden our powers of concern and sensitivity for those with whom we are bound together in insoluble ties.

"Let us today, our Father, make up our minds that the way we live makes a difference, so that, indeed, it may make a difference in the way we live. In the name of Christ. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

### PRESIDENT'S PRIVILEGE

The President:

"At the request of Senators Papajani and Angevine, the President should like to present to the members of the Senate and ladies and gentlemen, a group of outstanding young citizens from the city of Seattle, a group of Girl Scouts of Troop 1537, under the direction of Mrs. G. E. Martin, Mrs. Anne Czelder and Mrs. Izetta Hatcher.

"Would this group please stand along with Senators Papajani and Angevine in order that the members may properly recognize and welcome you to the Senate Chamber."

(Applause.)

The Secretary read:

### REPORTS OF STANDING COMMITTEES

Senate Chamber,  
Olympia, Wash., March 25, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 49 have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 25, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Senate Bill No. 4 have compared same with the original bill and find it correctly re-engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 25, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Senate Bill No. 4 have compared same with the engrossed bill and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 25, 1961.

MR. PRESIDENT:

The House has passed: Substitute House Joint Resolution No. 1 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 26, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 3; also

Senate Bill No. 21; also

Senate Bill No. 22; also

Senate Bill No. 23; also

Senate Bill No. 24; also

Senate Bill No. 25; also

Substitute Senate Joint Resolution No. 1, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 26, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 43 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
Olympia, Wash., March 26, 1961.

MR. PRESIDENT:

The Speaker has signed: House Bill No. 22 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### SIGNED BY THE PRESIDENT

**The President has signed: Senate Bill No. 4; also  
House Bill No. 22.**

#### MESSAGE FROM THE HOUSE

##### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 26, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 26 with the following amendment:

On page 2, section 1, line 6, after "shall be charged each" insert "full time"; and before "who has not" insert "enrolled for ten or more credit hours" and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Neill, the Senate refused to concur in the House amendment to Engrossed Senate Bill No. 26, and asked the House to recede therefrom.

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Bill No. 50**, by Senators Gissberg and Bargreen:

An Act relating to cities and public utility districts; authorizing certain cities and public utility districts to jointly own, operate and maintain water utility properties; to contribute to the cost of acquisition and construction thereof by the contribution of money and property, and to issue revenue bonds therefor.

Referred to Committee on Public Utilities.

**FIRST READING OF HOUSE RESOLUTION**

The following was read first time by title and acted upon as indicated:

**Substitute House Joint Resolution No. 1**, by Committee on Constitution, Elections and Apportionment:

Amending Constitution to allow excess levies for up to four years for cities or towns to be voted at single election.

Referred to Committee on Constitution, Elections and Legislative Processes.

**MOTION**

At 12:20 o'clock p. m., on motion of Senator Greive, the Senate recessed until 2:15 o'clock p. m.

**AFTERNOON SESSION**

At 2:15 o'clock p. m., the President called the Senate to order.

The Secretary called the roll, and announced to the President that all the Senators were present.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate; Ladies and Gentlemen:

"It is with great pride that the President announces, at the request of the noted and worthy Senator from Pierce County, the Honorable Reuben A. Knoblauch, the presence of a Sunday School class from Puyallup Nazarene Church, accompanied by Mrs. Furley, Mrs. George Jenkins, their teachers, and Reverend Ken Bryant. Would this prominent and distinguished group from Puyallup please stand, along with Senator Knoblauch, in order that you may be properly recognized and welcomed to the Senate Chamber."

(Applause.)

The President:

"Members of the Senate, present in the Lieutenant Governor's office is an illustrious visitor, Honorable Leo G. Lycurgus, from Hilo, Hawaii."

**APPOINTMENT OF SPECIAL COMMITTEE**

The President of the Senate appointed Senators Cowen, Gissberg, Woodall, Neill and Papajani to act as a committee of honor to escort the distinguished guest to the rostrum.

The committee escorted the Honorable Lycurgus to the rostrum.

The President:

"Members of the Senate, Ladies and Gentlemen:

"It is a great honor and privilege to present Leo G. Lycurgus, Public Service Commissioner of Hilo, Hawaii.

"Our noted visitor is a graduate of the University of Washington, having graduated from the University in 1932. Many members of the Senate and the President were also in attendance at that particular time.

"Mr. Lycurgus is a highly successful businessman from Hilo, a noted civic leader, and a very generous philosopher. It is with great pleasure that the President at this time presents Mr. Leo G. Lycurgus."

Mr. Lycurgus:

"Mr. President, members of the Senate:

"Aloha!

"It is really a great honor and a great pleasure to be here with this wonderful body of men. I want to thank you very much.

"Now, I happen to be a Public Utilities Commissioner, but as you know, in the State of Hawaii, that is just a part-time job. We don't get paid anything for this. But I do happen to own a small hotel and I want to extend to you all an invitation for you and your ladies. When you come to Hilo, come as my guest for as long as you want to stay."

(Applause.)

"Well, that applause, then, I assume is a promise that you will come, so please don't disappoint me, but come very soon. Thank you very much."

The President:

"Mr. Lycurgus, the members of the Senate and the President greatly appreciate the honor you placed with us here today, and the President wishes to keep partisan politics out of this particular occasion, but for the interest of the members seated to the President's left, Mr. Lycurgus is a Republican appointee to the Public Service Commission. Mr. Lycurgus, being the generous gentleman he is, of course, includes the distinguished members seated to the President's right!

"Thank you very much for coming.

"Would the committee of honor please come forward and escort Mr. Lycurgus from the rostrum."

#### PERSONAL PRIVILEGE

Senator McCutcheon:

"That was one of the greatest speeches I have ever heard. Er, uh, what did Mr. Lycurgus say the name of the hotel was?"

Senator Greive demanded a Call of the Senate, which was sustained by Senators Hofmeister and Knoblauch.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all Senators being present except Senator Henry.

On motion of Senator Greive, the Senate proceeded with business under the Call of the Senate, subject to roll call.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

##### Substitute House Joint Resolution No. 1:

Senate Chamber,  
Olympia, Wash., March 27, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Constitution, Elections and Legislative Processes to whom was referred Substitute House Joint Resolution No. 1, amending Constitution to allow excess levies for up to four years for cities or towns to

be voted at single election, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. McCUTCHEON, *Chairman.*

We concur in this report: Howard Bargreen, Dewey C. Donohue, Fred H. Dore, Martin J. Durkan, Michael J. Gallagher, Karl V. Herrmann, Mike McCormack, Frances Haddon Morgan, John Papajani, W. C. Raugust.

Passed to Committee on Rules and Joint Rules for second reading.

At 2:30 o'clock p. m., the President declared the Senate to be at ease, under the Call of the Senate, until approximately 4:00 o'clock p. m.

At 3:40 o'clock p. m., the Senate was called to order by President Cherberg.

#### MOTIONS

On motion of Senator Greive, the Call of the Senate was dispensed with.

At 3:42 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Tuesday, March 28, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## NINETEENTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, March 28, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Bargreen, Durkan, Happy, Hess and Thompson, Jr.

On motion of Senator Greive, Senator Hess was excused.

On motion of Senator Woodall, Senator Happy was excused.

On motion of Senator Freise, Senator Thompson was excused.

The Color Guard, consisting of Pages Tom Knoblauch, Color Bearer, and Nancy Christiansen, presented the Colors.

Reverend Teddy Turner, Minister of the First Christian Church of Olympia, offered prayer as follows:

"Let us pray:

"Our Father, Who art saving love as well as sovereign power, we stand before Thee to ask Thy divine guidance upon the members of this Senate.

"Their tasks are not easy. Their nerves are oft times stretched to the point of breaking. They are not always understood or appreciated.

"In these moments of quietness, grant unto them inner strength and peace of mind, and an integrity of character and life which will enable them to be victors over pride and passion.

"In Jesus' Name. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

**PERSONAL PRIVILEGE**

Senator Dore:

"The cigars that will be distributed shortly are through the courtesy of Chester Biesen of the Washington Association of Cities, in appreciation of the fine amendment added to Engrossed Senate Bill No. 4."

The Secretary read:

**REPORT OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 15; also

Substitute Senate Bill No. 17; also

Senate Bill No. 43; also

Senate Bill No. 44, have compared same with the original bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

**MESSAGES FROM THE HOUSE****HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 27, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 30 with the following amendments:

On page 1 immediately following section 1, add a new section 2 to read as follows:

Sec. 2. Section 1, chapter 294, Laws of 1959 and RCW 49.46.010 are each amended to read as follows:

As used in this chapter:

(1) "Director" means the director of labor and industries;

(2) "Wage" means compensation due to an employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges, or allowances as may be permitted by regulations of the director under RCW 49.46.050.

(3) "Employ" includes to suffer or to permit to work;

(4) "Employer" includes any individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee;

(5) "Employee" includes any individual employed by an employer but shall not include:

(a) any individual employed (i) on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or (ii) in packing, packaging, grading, storing or delivery to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; and the exclusions from the term "employee" provided in this item shall not be deemed applicable with respect to commercial canning, commercial freezing, or any other commercial processing, or with respect to services performed in connection with the cultivation, raising, harvesting and processing of oysters or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption;

(b) any individual employed in domestic service in or about a private home;

(c) any individual employed in a bona fide executive, administrative, or professional capacity or in the capacity of outside salesman (as such terms are defined and delimited by regulations of the director);

(d) any individual employed by the United States;

(e) any individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not in fact exist or where the services are rendered to such organizations gratuitously;

(f) any newspaper vendor or carrier;

(g) any carrier subject to regulation by Part 1 of the Interstate Commerce Act;

(h) any individual engaged in forest protection and fire prevention activities;

[(i) any person employed by a funeral director or operator of an emergency ambulance service;]

(i) any individual employed by the state, any county, city or town, municipal corporation or quasi-municipal corporation, political subdivision, or any instrumentality thereof;

(j) any individual employed by any charitable institution charged with child care responsibilities engaged primarily in the development of character or citizenship or promoting health or physical fitness or providing or sponsoring recreational opportunities or facilities for young people or members of the armed forces of the United States;

(k) any individual engaged in performing services in a hospital licensed pursuant to chapter 70.41 RCW or chapter 71.12 RCW;

(l) any individual engaged in performing services in a nursing home licensed pursuant to chapter 18.51 RCW;

(m) any individual whose duties require that he reside or sleep at the place of his employment or who otherwise spends a substantial portion of his work time subject to call, and not engaged in the performance of active duties.

(6) "Occupation" means any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in which employees are gainfully employed.

Renumber the remaining sections consecutively.

Strike the Senate amendment by Senator Elway to section 2 of the printed bill and in the old section 2 being renumbered section 3, beginning on page 1, line 26 of the engrossed bill, after "hour" insert a period and strike the remainder of the section.

Strike the Senate amendment by Senator Herrmann and on page 2 of the engrossed bill strike all of renumbered section 4, being the old section 3.

Following renumbered section 3, add three new sections to read as follows:

Sec. 4. Section 12, chapter 294, Laws of 1959 and RCW 49.46.120 are each amended to read as follows:

This chapter establishes a minimum standard for wages [hours,] and working conditions of all employees in this state, unless exempted herefrom, and is in addition to and supplementary to any other federal, state, or local law or ordinance, or any rule or regulation issued thereunder. Any standards relating to wages, hours, or other working conditions established by any applicable federal, state, or local law or ordinance, or any rule or regulation issued thereunder, which are more favorable to employees than the minimum standards applicable under this chapter, or any rule or regulation issued hereunder, shall not be affected by this chapter and such other laws, or rules or regulations, shall be in full force and effect and may be enforced as provided by law [: *Provided*, That as to any employer and employment which is subject to the federal fair labor standards act, compliance with such act shall be deemed likewise to constitute compliance with RCW 49.46.010 (5) (c), 49.46.030, 49.46.050 and 49.46.070].

Sec. 5. Section 14, chapter 294, Laws of 1959 and RCW 49.46.910 are each amended to read as follows:

This chapter may be known and cited as the Washington Minimum Wage [and Hour] Act.

Sec. 6. Sections 3 and 5, chapter 294, Laws of 1959, and RCW 49.46.030 and 49.46.050 are each repealed.

On page 2 of the engrossed bill, being page 1 of the printed bill, immediately following the new section 4, add a new section to read as follows:

**NEW SECTION.** Sec. 5. There is added to chapter 294, Laws of 1959 and to chapter 49.46 RCW a new section to read as follows:

The provisions of RCW 49.46.020, as amended by section 2 of this act, shall not apply to any student enrolled in an institution of higher education who is employed by such institution.

Renumber the remaining sections consecutively.

In line 2 of the title, after "amending" strike the remainder of the title and insert "sections 1, 2, 12 and 14, chapter 249, Laws of 1959 and RCW 49.46.010, 49.46.020, 49.46.120 and 49.46.910; and repealing sections 3 and 5, chapter 294, Laws of 1959 and RCW 49.46.030 and 49.46.050." and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Debate ensued.

On motion of Senator Henry, the Senate concurred in the House amendments to Engrossed Senate Bill No. 30.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 30, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 7.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Dore, Elway, Jr., Foley, Foster, Gallagher, Gissberg, Greive, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Washington, Woodall—39.

Those voting nay were: Senators Donohue, Freise, Neill—3.

Those absent or not voting were: Senators Bargreen, Durkan, Hallauer, Happy, Hess, Talley, Thompson, Jr.—7.

Engrossed Senate Bill No. 30, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House of Representatives,  
Olympia, Wash., March 27, 1961.

MR. PRESIDENT:

The House has refused to recede from its amendment to Engrossed Senate Bill No. 26 and asks the Senate for a conference thereon. S. R. HOLCOMB, *Chief Clerk*

On motion of Senator Greive, the request of the House for a conference on Engrossed Senate Bill No. 26 and the House amendment thereto, was granted.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the conference committee on Engrossed Senate Bill No. 26 and the House amendment thereto, Senators Sandison, Talley and Woodall.

#### CONFIRMATION OF COMMITTEE APPOINTMENTS

On motion of Senator Greive, the conference committee appointments on Engrossed Senate Bill No. 26 and the House amendment thereto, were confirmed.

House of Representatives,  
Olympia, Wash., March 27, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 4, and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 27, 1961.

MR. PRESIDENT:

The House has passed: Senate Bill No. 15; also Substitute Senate Bill No. 17; also Senate Bill No. 44, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 27, 1961.

MR. PRESIDENT:

The House has passed: House Joint Resolution No. 7, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 15; also  
Substitute Senate Bill No. 17; also  
Senate Bill No. 43; also  
Senate Bill No. 44.**

**FIRST READING OF HOUSE RESOLUTION**

The following was read first time by title and acted upon as indicated:

**House Joint Resolution No. 7**, by Representatives Wang, Olsen and Schaefer:

Requesting the Governor to appoint an advisory council on the observance of the Civil War Centennial.

On motion of Senator Greive, the rules were suspended, House Joint Resolution No. 7 was advanced to second reading, and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Joint Resolution No. 7 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of House Joint Resolution No. 7, and the resolution passed the Senate by the following vote: Yeas, 43; nays, 0; absent or not voting, 6.

Those voting yea were: Senators Angevine, Bailey, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Sandison, Shannon, Talley, Washington, Woodall—43.

Those absent or not voting were: Senators Bargreen, Durkan, Happy, Hess, Ryder, Thompson, Jr.—6.

House Joint Resolution No. 7, having received the constitutional majority, was declared passed.

**PARLIAMENTARY INQUIRY**

Senator Greive:

"What remains on the desk, Mr. President?"

The President:

"Veto messages, Senator Greive."

Senator Greive:

"I move that we proceed with the veto messages."

The motion carried.

The Senate reverted to the fourth order of business.

The Secretary read:

**MESSAGES FROM THE SECRETARY OF STATE**  
**DEPARTMENT OF STATE**  
**OFFICE OF THE SECRETARY**

Olympia, Washington, March 24, 1961.

*To the Honorable, The President of the Senate,  
The Legislature of the State of Washington, Olympia, Washington.*

SIR:

I have the honor to transmit herewith, pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the State Senate, a certified copy of Enrolled Substitute Senate Bill No. 111 passed by the State Senate and House of Representatives at the Regular Legislative Session in 1961, and partially vetoed by the Governor, together with his veto message attached thereto.

Respectfully,

(signed) VICTOR A. MEYERS,  
Secretary of State.

State of Washington, Executive Department,  
Olympia, March 21, 1961.

*To the Honorable, The Senate of the State of Washington  
(Through the Secretary of State)*

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items and one section, **Substitute Senate Bill No. 111**, entitled:

"An Act relating to the judiciary; and to justices of the peace and other inferior courts."

This bill constitutes a final legislative compromise of many years' efforts of judges, lawyers, and public spirited citizens. It represents progress long needed and on the whole meets with my wholehearted approval. The enactment of this bill will result unquestionably in improvements in the administration of justice on the Justice Court level.

I veto the item contained in section 48 reading as follows:

"All personnel of a municipal department shall be appointed by the city."

I further veto section 97 which read: "The county commissioners may appoint a clerk and such deputy clerks as are necessary for the administration of the court."

The item and the section quoted are vetoed because Justices of the Peace in the past have always appointed their clerks and office staff. Believing as I do that the judiciary is a separate and independent branch of the government, it is my fervent conviction that neither a city nor a board of county commissioners, through the appointment of clerks and the office staff of a Justice of the Peace, should interfere with the independent discharge of duties of a Justice of the Peace.

With the exception of the item quoted and enumerated, and the section referred to, which are vetoed, I approve the remainder of the bill.

Respectfully submitted,

(signed) ALBERT D. ROSELLINI,  
Governor.

On motion of Senator Greive, Substitute Senate Bill No. 111 and the Governor's partial veto thereon, were referred to the Committee on Rules and Joint Rules.

Olympia, Washington, March 22, 1961.

*To the Honorable, The President of the Senate,  
The Legislature of the State of Washington, Olympia, Washington.*

SIR:

I have the honor to transmit herewith pursuant to Section 12, Article 3 of the Constitution of the State of Washington, for the consideration of the State Senate, Enrolled Senate Bill No. 464 passed by the State Senate and House of Representatives at the Regular Legislative Session of 1961, and vetoed by the Governor, together with his veto message attached thereto.

Respectfully,

(signed) VICTOR A. MEYERS,  
Secretary of State.

State of Washington, Executive Department,  
Olympia, Wash., March 21, 1961.

To the Honorable, The Senate of the State of Washington  
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate of the State of Washington at the next session of the legislature, without my approval:

**Senate Bill No. 464** entitled:

"An Act relating to the department of institutions; establishing the division of juvenile rehabilitation, the division for handicapped children, the division of community services and the diagnostic and placement board; providing powers and duties, appointment and qualifications of supervisors; amending and recodifying section 72.05.130, chapter 28, Laws of 1959 and RCW 72.05.130; amending and recodifying section 72.05.140, chapter 28, Laws of 1959 and RCW 72.05.140; amending and recodifying section 72.05.150, chapter 28, Laws of 1959 and RCW 72.05.150; amending and recodifying section 72.05.160, chapter 28, Laws of 1959 and RCW 72.05.160; amending and recodifying section 72.05.170, chapter 28, Laws of 1959 and RCW 72.05.170; amending section 72.05.190, chapter 28, Laws of 1959 and RCW 72.05.190; amending section 72.05.200, chapter 28, Laws of 1959 and RCW 72.05.200; amending section 72.05.300, chapter 28, Laws of 1959 and RCW 72.05.300; amending section 72.05.310, chapter 28, Laws of 1959 and RCW 72.05.310; amending section 72.01.030, chapter 28, Laws of 1959 and RCW 72.01.030; repealing section 72.05.010, chapter 28, Laws of 1959 and RCW 72.05.010; repealing section 72.05.020, chapter 28, Laws of 1959 and RCW 72.05.020; repealing section 72.05.030, chapter 28, Laws of 1959 and RCW 72.05.030; repealing section 72.05.040, chapter 28, Laws of 1959 and RCW 72.05.040; and providing an effective date."

The bill would divide the Division of Children and Youth Services into three new divisions, each to be administered by an Assistant Director of Institutions. The new divisions would be: 1. A Division of Juvenile Rehabilitation which would administer the various facilities devoted to juvenile rehabilitation. The Assistant Director of this Division would also be chairman of a diagnostic and placement board to be established. This board would have the duty of evaluating, with reference to each juvenile committed to the diagnostic center, the medical, psychological, social, educational, and vocational background of the child; 2., the Division for Handicapped Children which would be in over-all command of the various institutions devoted to the care, education, and upbringing of handicapped children; and 3., a Division of Community Services which would supervise the operation of community child guidance centers. This Division also would be in charge of supervising juvenile control officers, and of counseling services for pre-delinquent, delinquent, and mal-adjusted children.

The changes proposed by this bill are of a revolutionary character, and would divide the responsibility for the administration of the State's juvenile program which now centers in the Division of Children and Youth Services. This Division was created as a result of studies which began in 1945 after a juvenile was killed in the King County jail. I, myself, headed a Legislative Interim Committee during the biennium of 1945-1947, and again during 1949-1951. This committee studied exhaustively the many problems incident to administration of a State juvenile program. The Division of Children and Youth Services was established pursuant to the recommendation of the National Probation and Parole Association, and after recommendations by many citizens' committees.

In 1951 the idea was advanced that the State should have a completely separate department of children and youth in order to centralize all youth activities undertaken by the State. The Legislature in 1951, under a bill sponsored by myself, created a separate Division of Children and Youth in the Department of Public Institutions under the jurisdiction of a separate supervisor subject to merit service tenure. I am fearful that the fragmentation of the Division of Children and Youth into three separate and individual departments would do violence to the idea of centralized and unified control over all youth activities.

In addition, the State at the present time as all of you know, is financially hard pressed, and it is my conviction that the establishment of three new Divisions would result in increased cost for the administration of children and youth falling within the jurisdiction of the Department of Institutions.

It is my belief that before undertaking such a drastic change, the Legislative Council, the Washington Citizens Council, and the Council of Children and Youth

should engage in a two-year study during the coming biennium, and should bring before the next Legislature its recommendations as to how this problem should be handled.

It is my feeling that at the present time the public is not prepared to accept the changes made by this bill. For this reason I am requesting the Washington Citizens Council, the Council of Children and Youth, and the State Legislative Council, to make a comprehensive study of the administrative setup of the State institutional program for juveniles.

For the reasons indicated, Senate Bill No. 464 is vetoed.

Respectfully submitted,

(signed) ALBERT D. ROSELLINI,  
Governor.

On motion of Senator Greive, vetoed Senate Bill No. 464, with the Governor's message attached thereto, were referred to the Committee on Rules and Joint Rules.

#### MOTION

At 11:45 o'clock a. m., on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m.

#### AFTERNOON SESSION

At 2:00 o'clock p. m. the Senate was called to order by President Cherberg. Senators Greive, Hofmeister and Nunamaker demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate, all members being present except Senators Elway, Jr., Hess and Thompson, Jr.

Senator Hess had been previously excused.

On motion of Senator Freise, Senator Thompson was excused.

On motion of Senator Woodall, Senator Elway was excused.

The President declared the Senate at ease, under the Call of the Senate, for approximately one hour for the purpose of holding Democratic and Republican caucuses.

At 3:55 o'clock p. m., the Senate was called to order by President Cherberg.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 15; also  
Substitute Senate Bill No. 17; also  
Senate Bill No. 43; also  
Senate Bill No. 44, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

The Speaker has appointed as House members of the conference committee on Engrossed Senate Bill No. 26, Representatives Uhlman, Mardesich and Gorton.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed Senate Bill No. 26, and the House amendment thereto, and has granted said committee the powers of free conference, and the report of the conference committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 26, authorizing community colleges to charge tuition fees to nonresidents, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

GORDON SANDISON  
DON L. TALLEY  
PERRY B. WOODALL

*House Members*

WES C. UHLMAN  
SLADE GORTON

On motion of Senator Sandison, the report of the conference committee on Engrossed Senate Bill No. 26 was adopted, and the committee was granted the powers of free conference.

House of Representatives,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed Senate Bill No. 2, and the House amendments thereto, and has granted said committee the powers of free conference. The report of the conference committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 2, adopting the capital budget and making appropriations for capital improvements, have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

WAYNE G. ANGEVINE  
ERNEST W. LENNART  
EDWARD F. RILEY

*House Members*

ROBERT M. SCHAEFER  
KEITH H. CAMPBELL  
STANLEY C. PENCE

On motion of Senator Riley, the report of the conference committee on Engrossed Senate Bill No. 2 was adopted, and the committee was granted the powers of free conference.

House of Representatives,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed Senate Bill No. 5, and the House amendment thereto, and has granted said committee the powers of free conference. The report of the conference committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF CONFERENCE COMMITTEE**

Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 5, providing for financing of capital improvement projects from bond issue,

have had the same under consideration, and we report that we are unable to agree and request the powers of free conference.

*Senate Members*

WAYNE G. ANGEVINE  
ERNEST W. LENNART  
EDWARD F. RILEY

*House Members*

ROBERT M. SCHAEFER  
KEITH H. CAMPBELL  
STANLEY C. PENCE

On motion of Senator Riley, the report of the conference committee on Engrossed Senate Bill No. 5 was adopted, and the committee was granted the powers of free conference.

**MOTION**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**PERSONAL PRIVILEGE**

Senator Woodall:

"Mr. President, and Members of the Senate:

"As you know, this body adopted a resolution last Saturday, suggesting that it would be to the benefit of all concerned if we would arrive at a point of agreement to the end that this legislative session could be brought to a close. I read in the newspaper the Governor's answer to this resolution, and I will quote direct from the paper:

"I would hope that those Senators who supported the resolution—who appear to be floundering around in their own confusion, engaging in childish, needling tactics—would settle down pretty soon to the serious business of trying to arrive at a solution to the state's problems, instead of prolonging the legislative session at taxpayers' expense."

"To that, I take extreme exception. Who does he mean has been playing around, and who is not working? Does he mean Senator Hallauer, who has been working hours and hours and hours? And Senator Foley, and Senator Durkan, . . ."

(Interruption)

Senator Gissberg:

"Mr. President, I do not believe that these remarks should be addressed as rights of personal privilege. Personal privilege should be confined to the individual person. There is nothing personal in what Senator Woodall is saying."

**RULING OF THE PRESIDENT**

The President:

"Senator Gissberg is correct. Senator Woodall, will you please confine your remarks to personal points."

Senator Woodall:

"My point is, the Governor said, 'I hope that the Senators who supported the resolution', of whom I am one, 'appear to be floundering around in their own confusion'.

"One of the Senators who supported the resolution was Senator Hallauer. I don't know of any floundering around on his part in the long hard hours he has spent trying to present a budget that would be agreeable to the people.

"If adopting the resolution, that we are trying to arrive at an agreement on the matters of taxation and appropriation, is childish, then I am happy to be called 'childish'.

"If adopting a resolution that we would like to respond to the wishes of a tax-paying public and keep a moderate budget is being childish, than I am happy to be called 'childish'.

"It seems to me there is no desire on the part of this Senate or any members in it to prolong staying here. I know of no Senator who wants to do anything but finish up the job and get home. It is not floundering to want to adopt a balanced budget. It is not confusion to want to keep taxes within income. It is not childish to not vote taxes in excess of a moderate budget.

"It would seem to me that the Governor should give the leadership he mentioned earlier, and I say, as we approach Easter time, to be sitting here and have

the Governor keep the turmoil alive is doing the people of the state of Washington a disservice. And when he says that the members of the Senate have been floundering in confusion, he is in error, for the long hours of Senator Wilbur Hallauer and Senator Foley on Appropriations and Revenue, and the long hours Senator Durkan worked on the subject of taxation, could hardly be called floundering in confusion."

Senator Greive:

"In answer, let's remember that this is the longest special session that has existed, at least since I have been here.

"It is quite obvious that our nerves are becoming frayed and all of us want to go home.

"We want to remember that while we are not one hundred percent in agreement with the Governor all the time, his budget was for income taxes and it certainly was not turned down by the Democrats, but by the Republicans. It took a two-thirds majority to pass this through the Senate and that two-thirds was entirely choked off by the Republicans.

"The Governor did have a program, and he did fight for what he believes in, and I don't think we should be so much tougher on him for fighting for what he believes in than we are on ourselves for fighting for what we believe in.

"I don't appreciate the remarks he made, and I don't suppose he appreciates the remarks we made.

"I might add for the record, that the Governor spoke to our caucus this afternoon and I believe he did a good job, and he cleared up a lot of confusion and explained and clarified a lot of his thinking to us, and I think it is time for us to settle down harmoniously and go to work."

Senator Herrmann:

"As a member of this Senate, and one who holds himself to be a conservative, I can see no basis whatsoever in the remarks of Senator Woodall.

"There are those who say we should make no increase at all in expenditures and hold the line. The Governor's budget was for an increase of fifty-seven million dollars. Now, certainly, we have been unable to meet the fifty-seven million dollars or any compromise figure in between. Not only is it not acceptable as far as the Governor is concerned, but neither have we been able to pass anything acceptable to the House.

"Now, I think we can all differ in our opinion, but we are living in a democracy, and even though we can disagree with the state or divisions thereof, I believe we are all of the feeling that to comment against the Governor for his opinion is certainly out of order. The Governor certainly has his right to express his opinion on these very vital issues, and even though I disagree with him, I certainly find no fault with his right to come forth and express himself."

Senator Freise:

"To Senator Greive I might state that in the 1959 session of the Legislature, the Democratic Party controlled at least two-thirds of the Senate and the House. If the Democratic Party was interested in having a graduated income tax, why wasn't it put on the ballot? If you will check the record, you will find probably more Democrats than Republicans who voted against the income tax resolution. I think either the Democratic Party should pass the income tax or else not put it in the platform year in and year out.

"I think the Governor blames the Republicans for not coming up with the income taxes in order to pay for what he is asking.

"We do not want to take any of the blame. It is your appropriation bill and your tax bill and don't blame the Republicans for failing to pass the tax bills."

Senator Greive:

"In answer to Senator Freise, during most of the Legislature, the Governor stood on his record and we played from there. As far as taking the income tax out of our platform, that is saying it is no good. There are those of us who believe that this is right. This is like a lot of good legislation which many people have voted for, year after year, until finally enough people became aware that it was good legislation, and it finally became adopted.

"We haven't attempted to pass the graduated income tax because we need a two-thirds majority, and I don't think we have a two-thirds majority. The last time we only lost by two votes. As far as the Democrats in the House are concerned,

they are to be commended. At least they stood by and didn't waver from their beliefs. We have to continue to try to work it out together. It is going to be a lot easier if we don't fight each other."

#### MOTION

At 4:30 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

#### EVENING SESSION

At 8:00 o'clock p. m., the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Angevine, DeGarmo, Dore, Henry, Hess, McCormack, Martin and Petrich.

On motion of Senator Greive, Senator McCormack was excused.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"A few years ago, when we were all somewhat younger, the President had the opportunity to teach and coach at Queen Anne High School in Seattle. While there, the President had the good fortune to meet a very lovely young lady, who was also a very good student, Miss Mollie Newman. Later, it was the good fortune for the President to meet the Honorable Senator from King County, Martin Durkan. As events follow, it so happened that Martin Durkan became engaged to Mollie Newman and they were married.

"Now, a very blessed event has befallen the Durkan household, as noted by this box of cigars. I have been informed by a lovely little page, as she brought the cigars to the rostrum, that the cigars indicate it is a boy.

"Senator Durkan, the President should like for you to stand and present to the members the vital statistics concerning this blessed event. Everyone joins the President in wishing you every success and happiness and Godspeed."

(Applause.)

Senator Durkan:

"Mr. President and Senators:

"I wish to thank you very much for this opportunity. I had an opportunity to talk to my wife a short time ago, and she told me, 'Well, I have done my job—now let's see if you can do yours!'

"This is the fifth child of my wife and mine. It is the second boy. We have three girls and two boys, and we are very happy. I promised her that since she had delivered, I would do my best."

The President:

"The President doesn't know much about poker, but assumes that you have a 'full house'."

#### MOTION

On motion of Senator Woodall, Senators Happy, Neill and Freise were excused.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,  
Olympia, March 28, 1961.

*To the Honorable, The Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

**Senate Bill No. 6:**

"An Act relating to education; providing funds for the construction of public school plant facilities; authorizing the issuance and sale of limited obligation bonds of the state and providing ways and means to pay said bonds; continuing the imposition of taxes; prescribing the powers and duties of certain officers; making an appropriation; and declaring an emergency."

**Senate Bill No. 7:**

"An Act authorizing the issuance of bonds for capital improvement projects at the University of Washington; and declaring an emergency."

**Senate Bill No. 19:**

"An Act relating to vital statistics; amending section 57, chapter 7, Laws of 1921 and RCW 43.20.040; section 17, chapter 83, Laws of 1907 as last amended by section 1, chapter 106, Laws of 1951 and RCW 43.20.080; section 20, chapter 83, Laws of 1907 as last amended by section 1, chapter 90, Laws of 1953 and RCW 43.20.090; section 9, chapter 46, Laws of 1949 and RCW 70.08.060; section 3, chapter 83, Laws of 1907 as last amended by section 5, chapter 106, Laws of 1951 and RCW 70.58.020; section 18, chapter 83, Laws of 1907 and RCW 70.58.030; section 19, chapter 83, Laws of 1907 as last amended by section 8, chapter 106, Laws of 1951 and RCW 70.58.040; section 12, chapter 83, Laws of 1907 as amended by section 6, chapter 106, Laws of 1951 and RCW 70.58.080; section 2, chapter 167, Laws of 1941 as last amended by section 3, chapter 90, Laws of 1953 and RCW 70.58.120; section 4, chapter 167, Laws of 1941 as last amended by section 4, chapter 90, Laws of 1953 and RCW 70.58.130; section 5, chapter 159, Laws of 1945 and RCW 70.58.150; section 1, chapter 159, Laws of 1945 and RCW 70.58.160; section 2, chapter 159, Laws of 1945 and RCW 70.58.170; section 3, chapter 159, Laws of 1945 as amended by section 5, chapter 188, Laws of 1953 and RCW 70.58.180; section 6, chapter 159, Laws of 1945 and RCW 70.58.200; section 4, chapter 83, Laws of 1907 as amended by section 3, chapter 180, Laws of 1915 and RCW 70.58.230; section 8, chapter 83, Laws of 1907 as amended by section 6, chapter 180, Laws of 1915 and RCW 70.58.240; section 9, chapter 83, Laws of 1907 and RCW 70.58.250; and repealing section 15, chapter 83, Laws of 1907 and RCW 70.58.060; section 13, chapter 83, Laws of 1907 as last amended by section 7, chapter 106, Laws of 1951 and RCW 70.58.090; section 5, chapter 176, Laws of 1943 and RCW 70.58.140; and section 2, chapter 133, Laws of 1939 and RCW 70.58.220; and adding two new sections to chapter 70.58 RCW, and making an effective date.

Very truly yours,  
(signed) WARREN A. BISHOP,  
*Assistant to the Governor.*

**PRESIDENT'S PRIVILEGE****The President:**

"The illustrious Senate reading clerk is being installed as the Exalted Ruler of the Puyallup Order of Elks, and for this reason, with the consent of Senator Riley, Mr. Brudevold is being excused from this evening's session."

The Senate reverted to the first order of business for the purpose of reading a resolution.

**The Secretary read:****SENATE RESOLUTION****By Senator Washington:**

WHEREAS, The Grant County grand jury, after being in session for two and one-half years investigating alleged irregularities and illegal activities in connection with the construction of Priest Rapids dam; and

WHEREAS, The grand jury on January 27, 1961 issued its final report, in which it made numerous recommendations relating to needed reforms in the grand jury system, criminal laws and laws relating to public officials; and

WHEREAS, Bills designed to carry out the recommendations were introduced in the thirty-seventh legislature, but due to the complexity of the problems presented and the lack of time to give proper consideration to them, only one of the recommendations was enacted into law; and

WHEREAS, By concurrent resolution the legislature established the joint committee on governmental cooperation, with powers of studying and investigating such matters;

Now, Therefore, Be It Resolved, That the joint committee on governmental cooperation study, investigate and make recommendations to the thirty-eighth legislature regarding the recommendations of the Grant County grand jury, and Senate Bills 487, 488, 518, 519, 522, 534 and 543 embodying many of said recommendations.

Senator Washington moved that the resolution be adopted.

#### POINT OF INQUIRY

Senator Greive:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Greive:

"To what committee are you asking these bills be referred."

Senator Washington:

"To the Governmental Cooperation Committee."

Senator Greive:

"I just want to tell Senator Washington that anything that checks into the PUD is all right with me!"

The motion carried, and the resolution was adopted.

#### SENATE RESOLUTION

By Senators McCutcheon, Dore and Washington:

WHEREAS, The vital educational and cultural role of libraries is recognized by the Senate and by all of the peoples of this State; and

WHEREAS, Recognition of this vital role has increased over the years and is a constant factor in the lives of our citizens; and

WHEREAS, We recognize that much remains to be done to improve the availability of library resources to all of the people for education, self-improvement, cultural advancement, and fulfilling the responsibilities of citizens in a democracy; and

WHEREAS, The National Book Committee, Inc., in cooperation with the American Library Association, the Washington Library Association and numerous other state and national citizens' organizations, business and professional groups, and voluntary associations, have designated the week of April 16-22, 1961, as National Library Week; and

WHEREAS, The Washington State National Library Week Committee, a state-wide citizens' committee, has planned coordinated activity for National Library Week, keyed to the theme "For a richer, fuller life—read!", with emphasis on the encouragement of young adult reading, on the stimulation of public interest in school libraries, and on developing increased use of library facilities and services by persons in industry;

Now, Therefore, Be It Resolved, By the Senate of the State of Washington, that the Senate and all the people of the state of Washington do note the observance of National Library Week on April 16-22, 1961, with appropriate recognition of the contribution of the library toward a richer, fuller life.

On motion of Senator McCutcheon, the resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"Senator Cowen has brought to the attention of the President, the presence in the gallery of two very distinguished people. It is with great pleasure that the President presents Representative and Mrs. Ed Harris, the proud parents of one of the most important members of the Senate staff, Miss Sue Harris, Senate Page. The President should like to request that Dr. David C. Cowen introduce the Representative from Spokane and his family."

Senator Cowen:

"Mr. President; Members of the Senate:

"Sue Harris is the young lady wearing the red dress and one of the loveliest young ladies I have ever had the privilege of meeting. Of course, she has the most wonderful parents possible.

"I must say that since this introduction I sincerely hope that Mr. Harris will always remain in the House, and David Cowen will always remain in the Senate. I certainly hope that if you always remain in the House, that I think I can always get by in the Senate.

"Will Representative Harris and his wife please stand, along with Sue, in order that you may be welcomed."

(Applause.)

Senator Woodall:

"While we are introducing dignitaries, I should like to call attention to the fact that the wife of the very able Senator Marshall Neill is in the gallery.

"I understand that the long-suffering wife of Senator Lennart is also in the gallery, and she should be applauded for being long-suffering.

"Senator Lennart, won't you please introduce the distinguished Honorable Cap Edwards?"

Senator Lennart:

"I should be glad to. It is a pleasure to see you back again. I notice you had a little trouble. I hope you can work it out. I don't know what I can do for you, unless I can lead you down the aisle and you can tell a few stories."

Senator Neill:

"Your colleague from Yakima."

Senator Woodall:

"Yes, the very, very distinguished Representative Canfield, whom I have known for more years than he would care to have me remember. He was the instructor in Yakima High School. Republican leader in the House, Damon Canfield, will you please stand, and may I join with Senator Cowen in wishing that you remain in the House!"

Senator Dore:

"I think it is only fair that we might introduce a few Democrats. We have that distinguished and eminent Representative, chairman of the Taxation Committee, Representative Henry Backstrom. We also have the chairman of the Education Committee, the Honorable 'Buster' Brouillet. Also, there is the Honorable Charlie Johnson. I haven't seen him for some time, but see he is back with us again."

Senator Morgan introduced a House member of the distaff side, Miss Ella Wintler.

The President:

"Thank you very much, Mrs. Morgan. The President was awaiting the arrival of the Honorable Frank Foley to perform the function, but thank you for doing so."

The Secretary read:

**MESSAGE FROM THE HOUSE  
HOUSE AMENDMENTS TO SENATE BILL**

House of Representatives,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 49 with the following amendments:

On page 10, section 14, line 23 of the engrossed and printed bill, after "*Richland. The*" and before "*of secondary*" strike "*addition*" and insert "*construction*"

On page 10, section 14, line 25 of the engrossed and printed bill, after "*3R shall*" strike all the matter down through "*the director shall*" in line 26 and insert "*not begin until after a bridge, including approaches, across the Columbia river in the vicinity of Vernita ferry connecting the easterly end of secondary state highway No. 11A on*"

*the south bank of the Columbia river with secondary state highway No. 7C on the north bank of said Columbia river has been authorized and construction commenced. The director may"*

On page 13A of the engrossed bill, being the amendment by the Senate Committee on Highways to page 13 of the printed bill, immediately following subsection (9) add a new subsection as follows:

(10) A new section of secondary state highway No. 3J from Springdale via Long Lake to a junction with primary state highway No. 2 at Reardan.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of fifteen hundred dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

On page 19 of the engrossed and printed bill, immediately following section 26 add two new sections as follows:

**NEW SECTION.** Sec. 27. There is added to chapter 12, Laws of 1961 and chapter 46.52 RCW a new section to read as follows:

The director shall upon request furnish any insurance company, business or person a certified abstract of the operating record of any person, where such person has endorsed his consent on such request for the record, covering a period of not less than five years past, whenever possible, which abstract shall include an enumeration of any reported convictions or forfeitures of bail of such person upon a charge of violating any motor vehicle law. Such enumeration shall include any reports of failure to appear in response to a traffic citation served upon such person by an arresting officer.

The director shall collect for each such abstract the sum of one dollar which shall be deposited in the motor vehicle operators' records revolving fund.

**NEW SECTION.** Sec. 28. There is added to chapter 12, Laws of 1961 and chapter 46.52 RCW a new section to read as follows:

There is hereby created a special fund to be designated "motor vehicle operators' revolving fund" in the custody of the treasurer and to the credit of which shall be deposited all moneys directed by law to be deposited therein. This fund shall be for the use of the department of licenses to pay the cost of furnishing abstracts of operating records of motor vehicle operators and for maintaining such case records. Disbursements from said fund shall be paid by the treasurer upon vouchers duly and regularly issued therefor and approved by the director of licenses.

Renumber the remaining sections consecutively.

On page 25, in renumbered section 33, being the old section 31, line 12 of the engrossed bill, being page 25, line 14 of the printed bill, after "Section" and before ", chapter" strike "14" and insert "12"

On page 32, in renumbered section 37, being the old section 35, line 6 of the engrossed bill, being page 32, line 6 of the printed bill, after "payment of" and before "dollar shall" strike "five" and insert "three"

On page 35, in renumbered section 44, being the old section 42, line 2 of the engrossed bill, being line 3 of the second amendment by the Senate Committee on Highways to page 34 of the printed bill, after "Section" and before ", chapter" strike "18" and insert "16"

On page 1, lines 11 and 12 of the title, after "amending section" and before ", chapter" on line 12, strike "14" and insert "12"

On page 2, lines 11 and 12 of the title of the engrossed bill, after "(uncodified)," insert "adding two new sections to chapter 46.52 RCW;" being the matter stricken by the amendment to page 2, line 12 of the title of the printed bill by the Senate Committee on Highways as amended by Senator Washington.

On page 2, line 12 of the title of the engrossed bill, being line 3 of the first amendment to the title of the printed bill by the Senate Committee on Highways as amended by Senator Washington, after "repealing section" and before ", chapter" strike "18" and insert "16", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Washington moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 49.

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Washington yield to a question?"

Senator Washington:

"Yes, I will."

Senator Riley:

"I am anxious to learn a little more and I would like to have your attention directed to page 10, specifically, to the House committee amendment. Does this provide that the director cannot do anything about the highway which goes through the Atomic Energy Commission reservation until some action has been taken on the matter of the construction of a bridge where the present ferry is located?"

Senator Washington:

"That is correct. I could explain it a little further."

Senator Riley:

"I would like the Senator to explain it."

Senator Washington:

"There is a highway, 11-A. I think that also crosses the river at that particular point, and I think there was some feeling by some members of the House that this particular highway should not be put on until there was an independent study made. I believe some of the thinking was that without a bridge some of the savings in time would be lost. There was one thought presented to the House committee that the present ferry is now a ferry on which a fare is charged. The bill set up in 1955, provided that when highway 11-A was completed the ferry would become a free ferry and it would cost them money, and a thought was that a study could be made whereby a bridge could be built and perhaps be able to pay it off by the money of operating the ferry. Those things came up and the House committee determined upon this particular amendment. I have checked there and also Senator McCormack was not too happy about the amendment. He felt that under the circumstances this amendment was the best that could be done, and the amendment does have some merit."

Senator Riley:

"Do you suppose that this is of substance and is it important enough to justify this amendment for a study that only requires a matter of \$1500. If it is very important, I couldn't imagine much of a study being accomplished for \$1500, and therefore, I can't imagine the road, itself, is too important."

Senator Washington:

"I understand that is a county road which goes up one of the lower sites and it connects two highways. It wouldn't have to be much of a report and I think even the amount appropriated will be more than is necessary for the study. It won't cost much because the road is already built and, of course, it will take further action by the Legislature if the report so indicates."

Debate ensued.

The President stated the question before the Senate to be, it has been moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 49.

The motion carried, and the Senate concurred in the House amendments to Engrossed Senate Bill No. 49.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 49, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 2; absent or not voting, 7.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Cooney, Cowen, Dore, Durkan, Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—40.

Those voting nay were: Senators Donohue, Elway, Jr.—2.

Those absent or not voting were: Senators Angevine, Connor, DeGarmo, Henry, McCormack, Martin, Morgan—7.

Engrossed Senate Bill No. 49, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 8:55 o'clock p. m., the President declared the Senate to be at ease for approximately one-half hour for the purpose of holding a Democratic caucus.

At 9:20 o'clock p. m., the Senate was called to order by President Cherberg.

#### MOTION

At 9:20 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Wednesday, March 29, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTIETH DAY

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### MORNING SESSION

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#### SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, March 29, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators DeGarmo, Foster, Hess, Nunamaker, Papajani and Rasmussen.

The President excused Senators DeGarmo, Foster, Nunamaker and Papajani.

The Color Guard, consisting of Pages Gretchen Herrmann, Color Bearer, and Vicki Peterson, presented the Colors.

Reverend Teddy Turner, Minister of the First Christian Church of Olympia, offered prayer as follows:

"Let us pray:

"Our Father, Who in the cross of Jesus Christ didst show forth a love for all men that wilt not rest until they rest in Thee, we beseech Thee to stir our emotions with the drama of this Holy Week.

"As Christ died to make us holy and free, let us live as those who have been bought with the price of his agony and glorious victory over death.

"Spirit of God, descend upon our hearts; Wean us from earth, through all our pulses move. Stoop to our weakness, mighty as Thou art, And make us love Thee as we ought to love.

"In Jesus name. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

Senators Greive, Washington and Happy demanded a Call of the Senate. A Call of the Senate was ordered.

**CALL OF THE SENATE**

The Sergeant-at-Arms locked the doors.

The Secretary called the roll on the Call of the Senate and announced to the President that all Senators were present except Senators DeGarmo, Foster, Nunamaker and Papajani, all of whom were excused.

On motion of Senator Greive, the Senate proceeded with business under the Call of the Senate, subject to roll call.

The Secretary read:

**REPORTS OF STANDING COMMITTEES**

Senate Chamber,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Engrossed Senate Bill No. 30, have compared same with the engrossed bill and find it correctly Re-Engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 30, have compared same with the re-engrossed bill and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 30.**

The Secretary read:

**REPORT OF STANDING COMMITTEE**

**Senate Joint Resolution No. 4:**

Senate Chamber,  
Olympia, Wash., March 28, 1961.

MR. PRESIDENT:

We, a majority of your Judiciary Committee, to whom was referred Senate Joint Resolution No. 4, commending the House un-American Activities Committee, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN A. PETRICH, *Chairman*.

We concur in this report: John L. Cooney, Fred H. Dore, Martin J. Durkan, Frank W. Foley, F. Stuart Foster, Herbert H. Freise, William A. Gissberg, H. B. Hanna, Charles P. Moriarty, Jr., Marshall A. Neill, Perry B. Woodall.

Passed to Committee on Rules and Joint Rules for second reading.

**MOTION**

At 11:22 o'clock a. m., the President declared the Senate to be at ease, subject to the Call of the President, for approximately one hour, for the purpose of Democratic caucus.

**MOTION**

At 12:00 o'clock noon, on motion of Senator Greive, the Senate recessed until 2:00 o'clock p. m., under the Call of the Senate.

**AFTERNOON SESSION**

At 2:00 o'clock p. m. the President declared the Senate to be at ease for fifteen minutes.

At 2:20 o'clock p. m. the Senate was called to order by the President.

The Secretary called the roll and announced to the President that all Senators were present.

The Secretary read:

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
Olympia, March 29, 1961.

*To the Honorable, The Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

**Senate Bill No. 4:**

"An Act relating to revenue and taxation; increasing the motor vehicle fuel tax, the use fuel tax and motor vehicle license fees, gross weight fees, fees in lieu of gross weight fees, seating capacity fees, providing for the distribution of said revenues; establishing an urban aid account in the motor vehicle fund, establishing a Puget Sound reserve account; providing for the use of the urban aid account and the Puget Sound reserve account; authorizing investment of the Puget Sound reserve account; amending section 82.36.020, chapter 15, Laws of 1961 and RCW 82.36.020; amending section 82.36.100, chapter 15, Laws of 1961 and RCW 82.36.100; amending section 82.40.020, chapter 15, Laws of 1961 and RCW 82.40.020; amending section 82.40.290, chapter 15, Laws of 1961 and RCW 82.40.290; amending section 46.68.090, chapter 12, Laws of 1961 and RCW 46.68.090; amending section 46.68.100, chapter 12, Laws of 1961 and RCW 46.68.100; amending section 46.68.110, chapter 12, Laws of 1961 and RCW 46.68.110; amending section 46.68.130, chapter 12, Laws of 1961 and RCW 46.68.130; amending section 46.16.060, chapter 12, Laws of 1961 and RCW 46.16.060; amending section 46.16.065, chapter 12, Laws of 1961 and RCW 46.16.065; amending section 46.16.070, chapter 12, Laws of 1961 and RCW 46.16.070; amending section 46.16.072, chapter 12, Laws of 1961 and RCW 46.16.072; amending section 46.16.120, chapter 12, Laws of 1961 and RCW 46.16.120; amending section 46.44.095, chapter 12, Laws of 1961 and RCW 46.44.095; amending section 46.68.030, chapter 12, Laws of 1961 and RCW 46.68.030; adding a new section to chapter 46.16 RCW; adding a new section to chapter 46.44 RCW; repealing section 46.16.067, chapter 12, Laws of 1961 and RCW 46.16.067; repealing section 46.16.074, chapter 12, Laws of 1961 and RCW 46.16.074; repealing section 47.65.010, chapter 13, Laws of 1961 and RCW 47.65.010; repealing section 47.65.020, chapter 13, Laws of 1961 and RCW 47.65.020; repealing section 47.65.050, chapter 13, Laws of 1961 and RCW 47.65.050; repealing section 47.65.110, chapter 13, Laws of 1961 and RCW 47.65.110; providing effective dates; and declaring an emergency."

**Senate Bill No. 12:**

"An Act relating to intoxicating liquor; providing for the control and regulation thereof; providing for the disposition of funds; amending section 73, chapter 62, Laws of 1933 extraordinary session and RCW 43.66.060; amending section 66, chapter 62, Laws of 1933 extraordinary session and RCW 43.66.140; amending section 71, chapter 62, Laws of 1933 extraordinary session, as last amended by section 1, chapter 138, Laws of 1937, and RCW 43.66.150; adding three new sections to chapter 62, Laws of 1933 extraordinary session and to chapter 43.66 RCW; repealing sections 74 and 75, chapter 62, Laws of 1933 extraordinary session and RCW 43.66.070 and 43.66.160."

Very truly yours,

(signed) WARREN A. BISHOP,  
Assistant to the Governor.

At 2:30 o'clock p. m., the President declared the Senate at ease for fifteen minutes, subject to the Call of the President, for the purpose of a meeting of the Committee on Rules and Joint Rules.

At 2:45 o'clock p. m., the President called the Senate to order.

**SECOND READING OF BILLS**

**Substitute House Joint Resolution No. 1**, by Committee on Constitution, Elections and Apportionment:

Amending Constitution to allow excess levies for up to four years for cities or towns to be voted at single election.

The resolution was read the second time in full.

Senator Thompson moved that the following amendment be adopted:

On page 1, line 14, after "excess of" strike "four years for a levy for operations or"

#### POINT OF INQUIRY

Senator Riley:

"Will Senator Thompson yield to a question?"

Senator Thompson:

"Yes, I will."

Senator Riley:

"We had a similar measure which is a constitutional amendment for schools. Is my memory correct, Senator Thompson, when I say a similar amendment was offered for schools and that you voted against it—that you opposed a two-year limitation for maintenance and operations for schools?"

Senator Thompson:

"I don't recall voting on a two-year maintenance and operations limitation for schools. If I had been on the floor, my position would have been to support a two-year limitation for schools."

Senator Riley:

"I regret, then, that Senator Thompson was not on the floor or that you did not vote for my amendment of a similar nature. When Senate Bill No. 20 was on the floor, I offered an amendment to reduce it from four to two years and my amendment did not pass, and when Substitute Senate Bill No. 20 was on the floor, I offered the same amendment, and my amendment failed again.

"I have no personal feelings on this, but having tried to get a similar amendment through, I suppose I do have to be consistent and support this amendment, but I do have one misgiving. I hope it does not get lost in the House, and I hope we will not be here after tomorrow."

The President stated the question before the Senate to be the adoption of the amendment by Senator Thompson.

The motion carried, and the amendment was adopted.

#### PERSONAL PRIVILEGE

Senator Hanna:

"Some two days ago, my good friend, Senator Foster, distributed Yakima apples from Wenatchee, and today, we are reciprocating and distributing Wenatchee apples from Yakima."

On motion of Senator Thompson, the following amendments were adopted:

On page 1, line 15, after "outlay" strike ", or both"

On page 1, lines 23 and 24, after "levies" strike "for the current use" and after "town" strike "and/or" on line 24

On page 2, line 1, after "outlays" strike "or both"

On page 2, line 1, after "levies for" strike "current operations or"

On page 2, lines 6 and 7, after "levies for" strike "current operations or" on line 7

#### PARLIAMENTARY INQUIRY

Senator Thompson:

"We passed Senate Joint Resolution No. 1, and on line 10 of that bill we provided for the amendment of Article 7, Section 2, Subsection (d). This same wording occurs in Substitute House Joint Resolution No. 1. My question is, are we in any problem if these both pass at the next general election? One would have to be (d) and one (e), perhaps."

The Secretary proposed the following amendment, which, on motion of Senator Thompson, was adopted:

On page 1, line 10, after "subsection" strike "(d)" and insert "( )"

On motion of Senator Thompson, the following amendment was adopted:

On page 1, line 9, after "section" strike "(d)" and insert "( )"

On motion of Senator Papajani, the rules were suspended, Substitute House Joint Resolution No. 1, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

The Secretary called the roll on the final passage of Substitute House Joint Resolution No. 1, as amended by the Senate, and the resolution passed the Senate by the following vote: Yeas, 49; nays, 0; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Raugust, Riley, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—49.

Substitute House Joint Resolution No. 1, as amended by the Senate, having having received the constitutional two-thirds majority, was declared passed.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"At the request of the remarkable and respected Senator from Mason, Clallam and Jefferson Counties, the Honorable Gordon Sandison, the President should like to present a group of eight candidates for Queen of the Port Townsend Rhododendron Festival, seated in the south gallery.

"The President should like to call attention to the fact that the Port Townsend Rhododendron Festival is scheduled for May 18, 19 and 20 and all are cordially invited to attend.

"The President should like to request that Senator Sandison and the lovely queen candidates and their escorts please stand in order that they may be properly recognized and welcomed.

"Thank you for being in attendance."

(Applause.)

At 3:25 o'clock p. m. the President declared the Senate to be at ease for approximately one hour for the purpose of a Democratic caucus.

On request of Senator Woodall, the Republican members were excused, under the Call of the Senate, provided they return within one hour.

At 4:20 o'clock p. m. the Senate was called to order by the President.

The President declared the Senate to be at ease for the purpose of holding a meeting of the Committee on Rules and Joint Rules.

At 4:40 o'clock p. m. the President declared the Senate would continue to be at ease for approximately thirty to forty minutes.

At 5:25 o'clock p. m. the Senate was called to order by the President.

The Secretary called the roll, and announced to the President that all Senators were present.

**Senate Bill No. 10**, by Senators Durkan and Papajani:

Relating to revenue and taxation.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended and the Senate did not resolve itself into a Committee of the Whole for the purpose of considering Senate Bill No. 10.

Senator Durkan moved that the following amendments be adopted:

Strike everything after the enacting clause and insert the following:

Section 1. Section 82.04.050, chapter 15, Laws of 1961 and RCW 82.04.050 are each amended to read as follows:

"Sale at retail" or "retail sale" means every sale of tangible personal property (including articles produced, fabricated, or imprinted) other than a sale to one who (a) purchases for the purpose of resale as tangible personal property in the regular course of business, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale. The term also means every sale of tangible personal property to persons engaged in any business which is taxable under RCW 82.04.280, subsection (2), and 82.04.290.

The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, excluding, however, services rendered in respect to live animals, birds, and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth excepting the mere leveling of land used in commercial farming or agriculture; (c) the sale of or charge made for labor and services rendered in respect to the cleaning, fumigating, razing or moving of existing buildings or structures, but shall not include the charge made for janitorial services; (d) the sale of or charge made for labor and services rendered in respect to automobile towing, armored car service and similar automotive transportation services, but not in respect to those required to report and pay taxes under chapter 82.16; (e) the sale of and charge made for the furnishing of lodging and all other services by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same.

*The term "sale at retail" or "retail sale" shall include the sale of or charge made for personal, business or professional services, including amounts designated as interest, rents, fees, admission, and other service emoluments however designated, received by persons engaging in the following business activities: (a) amusement and recreation businesses including but not limited to golf, pool, billiards, skating, ski lifts and tows and others but excluding bowling and excluding admission charges which may be subject to county or city admissions taxes levied under authority granted in RCW 35.21.280 or chapter 36.38. RCW; (b) abstract, title insurance and escrow businesses; (c) credit bureau businesses; (d) automobile parking and storage garage businesses.*

The term shall not include the sale of or charge made for labor and services rendered in respect to the building, repairing, or improving of any publicly owned street, place, road, highway, bridge, or trestle which is used or to be used primarily for foot or vehicular traffic, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects.

Sec. 2. Section 82.08.150, chapter 15, Laws of 1961 and RCW 82.08.150 are each amended to read as follows:

(1) There is levied and shall be collected from and after the first day of November, 1951, a tax upon each retail sale of spirits, wine, or strong beer in the original package

at the rate of ten percent of the selling price, and the term "retail sale" as used herein shall include, in addition to the meaning ascribed thereto in chapter 82.04, any sale not for resale in such original package. The tax imposed in this section shall apply to the sale of spirits, wine, or strong beer by the Washington state liquor stores and agencies, including sales to Class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this section.

(2) There is levied and shall be collected from and after the first day of April, 1959, an additional tax upon each retail sale of spirits, wine, or strong beer in the original package at the rate of five percent of the selling price, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits, wine, or strong beer by the Washington state liquor stores and agencies, excluding sales to Class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this paragraph.

(3) *There is levied and shall be collected from and after the fifteenth day of April, 1961, an additional tax upon each retail sale of spirits in the original package at the rate of one and one-tenth cents per fluid ounce or fraction thereof contained in such original package, and the term "retail sale" as used herein shall include the meaning ascribed thereto in chapter 82.04. The additional tax imposed in this paragraph shall apply to the sale of spirits by the Washington state liquor stores and agencies, including sales to Class H licensees. The tax imposed in RCW 82.08.020 as now or hereafter amended shall not apply to sales subject to the tax imposed by this paragraph. On or before the twenty-fifth day of each month beginning with the month of July, 1961, the Washington state liquor control board shall remit to the state tax commission, to be deposited with the state treasurer, all moneys collected by it under this paragraph during the preceding month on sales made and subject to this paragraph. Upon receipt of such moneys the state treasurer shall deposit in the state general fund and the provisions of RCW 82.08.160 and 82.08.170, and the provisions of chapter 43.66 relating to deposits, apportionment and distribution, shall have no application to the collections under this paragraph.*

[(3)] (4) The additional five percent tax enacted in subdivision (2) of this section shall not be levied upon or applied to sales of wine which have been subjected to the tax imposed by RCW 66.24.220.

[(4)] (5) As used in this section, the terms, "spirits," "wine," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04.

Sec. 3. Section 82.24.020, chapter 15, Laws of 1961 and RCW 82.24.020 are each amended to read as follows:

There is levied and there shall be collected as hereinafter provided, a tax upon the sale, use, consumption, handling or distribution of all cigarettes, in an amount equal to the rate of [one and one-half] two mills per cigarette.

Sec. 4. Section 82.24.070, chapter 15, Laws of 1961 and RCW 82.24.070 are each amended to read as follows:

Wholesalers and retailers subject to the provisions of this chapter shall be allowed compensation for their services in affixing the stamps herein required a sum equal to [five] three and three-quarters percent of the value of the stamps purchased or affixed by them.

Sec. 5. Section 83.40.050, chapter 15, Laws of 1961 and RCW 83.40.050 are each repealed.

**NEW SECTION.** Sec. 6. There is added to chapter 15, Laws of 1961 and to chapter 84.40 RCW a new section to read as follows:

For the purpose of verifying any list, statement, or schedule required to be furnished to the assessor by any taxpayer, any assessor or his trained and qualified deputy at any reasonable time may visit, investigate and examine any personal property, and for this purpose the records, accounts, inventories, papers and memoranda also shall be subject to any such visitation, investigation and examination which shall aid in determining the amount and valuation of such property. Such powers and duties may be performed at any office of the taxpayer in this state, and the taxpayer shall furnish or make available all such information pertaining to property in this state to the assessor although the records may be maintained at any office outside this state.

Any information or facts obtained pursuant to this section shall be used only for the purpose of determining the assessed valuation of the taxpayer's property and except in a court action pertaining to the assessment or valuation for tax purposes

of the property to which such information and facts relate, shall not be disclosed without the permission of the taxpayer to any person other than public officers or employees whose duties relate to valuation of property for tax purposes, and any violation of this secrecy provision shall constitute a gross misdemeanor.

**NEW SECTION.** Sec. 7. There is added to Title 82 RCW, a new chapter as set forth in sections 8 through 14 of this act.

**NEW SECTION.** Sec. 8. For the purposes of this chapter, unless otherwise required by the context, terms shall have the following meanings:

"Soft drink" means any nonalcoholic beverage, carbonated or not, concentrated or not, such as, but not limited to, soda water, carbonated water, ginger ale, seven-up, coca cola, pepsi-cola, and other cola beverages, near beer, fruit juice to which carbonated water, flavoring or syrup is added, milk drinks to which flavoring and syrup is added, and any other preparations commonly referred to as "soft drinks." The term "soft drinks" shall not include natural, undiluted fruit juice, vegetable juice, or fluid milk to which flavoring alone is added;

"Bottled soft drinks" means any soft drink sold in any closed container;

"Syrup" means the compound mixture or basic ingredient used in the making, mixing or compounding of soft drinks by the mixing of the same with water, carbonated water, ice, fruit, milk or any other product, among such syrups being simple syrups, coca cola syrup, chocolate syrup and various fruit flavor syrups, and all other syrups useable for the purpose of mixing soft drinks;

The meaning ascribed to words and phrases in chapter 82.04 RCW, insofar as applicable, shall have full force and effect with respect to the tax imposed in this chapter.

**NEW SECTION.** Sec. 9. There is levied and shall be collected a tax upon the manufacture, bottling, or first sale, use, consumption, handling or distribution in this state of (1) bottled soft drinks in an amount equal to one cent for each twelve fluid ounces or fraction thereof in the smallest container in which the bottled soft drink is contained; and (2) syrups in an amount equal to thirty-eight cents per gallon.

It is the intent and purpose of this chapter to levy a tax on all bottled soft drinks or syrups manufactured, bottled, or first sold, used, consumed or distributed within this state and to collect the tax from the person who manufactures, bottles, first handles, sells, uses, consumes or distributes them in this state. It is the further intent and purpose of this chapter to impose the tax but once but nothing herein shall be construed to exempt any person taxable under any other law or under any other tax imposed under Title 82.

**NEW SECTION.** Sec. 10. The tax commission shall have power to adopt rules and regulations prescribing methods and schedules for the collection of the tax required to be collected under this chapter. The methods and schedules prescribed shall be adopted so as to eliminate the collections of fractions of one cent and so as to provide that the aggregate collections of all taxes under this chapter shall, insofar as practicable, equal the amount of tax imposed hereunder.

**NEW SECTION.** Sec. 11. Every person subject to the tax imposed by this chapter shall report and make returns as provided by regulation of the tax commission.

**NEW SECTION.** Sec. 12. Where bottled soft drinks and/or syrup upon which the tax imposed by this chapter has been reported and paid, are shipped or transported without the state, or are returned to the manufacturer, bottler, wholesaler, or distributor without the state from whom they were obtained, or are destroyed, credit of such tax may be made in accordance with regulations prescribed by the commission.

**NEW SECTION.** Sec. 13. The tax imposed by this chapter shall not apply with respect to any bottled soft drinks and/or syrup which under the Constitution and laws of the United States may not be made the subject of taxation by this state.

**NEW SECTION.** Sec. 14. All of the applicable provisions contained in chapter 82.32 RCW shall have full force and application with respect to taxes imposed by this chapter.

**NEW SECTION.** Sec. 15. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 16. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect on April 15, 1961.

In line 1 of the title after "taxation;" strike everything down to and including "82.08.080" on line 2 and insert the following: "amending section 82.04.050, chapter 15, Laws of 1961 and RCW 82.04.050; amending section 82.08.150, chapter 15, Laws of 1961

and RCW 82.08.150; amending section 82.24.020, chapter 15, Laws of 1961 and RCW 82.24.020; amending section 82.24.070, chapter 15, Laws of 1961 and RCW 82.24.070; repealing section 83.40.050, chapter 15, Laws of 1961 and RCW 83.40.050; adding a new section to chapter 15, Laws of 1961 and to chapter 84.40 RCW; adding a new chapter to chapter 15, Laws of 1961 and to Title 82 RCW; and declaring an emergency.

Senator Riley moved that the following amendment to the amendment by Senator Durkan be adopted:

In section 1, page 2, line 6 of the amendment, strike "but excluding bowling"

Senator Greive moved that the amendment by Senator Riley to the amendment by Senator Durkan be laid on the table.

The motion carried, and the amendment by Senator Riley was laid on the table.

Senator Riley moved that the following amendment to the amendment by Senator Durkan be adopted:

In section 5, page 4, lines 12 and 13 of the amendment, strike all of section 5.

Senator Greive moved that the amendment by Senator Riley to the amendment by Senator Durkan be laid on the table.

The motion carried, and the amendment to the amendment was laid on the table.

Senator Woodall moved that the following amendment to the amendment by Senator Durkan be adopted:

In section 6, page 4 of the amendment, strike new section 6 and renumber remaining sections consecutively.

Senator Greive moved that the amendment by Senator Woodall to the amendment by Senator Durkan be laid on the table.

Debate ensued.

Senator Woodall demanded a roll call, which was sustained by Senators Raugust, Shannon, Foster, Chytil, Happy, DeGarmo, Nunamaker, Greive, Connor and Morgan.

The President stated the question before the Senate to be the motion by Senator Greive that the amendment by Senator Woodall to the amendment by Senator Durkan be laid on the table.

The Secretary called the roll, and the amendment to the amendment was laid on the table by the following vote: Yeas, 28; nays, 21; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Durkan, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, McCormack, Martin, Nunamaker, Papajani, Rasmussen, Sandison, Talley, Washington—28.

Those voting nay were: Senators Chytil, Cowen, Donohue, Dore, Elway, Jr., Foster, Happy, Keefe, Lennart, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Petrich, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—21.

On motion of Senator Woodall, the following amendment to the amendment by Senator Durkan was adopted:

In section 6, lines 4 and 5 of the second paragraph of the amendment by Senator Durkan, strike "papers and memoranda"

Senator Woodall moved that the following amendment to the amendment by Senator Durkan be adopted:

On page 5 of the amendment by Senator Durkan, strike all of new sections 8 and 9 and renumber the remaining sections consecutively.

Senator Greive moved that the amendment by Senator Woodall to the amendment by Senator Durkan be laid on the table.

#### POINT OF INQUIRY

Senator Dore:

"Will Senator Woodall yield to a question?"

Senator Woodall:

"Yes, I will."

Senator Dore:

"Weren't you intending to also strike all of sections 10 through 14 on this amendment?"

Senator Woodall:

"That is the subject of another amendment, Senator Dore."

The President stated the question to be the motion by Senator Greive that the amendment by Senator Woodall to the amendment by Senator Durkan be laid on the table.

A division was requested and the motion carried on a rising vote. The amendment to the amendment was laid on the table.

On motion of Senator Freise, the following amendment to the amendment by Senator Durkan was adopted:

In section 6, line 4 of the second paragraph of the amendment by Senator Durkan, strike the commas before and after "inventories" and insert "and" between "accounts" and "inventories"

#### MOTION

On motion of Senator Papajani, the rules were suspended and the name of Senator Papajani was stricken as a sponsor to Senate Bill No. 10.

Senator Durkan moved that the amendment as amended be adopted.

The motion carried, and the amendment as amended was adopted.

On motion of Senator Durkan, the amendment to the title was adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 10 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Extensive debate ensued.

Senators Kupka, Angevine and Greive demanded the previous question.

The President stated the question to be, shall the main question be now put.

The motion carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 10, and the bill passed the Senate by the following vote: Yeas, 26; nays, 23; absent or not voting, 0.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, DeGarmo, Durkan, Foley, Gallagher, Gissberg, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Knoblauch, Kupka, McCormack, Morgan, Nunamaker, Rasmussen, Sandison, Talley, Washington—26.

Those voting nay were: Senators Chytil, Cowen, Donohue, Dore, Elway, Jr., Foster, Freise, Happy, Keefe, Lennart, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Papajani, Petrich, Raugust, Riley, Ryder, Shannon, Thompson, Jr., Woodall—23.

Engrossed Senate Bill No. 10, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Greive, Senate Bill No. 31 was ordered to retain its place on the second reading calendar for tomorrow.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

The Senate reverted to the fifth order of business.

The Secretary read:

#### MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 29, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 30, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### MOTION

At 6:47 o'clock p. m., on motion of Senator Greive, the Senator adjourned until 11:00 o'clock a. m. on Thursday, March 30, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTY-FIRST DAY

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### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, March 30, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Durkan, Gissberg and Petrich.

The President excused Senators Durkan, Gissberg and Petrich.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Vicki Peterson, presented the Colors.

Reverend Teddy Turner, Minister of the First Christian Church of Olympia, offered prayer as follows:

"Let us pray:

"Our Divine Father:

"Make us instruments of Thy peace, channels of Thy righteousness and grace, exemplars of Thy love for all, that we might find solutions to the vexing problems which try our patience moment by moment.

"In the name of Christ, Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"The President has been requested to make a presentation this afternoon in the Senate Chamber."

#### APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a special honor committee of the following Senators to escort the Senator from Spokane, Dr. David C. Cowen to the rostrum: Senators Keefe, Bailey, Woodall and Connor.

Senator Cowen was escorted to the rostrum.

The President:

"Davey, Members of the Senate; Ladies and Gentlemen:

"Over the many years of your wonderful and dedicated service to the people of the state of Washington, there are a great many people aware of your many acts of generosity and kindness. Everyone knows your kindnesses are a result of the great warmth and love that you have in your heart for your fellow man. The President is indeed proud to have been selected to make this presentation in behalf of your great many friends. It is our sincere hope that this small token will demonstrate to you the great wealth of warmth and affection we have in our hearts for you, and appreciation of the fact that you have served the people of the state of Washington so well over the many years.

"The members of the Senate and the President believe that the inscription on the plaque best describe the occasion:

"Presented to Senator Dr. David C. Cowen in appreciation of his many generous acts of kindness and dedicated service of the people of Washington, 1961."

Dr. Cowen was presented with a picture of President Kennedy and his wife, with a plaque in the bottom of the frame.

Senator Cowen:

"Mr. President; Members of the Senate:

"I thought I had mailed this picture home, and I have been looking all over the Capitol for it.

"Really, and truthfully, I am speaking from the bottom of my heart. I am very, very grateful to the members of the Senate. If you recollect, from the session eight years ago, I received a great token from the members of the Senate when I was here at that time. It is with great pride that I have it hanging in my private office and I am very proud to show it to people who come in to visit me.

"Rarely is any member given a token of appreciation from the members and I am deeply grateful for this honor, not only for the one on my wall, but for this picture. This is something that I shall never, never forget.

"During the following two years I wish you all well and the very best of health and everything. I sincerely hope that each and every one of you will be back in your seats in the 1963 session. I hope that my health will permit me to be back here in 1963 also.

"May God bless each one of you and every member of your families, and I wish that the best of health and happiness will follow every member of your families also.

"I am going to leave tonight and I wish to say goodbye and thank all of you."

(Applause.)

The President:

"Davey, the members of the Senate, I know, join the President in appreciation for the remarks that you have made.

"Davey, this is an entirely different picture than the one that was taken from you. The one you had was a picture of President Kennedy with myself; entirely different from this one of President Kennedy and his wife. The President has asked Mr. Jeffers to make up another picture to replace the one that you lost."

Senator Cowen:

"Oh, yes, that is right. Of course, that was not the same picture."

The Committee on Honor escorted Senator Cowen from the rostrum.

The Secretary read:

**SENATE RESOLUTION**

By Senators Dore, Freise, Riley and Knoblauch:

*To the Honorable John F. Kennedy, President of the United States, the President of the Senate and the Speaker of the House of Representatives, and to the Senate and the House of Representatives of the United States, in Congress Assembled:*

WHEREAS, There has been introduced during this session of the Congress, legislation designated as S. J. R. 13 to authorize the construction of a hotel and other related facilities for the overnight care and accommodation of visitors to Mount Rainier National Park, the financing of such construction to be one-half by the United States and one-half by donated funds, the title to such hotel facilities to be vested in the United States with the power in the Secretary of the Interior to enter into a contract with private concessionaires for operation of such hotel and related facilities; and

WHEREAS, The state of Washington is vitally concerned in making the scenic grandeur and the many other tourist attractions of this park more accessible and available to all persons visiting this area; and

WHEREAS, There has been clearly demonstrated an urgent need for additional facilities within the area of Mount Rainier National Park; and

WHEREAS, It is extremely desirable that this state shall do everything possible to encourage and aid the financing of this proposed construction of hotel and related facilities, and to attract private capital for this project;

Now, Therefore, Be It Resolved, That the Congress of the United States pass the legislation embodied in S. J. R. 13 to the end that the state of Washington and the Secretary of the Interior may enter into negotiations in order that the extent of participation by each agency of government be established;

Be It Further Resolved, That copies of this resolution be transmitted by the Secretary of the Senate to the Honorable John F. Kennedy, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, the Secretary of the Interior, and to each member of Congress from the state of Washington.

On motion of Senator Riley, the resolution was adopted.

**MESSAGE FROM THE GOVERNOR**

State of Washington, Executive Department,  
 Olympia, March 30, 1961.

*To the Honorable, The Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

**Senate Bill No. 3:**

"An Act relating to toll bridges and ferries and the financing thereof; making an appropriation; amending section 3, chapter 10, Laws of 1961 (uncodified); and declaring an emergency."

**Senate Bill No. 21:**

"An Act relating to education; authorizing the board of regents of the University of Washington to establish, charge and collect general tuition and other fees from students of the University; and amending section 2, chapter 66, Laws of 1915, as last amended by section 1, chapter 186, Laws of 1959, and RCW 28.77.030."

**Senate Bill No. 22:**

"An Act relating to education; authorizing the board of regents of Washington State University to establish, charge and collect general tuition and other fees from students of the university; providing for the disposition of such fees; amending section 1, chapter 164, Laws of 1921, as last amended by section 1, chapter 73, Laws of 1949, and RCW 28.80.030; and amending section 2, chapter 164, Laws of 1921, as last amended by section 1, chapter 185, Laws of 1935, and RCW 28.80.040."

**Senate Bill No. 23:**

"An Act relating to Washington State University; providing for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities; authorizing the board of regents thereof to construct and finance the same by the issuance of bonds payable from a special fund into which shall be paid certain general tuition fees; creating such special fund; authorizing the board to make certain covenants in such bonds; authorizing the board to accept federal and other grants; authorizing the legislature to provide additional means for raising money for payment of the bonds; authorizing the refunding of such bonds; and relating to tuition fees and other fees and the disposition thereof."

**Senate Bill No. 24:**

"An Act relating to education; authorizing the boards of trustees of the state colleges of education to establish, charge, and collect general tuition and other fees from students of the respective colleges; providing for the disposition of such fees; creating bond retirement funds and capital projects accounts for each college; reenacting matter relating to admission and expulsion; and amending section 3, chapter 85, Laws of 1905, as amended by section 1, chapter 136, Laws of 1921, sections 12 and 13, page 255, Laws of 1909, and RCW 28.81.070 and 28.81.080; and adding a new section to chapter 28.81 RCW."

**Senate Bill No. 25:**

"An Act relating to the State Colleges of Education; providing for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities; authorizing the boards of trustees thereof to construct and finance the same by the issuance of bonds payable from special funds into which shall be paid certain general tuition fees, authorizing the boards to make certain covenants in such bonds; authorizing the boards to accept federal and other grants; authorizing the legislature to provide additional means for raising money for payment of the bonds; authorizing the refunding of such bonds; and relating to tuition fees and other fees and the disposition thereof."

Very truly yours,

(signed) WARREN A. BISHOP,  
*Assistant to the Governor.*

**REPORT OF STANDING COMMITTEE****Senate Bill No. 50:**

Senate Chamber,  
Olympia, Wash., March 30, 1961.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Senate Bill No. 50, relating to cities and public utility districts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED H. DORE, *Chairman.*

We concur in this report: Frank Connor, John L. Cooney, David E. Cowen, Martin J. Durkan, John Happy, Karl V. Herrmann, James E. Keefe, George W. Kupka, Mike McCormack, John T. McCutcheon, John A. Petrich, A. L. Rasmussen, Edward F. Riley, Don L. Talley, Nat Washington.

**MOTION**

On motion of Senator Gissberg, the rules were suspended and Senate Bill No. 50 was advanced to second reading.

**SECOND READING OF BILLS**

**Senate Bill No. 50**, by Senators Gissberg and Bargreen:

Relating to cities and public utility districts.

The bill was read the second time by sections.

On motion of Senator Gissberg, the following amendment was adopted:

In section 1, page 1, line 10, after "aqueducts," and before "pipe lines" insert "water"

Senator Gissberg moved that the following amendment be adopted:

In section 4, page 2, line 24, strike the period after "utility" and add a comma and the following: "nor purchase or acquire any operating hydroelectric generating plant which may be acquired by any city or district by condemnation on or after July 1, 1961."

**POINT OF INQUIRY**

Senator Washington:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Washington:

"Senator Gissberg, is it your intention by this amendment merely to clarify for the purpose of this act that no city or public utility district corporation together may purchase or acquire by condemnation any property that was previously acquired by a city or public utility by condemnation? In other words, is it to avoid any city first acquiring by condemnation and then transferring it to any other agency?"

Senator Gissberg:

"The answer is 'yes'."

Senator Washington:

"And one further question; that this amendment is not intended to change any existing law for any city or public utility to acquire property by condemnation under existing law?"

Senator Gissberg:

"Yes, my answer is yes."

**POINT OF INQUIRY**

Senator Shannon:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator Shannon:

"Is this the bill that pertains particularly to the new plan of the city of Everett to build a hydroelectric plant?"

Senator Gissberg:

"Yes, it is."

Senator Shannon:

"Does it, in your opinion, apply to other cities in the state?"

Senator Gissberg:

"It would only apply to any city of the first class who would wish to have it apply. I don't know if there would be any other city or not, Senator."

The motion carried, and the amendment was adopted.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 50 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

**POINT OF INQUIRY**

Senator McCutcheon:

"Will Senator Gissberg yield to a question?"

Senator Gissberg:

"Yes, I will."

Senator McCutcheon:

"Is it my understanding that if the city of Everett, exercising the powers granted to acquire its own electrical power and distribution system, wishes to go into partnership with Snohomish County PUD, they would be able to do so?"

Senator Gissberg:

"What it would do is authorize the city of Everett and the Public Utility District to form a joint partnership for the purpose of constructing a dam on the Sultan River."

Senator McCutcheon:

"It is the plan of those two agencies to use the water for the city of Everett?"

Senator Gissberg:

"The law is broad enough to allow them to use the water that flows over the dam for electrical generating purposes and that is the explanation. It would allow the city of Everett and Snohomish County Public Utility District to cooperate in the construction of these dual purpose facilities."

Senator McCutcheon:

"It had an undertone to me to 'let the people vote'—something about fixing a date that they cannot acquire nor purchase any property—what is that? Is that something they had over in the House?"

Senator Gissberg:

"No, that had nothing to do with the House side at all. That was taken out of the existing law as it applies to the PUD in constructing plants."

Debate ensued.

#### MOTION

Senator Dore moved that Senate Bill No. 50, as amended, be made a special order of business for 3:30 o'clock p. m. today.

Senator Gissberg:

"Were you here at the time that Senator Washington was on the floor and indicated that he had checked the amendment very carefully and he had determined that what we were doing is reenacting an existing law as it applies to this provision?"

Senator Dore:

"I understand that Senator Washington is chairman of the Highway Committee, and I am chairman of the Public Utilities Committee, and I would like an opportunity to analyze this."

Senator Gissberg:

"My only concern is that we may not be in session at 3:30 o'clock. If you would care to make it 3:15 p. m., I think that would be better."

Senator Dore amended his motion to 3:15 o'clock.

The motion carried, and Senate Bill No. 50 was ordered to be considered as a special order of business at 3:15 o'clock p. m. today.

The Secretary read:

#### MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 30, 1961.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Substitute House Joint Resolution No. 1 and has passed the resolution as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 30, 1961.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 26, and has passed the bill as amended by the Free Conference Committee. The bill and the report of the Free Conference Committee are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., March 30, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 26, authorizing community colleges to charge tuition fees to non-residents, have had the same under consideration, and we recommend that the House amendment to page 2 of the engrossed bill be stricken and that the bill be amended as follows:

On page 2, line 6 of the engrossed and printed bill, after "each" insert "full time" and before "who has not" insert "and not less than ten dollars per credit hour for each part time student"

On page 2, immediately following section 1, add two new sections to read as follows:

*NEW SECTION.* Sec. 2. Each full time student registering in a community college who has been domiciled in this state for a period of one year prior to the date of registration shall be charged a tuition fee of ten dollars per quarter.

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

In line 1 of the title, after "to" and before "community" insert "powers and duties of boards of directors of school districts operating"

*Senate Members:*

GORDON SANDISON

DON L. TALLEY

PERRY B. WOODALL

*House Members:*

WES C. UHLMAN

AUGUST P. MARDSEICH

SLADE GORTON

On motion of Senator Sandison, the Senate adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 26.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 26, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 36; nays, 3; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Elway, Jr., Foley, Foster, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Neill, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Woodall—36.

Those voting nay were: Senators Hess, Talley, Thompson, Jr.—3.

Those absent or not voting were: Senators Cowen, Durkan, Hanna, Henry, Herrmann, Martin, Nunamaker, Papajani, Raugust, Washington—10.

Engrossed Senate Bill No. 26, as amended by the Free Conference Committee, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

**SPECIAL ORDER OF BUSINESS**

The time having arrived, the President declared the special order of business to be further consideration of Senate Bill No. 50.

**MOTION**

On motion of Senator Woodall, the rules were suspended and Senate Bill No. 50 was returned to second reading for the purpose of further amendment.

**SECOND READING OF BILLS**

**Senate Bill No. 50**, by Senators Gissberg and Bargreen:

Relating to cities and public utility districts.

The bill was read the second time by sections, and Senator Gissberg's proposed amendment was re-read.

On motion of Senator Dore, the following amendment to the amendment by Senator Gissberg was adopted:

In the last line of the amendment by Senator Gissberg to section 4, page 2, line 24, after "1961" strike the period and insert the following: "*Provided further*, That nothing in this section shall affect existing laws pertaining to the acquisition by purchase or condemnation by public utility districts and municipalities."

On motion of Senator Gissberg, the amendment as amended was adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 50 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 50, and the bill passed the Senate by the following vote: Yeas, 33; nays, 2; absent or not voting, 14.

Those voting yea were: Senators Bargreen, Chytil, Connor, Cooney, DeGarmo, Donohue, Dore, Foley, Freise, Gallagher, Gissberg, Greive, Hallauer, Happy, Henry, Hess, Knoblauch, Kupka, McCormack, McCutcheon, McMillan, Morgan, Moriarty, Jr., Nunamaker, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—33.

Those voting nay were: Senators Herrmann, Thompson, Jr.—2.

Those absent or not voting were: Senators Angevine, Bailey, Cowen, Durkan, Elway, Jr., Foster, Hanna, Hofmeister, Keefe, Lennart, Martin, Neill, Papajani, Raugust—14.

Engrossed Senate Bill No. 50, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Senator Gissberg, Engrossed Senate Bill No. 50 was ordered immediately transmitted to the House.

On motion of Senator Ryder, Senate Bill No. 31 was ordered to hold its place on the next second reading calendar.

At 3:25 o'clock p. m., on motion of Senator Greive, the Senate recessed until 5:00 o'clock p. m.

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#### AFTERNOON SESSION

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At 5:10 o'clock p. m. the Senate was called to order by President Cherberg. Senators Greive, Hofmeister and Nunamaker demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors and guarded the elevators.

The Secretary called the roll on the Call of the Senate, all Senators being present except Senator Raugust, who was excused.

#### APPOINTMENT OF INTERIM COMMITTEES

The President announced the appointments of the following interim committees:

**Committee on Legislative Building Accommodations** (under the provisions of Senate Concurrent Resolution No. 2):

Senators Bailey, Chytil, DeGarmo, Henry, Morgan and Shannon.

On motion of Senator Riley, the appointments to the Committee on Legislative Building Accommodations were confirmed.

**Joint Fact Finding Committee on Highways, Streets and Bridges** (under the provisions of Chapter 21, Laws of 1961 Ex.):

Senators Bailey, Foster, Henry, Hofmeister, Martin, Raugust and Washington.

On motion of Senator Greive, the appointments to the Joint Fact Finding Committee on Highways, Streets and Bridges were confirmed.

**APPOINTMENT OF SPECIAL COMMITTEE**

The President announced the appointment of the following advisory committee:

**Site Development Advisory Commission** (under the provisions of Senate Bill No. 331):

Senators Hallauer, Thompson, Jr. and Martin.

On motion of Senator Woodall, the appointments to the Site Development Advisory Commission were confirmed.

The Secretary read:

**REPORTS OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., March 29, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 10, have compared same with the original bill and find it correctly engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 29, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Engrossed Senate Bill No. 49, have compared same with the engrossed bill and find it correctly re-engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 30, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Senate Bill No. 10, have compared same with the engrossed bill and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 29, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Re-engrossed Senate Bill No. 49, have compared same with the re-engrossed bill and find it correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

**SIGNED BY THE PRESIDENT**

The President signed: Senate Bill No. 49.

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 30, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 10, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 10.**

**MOTION**

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

**REPORTS OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., March 30, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Engrossed Senate Bill No. 26, have compared same with the original bill and find it correctly Re-engrossed.  
MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 30, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Re-engrossed Senate Bill No. 26, have compared same with the re-engrossed bill and find it correctly enrolled.  
MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 26.**

**MOTION**

Senator Greive moved that the Senate do now adjourn until 11:00 o'clock a. m. tomorrow.

**POINT OF ORDER**

Senator Riley:

"There was a special order of business by motion that Senate Bill No. 31 would be considered at the next sitting of the Senate which would be at 5:00 o'clock p. m."

**POINT OF ORDER**

Senator Greive:

"I think the motion to adjourn takes precedence over any other motion."

Senator Riley:

"I am aware that the motion to adjourn is not debatable, but I am also aware that when this body states that a special order of business will be taken up at a special time . . ."

**RULING OF THE PRESIDENT**

The President:

"The President believes that he must entertain the motion to adjourn."

At 5:45 o'clock p. m., on motion of Senator Greive, the Senate adjourned until 11:00 o'clock a. m. on Friday, March 31, 1961.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## TWENTY-SECOND DAY

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### MORNING SESSION

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SENATE CHAMBER,  
OLYMPIA, WASH., Friday, March 31, 1961.

The Senate was called to order at 11:00 o'clock a. m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Petrich, Rasmussen and Raugust.

On motion of Senator Woodall, Senator Raugust was excused.

The Color Guard, consisting of Pages Jim Archer, Color Bearer, and Susan Harris, presented the Colors.

Reverend Teddy Turner, Pastor of the First Christian Church of Olympia, offered prayer as follows:

"Let us pray:

"Our merciful and Divine Father, Who on a Friday long ago Thou didst allow tyranny to do its worst in the crucifixion of Thy Son, that we might know Thy true nature as Holy Love, help us to repent today of those sins, common to all mankind, which nailed Him to the Cross:

"Our vested interests, our derelict sense of responsibility, our easy religiosity, our calloused hatred, our blind conformity.

"Help us to remember today that Strangè Man on the Cross! And, O God, help us by life and by conduct to do our part to remove the nails. Amen."

On motion of Senator Greive, the reading of the journal of the previous day was dispensed with and it was approved.

Senators Greive, Hess and Hofmeister demanded a Call of the Senate.

A Call of the Senate was ordered.

### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the Call of the Senate.

The President excused Senator Petrich from the Call of the Senate.

At 11:30 o'clock a. m. the President declared the Senate to be at ease under the Call of the Senate until approximately 2:00 o'clock p. m.

On motion of Senator Woodall, the rules were suspended and the Republican members of the Senate were permitted to leave the chamber subject to the Call of the Senate.

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### AFTERNOON SESSION

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At 2:00 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Herrmann, McCormack and Raugust.

Senator Raugust had been previously excused.

Senator Henry announced that the cigars being distributed were through the courtesy of Ed Weston in appreciation of the courtesy and fine treatment

that he received by the Senators during this legislative session, as a joint labor lobbyist.

At 2:20 o'clock p. m. the President announced that the Senate would be at ease until approximately 3:00 o'clock p. m. for the purpose of a Democratic caucus.

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### SECOND AFTERNOON SESSION

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At 4:00 o'clock p. m. the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Raugust, who had been excused.

#### MOTION

On motion of Senator Cowen, the Senate proceeded with business under the Call of the Senate, subject to roll call.

#### PERSONAL PRIVILEGE

Senator Riley:

"When we are under the Call of the Senate, I think the Sergeant-at-Arms should produce the Senators so we can continue with our business."

Senator Woodall:

"Someone said they were at the Governor's office. You wouldn't want to upset that would you?"

#### POINT OF ORDER

Senator Woodall:

"Didn't the motion by Senator Cowen carry, that the Senate proceed subject to roll call?"

#### RULING OF THE PRESIDENT

The President:

"That is correct, Senator Woodall."

The Secretary read:

#### MESSAGE FROM THE HOUSE

#### HOUSE AMENDMENT TO SENATE BILL

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The House has passed: Engrossed Senate Bill No. 14 with the following amendments:

On page 2, line 32, after "fund" and before the period, insert ": *Provided*, That for the 1961-1963 biennium the sum of one million eight hundred and forty-seven thousand dollars, or so much as may be needed of this amount, shall be transferred from the Teachers' Retirement Pension Reserve Fund to the Teachers' Retirement Fund for the payment of benefits under this act"

Strike all of section 5, and renumber the remaining sections consecutively, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Hess, the Senate concurred in the House amendments to Engrossed Senate Bill No. 14.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 14, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; absent and excused, 1.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Foster,

Freise, Gallagher, Gissberg, Greive, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, McMillan, Martin, Morgan, Moriarty, Jr., Neill, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Talley, Washington, Woodall—45.

Those voting nay were: Senators Elway, Jr., Hallauer, Thompson, Jr.—3. Those absent and excused were: Senator Raugust—1.

Engrossed Senate Bill No. 14, as amended by the House, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President announced that the Senate would be at ease, subject to the Call of the President, for the purpose of a Democratic caucus.

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**THIRD AFTERNOON SESSION**

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At 4:45 o'clock p. m., the Senate was called to order by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Raugust, who had been excused.

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 10; also Senate Bill No. 26; also Senate Bill No. 49, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The Speaker has signed: Substitute House Joint Resolution No. 1, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The Speaker has signed: House Joint Resolution No. 7, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**SIGNED BY THE PRESIDENT**

**The President signed: House Joint Resolution No. 7; also Substitute House Joint Resolution No. 1.**

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The House has adopted the report of the free conference committee on Engrossed Senate Bill No. 1, and has passed the bill as amended by the free conference committee. The bill and the report of the free conference committee are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 1, adopting the budget and making general appropriation, have had the same under consideration, and we recommend that the attached bill be substituted therefor and that it do pass.

## ENGROSSED SENATE BILL NO. 1

As Amended by Free Conference Committee

An Act adopting the budget; making appropriations and reappropriations for the operation of state agencies and for miscellaneous purposes; and declaring an emergency.

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

**NEW SECTION.** Section 1. That a budget is hereby adopted and subject to the provisions hereinafter set forth the several amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be disbursed for salaries, wages, and other expenses of the agencies and officers of the state and for other specified purposes for the fiscal biennium beginning July 1, 1961, and ending June 30, 1963, out of the several funds of the state hereinafter named.

## STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribution	\$ 710,000
General Fund Appropriation for public utility district excise tax distribution	3,530,880
General Fund—Harbor Improvement Account Appropriation for harbor improvement revenue distribution	290,000
Liquor Excise Tax Fund Appropriation for liquor excise tax distribution	8,000,000
Motor Vehicle Excise Fund Appropriation for motor vehicle excise tax distribution	9,385,000
Motor Vehicle Fund Appropriation for motor vehicle fuel tax distribution	63,439,400

## STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

General Fund Appropriation for federal grazing fees distribution	10,250
General Fund Appropriation for federal flood control funds distribution	15,000
Forest Reserve Fund Appropriation for forest reserve fund distribution	12,500,000

## STATE TREASURER—BOND RETIREMENT AND INTEREST

Capitol Building Bond Redemption Fund Appropriation	543,388
Institutional Building Bond Redemption Fund of 1949 Appropriation	2,551,168
Highway Bond Retirement Fund Appropriation	15,798,965
Public School Building Bond Redemption Fund Appropriation	5,103,371
Public Schools Building Bond Redemption Fund of 1955 Appropriation	4,478,500
Public Schools Building Bond Redemption Fund of 1957 Appropriation	9,235,200
School Emergency Construction Bond Redemption Fund Appropriation	5,082,263
State Building Construction Bond Redemption Fund Appropriation	7,310,770
University of Washington Bond Redemption Fund Appropriation	1,728,838
War Veterans' Compensation Bond Retirement Fund Appropriation	8,956,081
World Fair Bond Redemption Fund Appropriation	1,820,750
Institutional Building Bond Redemption Fund of 1957 Appropriation	3,378,880
Public School Building Bond Redemption Fund of 1959 Appropriation	4,984,101
General Administration Bond Retirement Fund Appropriation	607,300
Public School Building Bond Redemption Fund of 1961 Appropriation	888,125

## STATE LEGISLATURE

General Fund Appropriation	
Senate Expenses and salaries of members	133,908
House of Representatives Expenses and Salaries of members	268,500
Membership and dues in National Conference of State Legislative Leaders	2,000
Legislative Council: <i>Provided</i> , That \$25,000 shall be made available to carry out the provisions of Engrossed House Bill No. 28, as passed by the House of Representatives during the 37th Legis-	

lature, Regular Session: <i>Provided</i> , That \$30,000 shall be made available to carry out the provisions of Senate Concurrent Resolution No. 9, as passed by the 37th Legislature, Regular Session.....	\$ 218,584
Legislative Budget Committee .....	115,470

PERMANENT STATUTE LAW COMMITTEE

General Fund Appropriation .....	256,900
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SUPREME COURT

General Fund Appropriation .....	723,646
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COURT ADMINISTRATOR

General Fund Appropriation .....	66,082
General Fund Appropriation for salary of Superior Court Judges.....	1,103,103
General Fund Appropriation	
Judges' Retirement Fund Contributions.....	159,900
Additional Judges' Retirement Fund Contributions in accordance with RCW 2.12.070 .....	102,000

JUDICIAL COUNCIL

General Fund Appropriation .....	10,015
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LAW LIBRARY

General Fund Appropriation .....	172,850
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OFFICE OF THE GOVERNOR

General Fund Appropriation	
Executive Operations .....	223,976
Investigation and Emergency Purposes—to be distributed on vouchers approved by the Governor .....	16,000
Extradition Expenses (Including prior claims).....	52,000
Mansion Maintenance .....	30,000

SPECIAL APPROPRIATIONS TO THE GOVERNOR

General Fund Appropriation	
Governor's Emergency, to be allocated for the carrying on of the critically necessary work of any agency.....	2,500,000
Council of State Governments .....	17,500
Surveys and installation, available for expenditure of allotment by the Governor .....	275,000
For salary adjustments to be allotted to the agencies to implement the salary survey findings adopted by the State Personnel Board in 1960 .....	1,951,464
To be allocated by the Governor to the Department of Institutions Division of Mental Health in the event that appropriations otherwise available are insufficient .....	500,000

LIEUTENANT GOVERNOR

General Fund Appropriation .....	32,416
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SECRETARY OF STATE

General Fund Appropriation: <i>Provided</i> , That \$150,000 shall be available only for the certification of initiatives and referenda (including the maintenance of the permanent registration records for this purpose), the printing, addressing and mailing of the voters' pamphlets and the advertising of the proposed constitutional amendments.....	642,190
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STATE TREASURER

General Fund Appropriation .....	380,335
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STATE AUDITOR

General Fund Appropriation	
State Auditor .....	720,224
Payment for supplies furnished in previous bienniums.....	100,000

Payment of L. I. D. assessments.....	\$ 75,000
Criminal cost bills .....	25,000
Motor Vehicle Fund Appropriation .....	
State Auditor .....	36,503
<b>ATTORNEY GENERAL</b>	
General Fund Appropriation: <i>Provided</i> , That \$25,000 shall be made available to carry out the provisions of chapters 216 and 189, Laws of 1961 ..	795,224
<b>CENTRAL BUDGET AGENCY</b>	
General Fund Appropriation .....	858,812
<b>CAPITOL COMMITTEE</b>	
General Fund—Capitol Building Construction Account Appropriation .....	10,000
<b>CENSUS BOARD</b>	
General Fund Appropriation .....	21,000
Motor Vehicle Excise Fund Appropriation .....	37,000
<b>BOARD AGAINST DISCRIMINATION</b>	
General Fund Appropriation .....	105,232
<b>STATE EMPLOYEES RETIREMENT SYSTEM</b>	
Retirement System Expense Fund Appropriation .....	514,883
<b>FINANCE COMMITTEE</b>	
General Fund Appropriation .....	49,640
Motor Vehicle Fund Appropriation: <i>Provided</i> , That this expenditure be used solely for expenses incident to the issuance and sale of motor vehicle fuel tax revenue bonds .....	47,000
General Fund—State Building Construction Appropriation: <i>Provided</i> , That expenditures from this appropriation shall be limited to one-tenth of one percent of the bonds authorized by Engrossed Senate Bill No. 5, 37th Legislature, First Extraordinary Session .....	28,000
<b>TAX COMMISSION</b>	
General Fund Appropriation: <i>Provided</i> , That funds received as reimbursements pursuant to chapter 84.41 RCW are hereby appropriated to the Tax Commission in excess of this amount, and such funds as are contracted to be paid into the General Fund prior to June 30, 1963 may be allotted in advance of receipt .....	5,993,689
<b>UNIFORM LAW COMMISSION</b>	
General Fund Appropriation .....	3,585
<b>LIQUOR CONTROL BOARD</b>	
General Fund Appropriation .....	13,097,731
<b>DEPARTMENT OF GENERAL ADMINISTRATION</b>	
General Fund Appropriation .....	3,240,718
General Fund Appropriation to complete exterior lighting and improve electrical wiring on the legislative building .....	25,000
<b>DEPARTMENT OF INSTITUTIONS—HEADQUARTERS</b>	
General Fund Appropriation: <i>Provided</i> , That no part thereof shall be allocated for expenditures of the Bureau of Criminal Identification ..	2,048,469
General Fund—Probation Service Account Appropriation to carry out the provisions of Chapter 145, Laws of 1961 .....	35,000
General Fund Appropriation to carry out the provisions of Chapter 251, Laws of 1961 .....	30,000
<b>INSURANCE COMMISSIONER</b>	
General Fund Appropriation .....	1,002,512

ACCOUNTANCY BOARD

General Fund Appropriation ..... \$ 100,000

AERONAUTICS COMMISSION

General Fund Appropriation ..... 101,770

ATHLETIC COMMISSION

General Fund Appropriation ..... 15,000

CEMETERY BOARD

General Fund—Cemetery Account Appropriation ..... 7,100

BOARD OF INDUSTRIAL INSURANCE APPEALS

Accident Fund Appropriation ..... 426,584

Medical Aid Fund Appropriation ..... 426,584

PHARMACY BOARD

General Fund Appropriation ..... 107,042

PUGET SOUND PILOTAGE COMMISSION

General Fund—Puget Sound Pilotage Account  
Appropriation ..... 6,600

POLLUTION CONTROL COMMISSION

General Fund Appropriation ..... 454,137

PUBLIC SERVICE COMMISSION

Public Service Revolving Fund Appropriation ..... 2,959,928

BOARD FOR VOLUNTEER FIREMEN

Volunteer Firemen's Relief and Pension Fund Appropriation ..... 18,695

STATE PATROL

Highway Safety Fund Appropriation..... 2,753,611

Motor Vehicle Fund—State Patrol Highway Account Appropriation.... 9,426,991

Highway Safety Fund Appropriation—Retirement Fund Contributions. 707,598

DEPARTMENT OF CIVIL DEFENSE

General Fund Appropriation ..... 1,246,949

DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation: *Provided*, That \$500 shall be used by the Director for expenses of entering into agreements with the appropriate agencies of other states relating to conflicts of jurisdiction where the contract of employment is in one state and injuries are received in the other state ..... 10,002,246

General Fund—Electrical License Account Appropriation..... 472,388

Accident Fund Appropriation ..... 1,580,241

Medical Aid Fund Appropriation..... 4,780,789

DEPARTMENT OF LICENSES

General Fund Appropriation..... 760,708

General Fund Appropriation for the Medical Disciplinary Board..... 15,000

General Fund—Optometry Account Appropriation..... 4,882

General Fund—Opticians Account Appropriation..... 4,483

General Fund—Real Estate Commission Account Appropriation..... 486,428

General Fund—Commercial Automobile Driver Training Schools Account  
Appropriation ..... 4,186

General Fund—Parks and Parkways Account Appropriation..... 50,000

General Fund—Architects' License Account Appropriation..... 19,353

General Fund—Professional Engineers' Account Appropriation..... 50,000

General Fund—Sanitarians' Licensing Account Appropriation..... 4,081

Motor Vehicle Fund Appropriation ..... 4,601,523

Highway Safety Fund Appropriation ..... 1,402,076

MILITARY DEPARTMENT	
General Fund Appropriation.....	\$ 1,786,992
BOARD OF PRISON TERMS AND PAROLES	
General Fund Appropriation .....	1,632,880
DEPARTMENT OF INSTITUTIONS—PENITENTIARY	
General Fund Appropriation .....	6,080,589
DEPARTMENT OF INSTITUTIONS—REFORMATORY	
General Fund Appropriation .....	4,483,836
DEPARTMENT OF INSTITUTIONS—FORESTRY HONOR CAMPS	
General Fund Appropriation .....	892,874
DEPARTMENT OF INSTITUTIONS—MAPLE LANE SCHOOL	
General Fund Appropriation .....	1,718,510
DEPARTMENT OF INSTITUTIONS— MARTHA WASHINGTON SCHOOL	
General Fund Appropriation .....	585,800
DEPARTMENT OF INSTITUTIONS— GREEN HILL SCHOOL	
General Fund Appropriation .....	2,035,900
DEPARTMENT OF INSTITUTIONS— LUTHER BURBANK SCHOOL	
General Fund Appropriation .....	860,753
DEPARTMENT OF INSTITUTIONS—JUVENILE RECEPTION—DIAGNOSTIC CENTER	
General Fund Appropriation .....	1,200,000
DEPARTMENT OF INSTITUTIONS— FORT WORDEN SCHOOL	
General Fund Appropriation: <i>Provided</i> , That \$10,000 shall be made available for the purchase of land and building situated in Jefferson County adjacent to the Fort Worden School.....	2,591,906
DEPARTMENT OF INSTITUTIONS— YOUTH FORESTRY CAMPS	
General Fund Appropriation .....	1,512,113
DEPARTMENT OF INSTITUTIONS— JUVENILE PAROLE SERVICE	
General Fund Appropriation .....	776,388
DEPARTMENT OF INSTITUTIONS—JUVENILE DELINQUENCY PREVENTION AND CONTROL	
General Fund Appropriation .....	738,924
VETERANS' REHABILITATION COUNCIL	
General Fund Appropriation .....	489,599
DEPARTMENT OF INSTITUTIONS— SOLDIERS' HOME AND COLONY	
General Fund Appropriation: <i>Provided</i> , That no part of this appropriation shall be used for the care and maintenance of members in the home having a yearly pension income of over \$900 or with assets of over \$900 unless all income and assets in excess of these amounts are paid into the general fund: <i>Provided</i> , That the director of the Department of Institutions may waive the foregoing proviso, for all	

or such portion of income over \$900, as may be necessary to provide such medical care as is not furnished by the Department for such member ..... \$ 905,214

DEPARTMENT OF INSTITUTIONS—VETERANS' HOME

General Fund Appropriation: *Provided*, That no part of this appropriation shall be used for the care and maintenance of members in the home having a yearly pension income of over \$900 or with assets of over \$900 unless all income and assets in excess of these amounts are paid into the general fund: *Provided further*, That the director of the Department of Institutions may waive the foregoing proviso, for all, or such portion of income over \$900, as may be necessary to provide such medical care as is not furnished by the Department for such member ..... 2,000,000

DEPARTMENT OF INSTITUTIONS—  
SCHOOL FOR THE BLIND

General Fund Appropriation ..... 863,067

DEPARTMENT OF INSTITUTIONS—  
SCHOOL FOR THE DEAF

General Fund Appropriation ..... 1,736,069

WESTERN INTERSTATE COMMISSION  
FOR HIGHER EDUCATION

General Fund Appropriation..... 20,000

DEPARTMENT PUBLIC ASSISTANCE

General Fund Appropriation: *Provided*, That \$22,428,567 shall be available exclusively for administration including salaries, wages and operations; \$60,246,845 shall be available for old age assistance exclusive of burial costs and exclusive of nursing home and other medical care costs; and \$147,324,588 shall be available for burial costs, foster care, nursing home, and other medical care costs and for assistance grants exclusive of old age assistance grants: *Provided*, That there is specifically earmarked the following specified amounts for the support of the following named hospitals: King County Hospital \$9,223,369, Pierce County Hospital \$3,215,989, Clark County Hospital, \$1,072,106, Whatcom County Hospital \$752,750: *Provided*, That there is specifically earmarked the following specified amount for nursing home costs and county infirmaries \$32,416,892 of which not more than \$956,735 shall be expended for county infirmaries: *Provided*, That there is specifically earmarked the following specified amount for aid to dependent children, aid to the permanently and totally disabled and general assistance, exclusive of burial costs and exclusive of nursing home and other medical care costs \$69,155,177: *Provided*, That there is specifically earmarked the following amount for foster care \$6,740,784 of which no more than \$135,000 may be expended to provide any foster home care authorized under the provisions of the Juvenile Court Act: *Provided*, That if federal grants for the council on the aging are received they may be made available by allotment of the governor.... 230,000,000

The department of public assistance is hereby directed to administer the programs for which funds are herein appropriated in such a manner as to strictly comply with the existing statutes relating to public assistance, to adjust assistance payments if necessary and to effect all economies possible in the administration of such programs during the 1961-1963 biennium in order that expenditures for said biennium shall not exceed the funds herein appropriated: *Provided*, That the standards of assistance for any payments from this appropriation for applicants or recipients shall be limited, except in special circumstances, to reasonable allowances for shelter, fuel, food, clothing, household maintenance and operation, personal maintenance and necessary incidentals, and the department shall review amounts allowed as special additional requirements at least twice annually so as to better control

allowances made for additional requirements: *Provided*, That payments to applicants or recipients from this appropriation shall not be increased due to increased costs of living unless funds are available: *Provided*, That the department shall not enter into contracts obligating the department to pay increased rates for supplies or services unless it has been clearly determined that adequate funds are available to provide for the increased rates during the remainder of the biennium, and in no event shall the department enter into a contract to pay increases in rates to suppliers of goods or services except hospital care before July 1, 1962: *Provided*, That no payments of general assistance shall be made from this appropriation unless the applicant or recipient for general assistance has resided in the State of Washington for three out of the last four years immediately preceding the date of application: *Provided*, That the director may make payments of emergency general assistance to an applicant or recipient notwithstanding the residence provision above for a period of not to exceed ninety days if a denial of assistance would cause undue hardship: *Provided*, That unemployable persons shall not be eligible for a general assistance grant payable from this appropriation unless they are substantially incapacitated from gainful employment: *Provided*, That the director may expend assistance funds for the purpose of moving employable applicants or recipients from an area within the state where work is not available to another area within the state where employment is determined to be available and in a field not currently involved in a labor dispute. The department in carrying out this provision shall cooperate with the Department of Employment Security to the greatest extent possible. Any applicant or recipient who shall refuse to move without good cause pursuant to this provision shall be ineligible to receive general assistance: *Provided*, That no payments of aid to dependent children assistance shall be made from this appropriation on behalf of an employable parent or relative with whom the child lives unless the director of public assistance determines that the employment of the parent or relative with whom the child lives would result in danger and/or substantial impairment to the physical or mental wellbeing of the child: *Provided*, That where a dependent child is living with a parent and a step-parent, the income and resources of such step-parent shall be taken into consideration in determining the eligibility of the dependent child in the same manner as the income and resources of the dependent child or any other member of the family group. A natural parent is not relieved of any legal obligation to support his children by operation of this provision: *Provided*, That where a dependent child is living with a parent and a person assuming the status of spouse, the income and resources of such person assuming the status of spouse shall be taken into consideration in determining the eligibility of the dependent child in the same manner as the income and resources of the dependent child or any other member of the family group. A person shall be presumed to be assuming the status of spouse whenever such person and the parent shall hold themselves out to the community at large as husband and wife. A natural parent is not relieved of any legal obligation to support his children by operation of this provision: *Provided*, That the director may establish the standards of assistance to be used in the determination of financial need and payment of grants to applicants for and recipients of aid to dependent children who are employable: *Provided*, That the department shall revise downward the standards of income and resources that may be exempted in considering the ability of parents to support children who are placed in foster care by the department and/or voluntary agencies so as to decrease the amounts paid from state funds: *Provided*, That the department shall audit the amounts of support being paid by parents of children periodically: *Provided*, That the amount paid from this appropriation to or on behalf of a recipient in a nursing home or a hospital for clothing and personal incidentals shall not exceed fifty percent of the amount which would be paid to such recipient if he were living in his own

home: *Provided*, That no funds shall be paid from this appropriation for physician services on a contract basis unless the contract provides that the state will receive sufficient statistical information to determine and evaluate the cost of physicians' services for each category of public assistance recipients. No funds shall be paid from this appropriation for county hospitals and county infirmaries unless such hospitals and infirmaries provide the department of public assistance with sufficient statistical information to determine and evaluate the cost of providing services for each category of public assistance recipients: *Provided*, That no payments from this appropriation, other than ninety-day emergency care in cases of undue hardship, shall be made to or on behalf of an applicant for, or recipient of general assistance or medical indigent care for persons under sixty-five years of age, who are residing within the boundaries of the state of Washington and who are not subject to the jurisdiction of the state of Washington: *Provided*, That funds may be expended from this appropriation to purchase drugs on a bid basis: *Provided*, That if any part of this act shall be found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, such conflicting part of this act is hereby declared to be inoperative solely to the extent of such conflict, and such finding or determination shall not affect the operation of the remainder of this act. The rules and regulations under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

General Fund Appropriation—To be allotted to the Governor for the Department of Public Assistance at the discretion of the Governor to support the aid to dependent children program to cover the needs of children who have been deprived of parental support or care by reason of the unemployment of a parent and contingent upon the receipt of anticipated federal matching funds for this purpose: *Provided*, That if this appropriation is allotted as provided above, the bar on payments to or on behalf of an employable parent or relative from the aid to dependent children program provided for elsewhere in this act shall be of no force and effect and any such person may be included in the aid to dependent children program if otherwise eligible and if such parent or relative does not refuse to accept available employment within his capacity: *Provided*, That \$1,104,858 of this appropriation shall be available exclusively for administration including salaries, wages and operations ..... \$11,089,458

SUPERINTENDENT OF PUBLIC INSTRUCTION  
(Including Board of Education)

General Fund—Public School Building Construction Account	
Appropriation .....	1,050
General Fund Appropriations	
Office of Superintendent of Public Instruction and Board of Education: <i>Provided</i> , That \$150,000 shall be available only for research in public schools for which a detailed report on projects and expenditures shall be submitted to the legislature during January, 1963: <i>Provided</i> , That \$50,000 shall be available for use in accordance with chapter 116, Laws of 1961: <i>Provided</i> , That \$24,000 shall be available only for assistance to blind students pursuant to RCW 28.76.130 .....	1,885,782
Aid to handicapped children and research related to educational services for exceptional children: <i>Provided</i> , That expenditures from this appropriation for pupils in schools in state institutions shall be limited to the education of children who meet criteria of educability to be established by the state board of education: <i>Provided</i> , That these funds may not be used to support the employment of any certificated personnel to work with children who do not meet such standards of educability .....	7,867,088
Education of Indian children .....	140,000
School lunch and school milk programs.....	7,200,000

To carry out the provisions of Public Law 85,864 (National Defense Education Act of 1958) .....	\$ 2,787,754
Allocation to County Superintendents of Schools.....	500,000
Distribution to counties, equalization .....	26,500,000
Distribution to counties for school districts, in accordance with the provisions of chapter 141, Laws of 1945, and acts amendatory or supplementary thereto, \$359,200,800 (being \$7,000,000 from the current school fund and \$352,200,800 from the general fund): <i>Provided</i> , That the equalization level of a school district for any equalization payment made from these appropriations shall be fifty-one-and-a-half cents times the total number of days attendance credit for the district computed on the basis of the estimate of attendance provided for in RCW 28.41.060 and on the basis of the factors prescribed in RCW 28.41.070 and adjusted, if necessary, to provide a minimum of forty-five hundred days of attendance credit for each educational unit to be maintained by the district during the school years 1961-1962 and 1962-1963: <i>Provided</i> , That apportionment on the attendance credit basis shall be forty-five cents per day: <i>Provided</i> , That the apportionment on the educational unit basis shall be \$2,541.77 for 1961-1962 and \$2,852.57 for 1962-1963: <i>Provided</i> , That no part of these appropriations shall be used to supplement or implement any regulation of the board of education promulgated after January 1, 1957: <i>Provided</i> , That the total apportionment to a school district for the year shall be reduced for each school year by the amount that its revenue as prescribed in RCW 28.41.080 exceeds one and one-third times the equalization level defined: <i>Provided</i> , That no more than \$5,600,000 of these appropriations shall be used for ratable state support of kindergartens: <i>Provided</i> , That none of these appropriations shall be expended for adult evening classes unless such classes have been approved by the board of education: <i>Provided</i> , That no part of this appropriation shall be distributed to any school district until it has certified to the superintendent of public instruction that all full time certificated employees are being paid not less than \$4,200 per year: <i>Provided</i> , That none of these appropriations shall be used for salary increases or for special programs for superior teaching performance unless the contract of such teacher shall require not less than 185 days of actual service during each of 1961-1962 and 1962-1963, at least 180 days of which must be devoted exclusively to teaching and incidentally assigned duties during school hours and the remaining time may, in the discretion of the district, be devoted to additional teaching, job training, curriculum development, research and planning, counseling, and other professional teacher's activities: <i>Provided</i> , That not to exceed \$1,130,000 shall be an apportionment to equalization districts at fifty-four dollars per pupil for any increase in the school enrollment of the district in excess of five percent between October first of the current school year and October first of the preceding school year: <i>Provided</i> , That \$25,289,305 of this appropriation is intended only for salary increases for certificated classroom teaching personnel at the average rate of \$283 in 1961-1962 and \$333 additional in 1962-1963.	
General Fund Appropriation .....	352,200,800
Current School Fund Appropriation .....	7,000,000

## STATE BOARD FOR VOCATIONAL EDUCATION

General Fund Appropriation .....	5,563,440
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## TEACHER'S RETIREMENT SYSTEM

Teachers' Retirement Fund Appropriation.....	313,908
General Fund Appropriation	
Contribution to Teachers' Retirement Fund .....	11,682,000
Contribution to Teachers' Retirement Pension Reserve Fund.....	12,679,000

UNIVERSITY OF WASHINGTON

General Fund Appropriation .....	\$55,693,822
Motor Vehicle Excise Fund Appropriation .....	214,580

WASHINGTON STATE UNIVERSITY

General Fund Appropriation .....	31,932,872
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EASTERN WASHINGTON COLLEGE OF EDUCATION

General Fund Appropriation .....	4,715,587
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CENTRAL WASHINGTON COLLEGE OF EDUCATION

General Fund Appropriation .....	4,806,695
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WESTERN WASHINGTON COLLEGE OF EDUCATION

General Fund Appropriation .....	6,149,906
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STATE LIBRARY

General Fund Appropriation .....	978,743
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WASHINGTON STATE HISTORICAL SOCIETY

General Fund Appropriation .....	116,218
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EASTERN WASHINGTON HISTORICAL SOCIETY

General Fund Appropriation .....	74,667
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STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation .....	49,502
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DEPARTMENT OF HEALTH

General Fund Appropriation for tuberculosis hospitalization and control; state aid to counties .....	4,761,081
General Fund Appropriation provided that of this sum \$250,000 shall be paid by the liquor control board from its receipts which shall be trans- ferred into the general fund prior to July 1, 1962 .....	6,570,624

DEPARTMENT OF INSTITUTIONS—  
MENTAL HEALTH RESEARCH INSTITUTE

General Fund Appropriation .....	365,000
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DEPARTMENT OF INSTITUTIONS—EASTERN HOSPITAL

General Fund Appropriation .....	8,878,511
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DEPARTMENT OF INSTITUTIONS—NORTHERN HOSPITAL

General Fund Appropriation .....	8,860,292
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DEPARTMENT OF INSTITUTIONS—WESTERN HOSPITAL

General Fund Appropriation .....	12,184,485
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DEPARTMENT OF INSTITUTIONS—LAKELAND VILLAGE

General Fund Appropriation .....	5,000,000
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DEPARTMENT OF INSTITUTIONS—RAINIER SCHOOL

General Fund Appropriation .....	7,732,423
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DEPARTMENT OF INSTITUTIONS—FIRCREST SCHOOL

General Fund Appropriation .....	3,987,500
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DEPARTMENT OF INSTITUTIONS—  
YAKIMA VALLEY SCHOOL

General Fund Appropriation .....	1,588,494
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PARKS AND RECREATION COMMISSION

General Fund—Parks and Parkways Account Appropriation: *Provided,*  
That \$50,000 thereof shall be available to carry out the provisions of

Chapter 215, Laws of 1961: <i>Provided</i> , That \$500 shall be made available for the Columbia River Gorge Commission .....	\$ 3,109,935
General Fund—Millersylvania Park Current Account Appropriation.....	400
Motor Vehicle Fund Appropriation for maintenance of vehicular roads, highways and bridges within state parks .....	150,000

## DEPARTMENT OF CONSERVATION

General Fund Appropriation: <i>Provided</i> , That \$850,000 thereof shall be available for flood control purposes .....	1,830,418
General Fund—Reclamation Revolving Account Appropriation.....	308,186
General Fund—Weather Modification Board Revolving Account Appropriation .....	2,000

## DEPARTMENT OF FISHERIES

General Fund Appropriation .....	5,959,139
General Fund—Lewis River Hatchery Account Appropriation.....	28,000

## DEPARTMENT OF GAME

Game Fund Appropriation provided that not more than \$40,000 shall be expended for payment of game animal damages and expense.....	9,108,330
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## DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation: <i>Provided</i> , That \$10,000 shall be made available for a study of overnight facilities in Mt. Rainier National Park.....	2,198,947
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## BOARD OF NATURAL RESOURCES

General Fund Appropriation .....	20,000
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## DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation: <i>Provided</i> , That \$1,771,281 hereof shall only be available for the conduct of honor camp forest rehabilitation programs .....	7,838,186
General Fund—Forest Development Account Appropriation.....	450,000
General Fund Appropriation to the Contingency Forest Fire Suppression Account .....	200,000
General Fund—Contingency Forest Fire Suppression Account Appropriation .....	200,000
General Fund—Resource Management Cost Account Appropriation.....	500,000

## DEPARTMENT OF AGRICULTURE

General Fund Appropriation .....	2,300,263
General Fund—Egg Inspection Account Appropriation.....	266,057
General Fund—Feed and Fertilizer Account Appropriation.....	7,496
General Fund—Commercial Feed Account Appropriation.....	57,079
General Fund—Seed Inspection Account Appropriation.....	195,334
General Fund—Fertilizer, Agricultural Mineral and Lime Account Appropriation .....	140,875
General Fund—Nursery Inspection Account Appropriation.....	100,746
General Fund—Commission Merchants Account Appropriation.....	135,791
Grain and Hay Inspection Fund Appropriation.....	1,904,119

## DEPARTMENT OF EMPLOYMENT SECURITY

General Fund Appropriation .....	13,491,265
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## INTERSTATE COMPACT COMMISSION

General Fund Appropriation: <i>Provided</i> , That any interstate compact negotiated on behalf of this state by use of these appropriations shall not supersede, impair, alter or affect the application of the federal laws or federal rules promulgated thereunder which govern the sale or disposal of federal power as provided by the Reclamation Act of 1902, the Bonneville Power Act of 1937 and the Flood Control Act of 1944, and specific provision shall be included in the interstate compact to accomplish this requirement .....	17,000
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WASHINGTON STATE HIGHWAY COMMISSION

Motor Vehicle Fund Appropriation

To carry out the provisions of section 4, chapter 209, Laws of 1961..... \$ 300,000

*NEW SECTION.* Sec. 2. The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of the several funds indicated, for the period from the effective date of this section to the end of the fiscal biennium ending June 30, 1963, except as otherwise provided.

SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation: *Provided*, That expenditures from this appropriation shall be available only for the period from the effective date of this section to the end of the fiscal biennium ending June 30, 1961, for apportionment to districts ..... 2,659,280

DEPARTMENT OF PUBLIC ASSISTANCE

General Fund Appropriation to carry out the provisions of chapter 112, Laws of 1961: *Provided*, That expenditures from this appropriation shall be available only for the period from the effective date of this section to the end of the fiscal biennium ending June 30, 1961..... 200,000

General Fund Appropriation for medical services and supplies not in excess of the unexpended balance of the 1959-61 appropriation or allotment for this purpose ..... 200,000

NORTHERN STATE HOSPITAL

General Fund—Institutional Building Construction Account Appropriation for receiving, treatment and medical building..... 222,015

General Fund Appropriation for replacing electrical distribution system ..... 120,000

SPRUCE CANYON YOUTH CAMP

General Fund Appropriation for repairing heating and sewage system... 46,500

GREEN HILL SCHOOL

General Fund—Institutional Building Construction Account Appropriation for recreation building ..... 59,413

CEDAR CREEK YOUTH FORESTRY CAMP

General Fund—Institution Building Construction Account Appropriation for vocational gymnasium building ..... 20,000

WESTERN WASHINGTON COLLEGE OF EDUCATION

General Fund—Institutional Building Construction Account Appropriation for physical education building ..... 40,000

TRANSFERS

To Reimburse General Fund for allocations made from the Governor's Emergency Appropriations: *Provided*, That reimbursements are limited to the amount expended from such allocations at the close of the 1959-1961 Biennium: *Provided further*, That such transfers shall be made on vouchers approved by the Central Budget Agency:

GENERAL FUND—PARKS AND PARKWAYS ACCOUNT—Appropriation for allocation made to the State Parks and Recreation Commission ..... 112,500.00

RETIREMENT SYSTEM EXPENSE FUND—Appropriation for allocation made to the State Employees' Retirement System..... 10,000.00

ACCIDENT FUND—Appropriation for allocation made to the Board of Industrial Insurance Appeals..... 27,500.00

MEDICAL AID FUND—Appropriation for allocation made to the Board of Industrial Insurance Appeals..... 27,500.00

GENERAL FUND—State Building Construction Account Appropriation for allocation made to the Western Washington College of Education ..... 193,100.00

To Reimburse General Fund for Expenditures from Appropriation for Belated Claims, to be disbursed on vouchers approved by the State Auditor:

GENERAL FUND—Capitol Building Construction Account Appropriation .....	\$ 455.62
GENERAL FUND—Commercial Feed Account Appropriation.....	2.51
GENERAL FUND—Commission Merchants Account Appropriation	9.11
GENERAL FUND—Fertilizer, Agriculture, Minerals and Limes Account Appropriation .....	42.12
GENERAL FUND—Nursery Inspection Account Appropriation.....	76.93
GENERAL FUND—Parks and Parkways Account Appropriation....	375.99
GENERAL FUND—Real Estate Commission Account Appropriation	57.95
GENERAL FUND—Seed Account Appropriation.....	177.65
GENERAL FUND—State Building Construction Account Appropriation .....	2,856.58
GENERAL FUND—State Egg Inspection Account Appropriation....	322.37
INSTITUTIONAL INDUSTRIES REVOLVING FUND—Appropriation (Formerly State Institutional Revolving Account).....	1,318.36
INSTITUTIONAL INDUSTRIES REVOLVING FUND—Appropriation (Formerly Penitentiary Revolving Account).....	272.91
ACCIDENT FUND—Appropriation .....	533.55
GAME FUND—Appropriation .....	1,218.05
GRAIN AND HAY INSPECTION FUND—Appropriation.....	542.62
MEDICAL AID FUND—Appropriation.....	1,465.78
MOTOR VEHICLE FUND—Appropriation.....	8,781.49
MOTOR VEHICLE FUND—State Patrol Highway Account Appropriation .....	5,613.48
To Reimburse Washington Public Service Commission, for costs incurred in collecting Excise Tax for January 1, 1959, through December 31, 1960, under provisions of chapter 152, Laws of 1945:	
MOTOR VEHICLE EXCISE FUND—Appropriation.....	3,228.82
<b>TAX COMMISSION</b>	
General Fund Appropriation.....	149,416.00
<b>STATE LEGISLATURE</b>	
General Fund Appropriation	
Joint Committee on Education.....	60,000.00
Joint Committee on Urban Area Government.....	60,000.00
Joint Committee on Governmental Cooperation.....	60,000.00
Interim Fisheries Committee.....	5,000.00
Game Fund Appropriation	
Interim Committee on Game and Game Fish.....	5,000.00
<b>STATE EMPLOYEES' RETIREMENT SYSTEM</b>	
General Fund Appropriation for employer's contribution, to be disbursed on vouchers approved by the State Auditor, on behalf of:	
LOUISE JOHNSON RAY, for April, 1949, through June, 1949.....	29.62
LORETTA WALTERBACK, for June, 1950, through July, 1950.....	22.92
CAMILLE BROCK, for February, 1952, through May, 1952.....	36.69
CHARLES L. GATES, for April, 1957, through June, 1959.....	213.61
CLAYTON M. MOORE, for November, 1954, through April, 1955.....	57.08
EMPLOYEES OF FORT WORDEN DIAGNOSTIC AND TREATMENT CENTER, for May, and June, 1959.....	4,762.17
MARGARET PATON, for August, 1952, through July, 1957.....	177.69
JOHN HAPPY, for April, 1949, through February, 1951.....	120.55
ANNA B. COFFEE, for August, 1950, through December, 1954.....	143.87
ANNA B. COFFEE, for January, 1951, through April, 1951, and January, 1955, through July, 1955.....	143.79
EMPLOYEES OF MILITARY DEPARTMENT, for February, 1954, through July, 1954 and June, 1958, through July, 1959.....	5,142.56
MOREA C. REISMAN, for April, 1952, through October, 1956.....	267.10
JOHN A. PETRICH, for January, 1957, through June, 1957.....	29.68
WANZEL J. BEIERLEIN for April, 1949, through June, 1959.....	672.33
AVERY GARRETT, for January, 1959, through June, 1959.....	35.39
REUBEN A. KNOBLAUCH, for April, 1949, through February, 1951..	120.55
MONS G. ULVIN, for June, 1949 through October, 1949.....	63.95

JOHN L. ANDERSON, for October, 1955, through March, 1956.....	\$ 55.96
EMPLOYEES OF CEDAR CREEK YOUTH FOREST CAMP, for June, 1959 .....	8.98
CHET KING, for April, 1949, through December, 1960.....	785.19
KARL VON HERRMANN, for January, 1957, through June, 1959.....	180.16
JOHN L. O'BRIEN, for April, 1949, through February, 1951.....	120.55
W. L. McCORMACK, for January, 1957, through June, 1959.....	180.16
LUCILE ROHRBECK, for December, 1950, through August, 1955....	603.55
SIDNEY R. SNYDER, for July, 1957, through June, 1959.....	234.78
JAMES E. KEEFE, for April, 1949 through June, 1959.....	672.33
FRANK W. FOLEY, for January, 1957, through June, 1959.....	180.16
A. L. RASMUSSEN, for April, 1949, through July 1950.....	84.08
CHARLES P. MORIARTY, JR., for January, 1957, through January, 1959 .....	142.54
General Fund—Parks and Parkways Account for employer's contribution, to be disbursed on vouchers approved by the State Auditor, on behalf of:	
WALTER W. CONDON, for July, 1956 through June, 1959.....	289.76
Motor Vehicle Fund Appropriation for employer's contribution, to be disbursed on vouchers approved by the State Auditor, on behalf of:	
MARGARET PATON, for January, 1958, through July, 1958.....	76.01

JUDGMENTS

General Fund Appropriation for judgments, to be disbursed on vouchers approved by the State Auditor, as follows:	
JOHN E. BOYER AND JOHN F. BOYER, executors of Estate of Louise H. Boyer, Judgment in Thurston County, Cause No. 16263, including costs .....	21,763.00
ALBIN E. SIEMION, Judgment for costs in State vs. Siemion, Supreme Court Cause No. 34544.....	264.67
CHARLES M. STOKES, Executor of Estate of Prentis I. Frazier, and James Clark, Judgment for Order of Default on Appeal Bond, King County Superior Court No. 30457.....	1,500.00
JOHN CAUGHLAN, Attorney for C. J. Brooks and Robert Redditt, Judgment costs in State vs. Estill in re. C. J. Brooks and John Redditt, Supreme Court No. 29686, King County Superior Court No. 308568 .....	202.47
RUDY SCHULZE AND ANTOINETTE LUKETA, in full settlement for confiscated fish sold by Department of Fisheries, Supreme Court Cause No. 34191, Clallam County Superior Court Cause No. 2263....	2,354.97

LOCAL IMPROVEMENT ASSESSMENTS

General Fund Appropriation for local improvement assessments, to be disbursed on vouchers approved by the State Auditor, as follows:	
TREASURER, CITY OF CHENEY	
Local Improvement District No. 5 (Eastern Washington College)	4,432.50
TREASURER, CITY OF MOSES LAKE	
Local Improvement District No. 9.....	1,571.74
TREASURER, CITY OF OLYMPIA	
Local Improvement District No. 615 (Military Department) .....	1,418.85
Interest .....	70.90
Total .....	1,489.75
TREASURER, CITY OF SEATTLE	
Local Improvement District No. 6195 (University of Washington)	7,483.92
TREASURER, CITY OF TACOMA	
Local Improvement District No. 6766 (Military Department) .....	300.00
Interest .....	15.00
Total .....	315.00
TREASURER, CITY OF VANCOUVER	
Local Improvement District No. 255 (Department of Institutions)	4,073.44

<b>TREASURER, CITY OF WENATCHEE</b>	
Wenatchee Reclamation District.....	\$ 79.50
<b>TREASURER, CITY OF YAKIMA</b>	
Carpenter's Subdivision Irrigation.....	19.02
<b>TREASURER, BENTON COUNTY</b>	
Kennewick Irrigation District for 1960.....	5,151.00
Kennewick Irrigation District for 1961.....	5,151.00
<b>TREASURER, CLARK COUNTY</b>	
Weed Control District No. 1.....	16.80
<b>TREASURER, COWLITZ COUNTY</b>	
Consolidated Diking District No. 1 (Military Department).....	214.86
<b>TREASURER, FRANKLIN COUNTY</b>	
South Columbia Basin Irrigation District.....	1,824.60
South Columbia Basin Irrigation District.....	1,903.46
<b>TREASURER, GRANT COUNTY</b>	
East Columbia Basin Irrigation District.....	3,073.40
Quincy Columbia Basin Irrigation District.....	2,693.74
Weed Control District No. 1.....	37.09
Weed Control District No. 1.....	59.60
Weed Control District No. 2.....	94.18
<b>TREASURER, KITTTAS COUNTY</b>	
Kittitas Reclamation District.....	1,722.87
Interest.....	103.37
Total.....	1,826.24
Kittitas Reclamation District.....	1,879.86
<b>TREASURER, OKANOGAN COUNTY</b>	
Brewster Flat Irrigation District.....	13,393.80
Brewster Flat Irrigation District.....	2,351.25
Wolf Creek Reclamation District.....	925.00
Wolf Creek Reclamation District.....	1,036.00
<b>TREASURER, SNOHOMISH COUNTY</b>	
(Escheat No. 335) Alderwood Water District No. 19.....	128.02
Interest.....	44.81
Total.....	172.83
<b>TREASURER, WAHKLAKUM COUNTY</b>	
Diking District No. 4.....	219.68
Diking District No. 1.....	1,438.97
<b>TREASURER, WHATCOM COUNTY</b>	
Macauley Creek Flood Control District.....	4.72
Interest.....	.14
Total.....	4.86
<b>TREASURER, YAKIMA COUNTY</b>	
Drainage District No. 41.....	1.80
Sunnyside Valley Irrigation District.....	1,823.19
Rosa Irrigation District.....	526.01
Dike Improvement District No. 1.....	0.70
Rosa Irrigation District.....	1,332.18
Interest.....	39.55
Total.....	1,371.73
Tieton Irrigation District.....	295.18
Interest.....	2.47
Total.....	297.65
<b>General Fund—Parks and Parkways Account Appropriation for local improvement assessments, to be disbursed on vouchers approved by the State Auditor, as follows:</b>	
<b>TREASURER, THURSTON COUNTY</b>	
Hopkins Drainage Ditch.....	32.20
Hopkins Drainage Ditch.....	28.00

TREASURER, YAKIMA COUNTY

Dike Improvement District No 1 ..... \$ 32.30  
 Highway Safety Fund Appropriation for local improvement assessments, to be disbursed on vouchers approved by the State Auditor, as follows:

TREASURER, CITY OF LONGVIEW

Local Improvement District No. 103 (Washington State Patrol) ..... 2,840.15  
 Interest ..... 426.02

Total ..... 3,266.17

TREASURER, COWLITZ COUNTY

Consolidated Diking District No. 1 (Washington State Patrol).... 8.74  
 Consolidated Diking District No. 1 (Washington State Patrol).... 18.20  
 General Fund—Capitol Building Construction Account Appropriation for local improvement assessments, to be disbursed on vouchers approved by the State Auditor, as follows:

TREASURER, CITY OF OLYMPIA

Local Improvement District No. 615 (Capitol Committee) 3,343.22  
 Interest ..... 167.15

Total ..... 3,510.37

Local Improvement District No. 615 (Capitol Committee)..... 9,068.09

Motor Vehicle Fund Appropriation for local improvement assessments, to be disbursed on vouchers approved by the State Auditor, as follows:

TREASURER, BENTON COUNTY

Grandview Irrigation District ..... 29.45

TREASURER, YAKIMA COUNTY

Sunnyside Valley Irrigation District ..... 1,003.16

REFUNDS

General Fund Appropriations for refunds, to be disbursed on vouchers approved by the State Auditor, as follows:

GENE RICHARD KNUTSON, refund of savings and loan dividends escheated to Permanent School Fund ..... 10.38  
 EDWARD A. ANTONELLI, refund of certain privilege taxes paid on fresh fish imported from Canada for February, 1950, through September, 1959 ..... 1,442.66  
 STEVE HARMAT, in full settlement for property escheated to the State in King County Probate No. 131995..... 7,016.59  
 HAROLD D. CLARK, refund for administrator's bond in the Estate of Andrew W. Wheeler ..... 30.00  
 ESTATE OF MIKE VOSLUFF, refund of monies escheated to the Permanent School Fund ..... 847.95  
 MERRITT CONSTRUCTION COMPANY, refund of sales tax on Poulsbo Armory Expansion Contract DA45 113 NG 151..... 4.56  
 MERRITT CONSTRUCTION COMPANY, refund of sales tax on contract for Diagnostic and Treatment Center at Ford Worden..... 6.67  
 PEERLESS FOOD PRODUCTS COMPANY, refund of privilege taxes 140.51  
 HERBERT F. STEEPER, refund on Washington Travel Service Ticket No. 0122141128 ..... 104.00  
 MEL PEDERSEN, refund of sales tax on contract No. 49 at Rainier School ..... 223.19  
 HOMER D. MOORE, refund for cancelled Water Code Examination fee ..... 10.00  
 F & T'S FROZEN DINNERS, refund of license fees paid to Department of Fisheries ..... 20.00  
 KEENER'S OF BOTHELL, refund of license fees paid to Department of Fisheries ..... 5.00

SUNDRY CLAIMS

General Fund Appropriations for relief of various individuals, firms, and corporations for sundry reasons, to be disbursed on vouchers approved by the State Auditor, as follows:

APPLE VALLEY MOTORS, INC., for repair of Columbia River Regional Library Bookmobile .....	\$ 58.90
JACK ALLEGAR COMPANY, for towing disabled National Guard vehicle .....	20.00
D. J. HAFT, M.D., for medical treatment of Washington State Penitentiary inmates .....	515.00
S. KATSUNO, W. KATSUNO, YOSHIKO YAMAGIWA, AND CHITAKE YAMAGIWA, in full settlement for property taken from claimants under alien land laws.....	12,000.00
JAMES P. LESCHER, for inmate gate money due from Washington State Penitentiary .....	40.00
LINCOLN COUNTY SCHOOL DISTRICT NO. 101, for the education of Handicapped children in accordance with Chapter 120, Laws of 1943 .....	462.84
JOHN C. GREGORY, PUBLIC PRINTER, for printing done for the Division of Departmental Audits.....	45.72
TREASURER, CITY OF SPOKANE, reimbursement for a runway light destroyed by Washington Air National Guard aircraft.....	239.26
NORTH MASON SCHOOL DISTRICT NO. 403, reimbursement for Federal School Lunch Program.....	26.20
TREASURER OF THE UNITED STATES, OFFICE OF THE USP & FO FOR WASHINGTON, for property shortages of equipment issued to units of the Washington National Guard at Camp Murray .....	589.76
TREASURER OF COWLITZ COUNTY, reimbursement for Criminal Cost Bills under provisions of RCW 10.46.220 and 10.46.230.....	1,116.35
CLARENCE H. TURNER, in full settlement for injury received while an inmate of Washington State Penitentiary.....	1,282.00
ROGER W. CHAPMAN, in full settlement for loss of salary in 1953-1954 due to mistaken dismissal from Eastern Washington College of Education .....	2,000.00
TREASURER OF KING COUNTY, reimbursement for witness fees under provisions of RCW 10.46.220 and 10.46.230.....	218.80
SEATTLE SCHOOL DISTRICT NO. 1, reimbursement for Social Security (OASI) for teachers at Martha Washington and Luther Burbank schools, 1957-1958 .....	3,906.77
MRS. OLIVE FOX, for repairing privately owned car damaged at Northern State Hospital .....	31.20
RUTH HENRY, for damages to automobile at Northern State Hospital .....	23.92
FRIEDA BANNISTER, in full settlement for salary adjustment due to error in classification from March 1, 1957, to January 1, 1959 ..	253.00
SAMUEL J. HICKS, in full settlement for property stolen by escaping inmates at Darrington, Washington .....	182.31
JAMES P. BABBITT, in full settlement for watch stolen from superintendent's safe at Larch Mountain Honor Camp .....	74.50
ROBERT M. DAY, in full settlement for electric razor stolen from superintendent's safe at Larch Mountain Honor Camp .....	27.50
DOROTHY E. MULLER, in full settlement for overtime at Maple Lane School for August, 1958, through December, 1958 .....	660.00
ROYAL LANGAN, in full settlement for salaries and wages while employed at Luther Burbank School .....	14.77
BUFORD GOERES, in full settlement for one milk receiving jar broken by inspector of Department of Agriculture .....	27.56
STEELE FUNERAL HOME, in full settlement for funeral and cemetery services for an Old Age recipient on March 25, 1956 ..	194.46
SAMUEL GOLDENBERG, M.D., in full settlement for medical care and supplies .....	30.00
ALEXANDER GRINSTEIN, M.D., in full settlement for medical care and supplies .....	62.08
INTERNATIONAL PHARMACY, in full settlement for medical supplies .....	135.66
MADRONA GARDEN DRUG, in full settlement for medical supplies ..	14.29
MRS. JOHN B. SEMPHILL, in full settlement for medical supplies ..	1,488.83

STOWELL'S PRESCRIPTION PHARMACY, in full settlement for medical supplies .....	\$ 2.13
SUN DRUG COMPANY, in full settlement for medical supplies .....	134.83
IN FULL SETTLEMENT for loss of personal items damaged or destroyed by fire at Western State Hospital:	
BENNIE M. STOCKMAN .....	5.00
ANTON HELD .....	9.32
DELORES ANDERSON .....	8.98
PAUL WINKLER .....	4.14
ROBERT HODGE .....	4.14
HARVEY BISHOP .....	4.14
WILLIAM McDONALD .....	4.14
DONALD HARE .....	4.14
JOHN VOKEL .....	4.14
HOWARD MILDEN .....	4.14
JOE MARTIN .....	4.14
D. W. MacDICKEN .....	4.14
IN FULL SETTLEMENT for loss of personal items damaged or destroyed by fire at Capitol Forest Youth Camp:	
LEE B. GOODRICH .....	20.85
BETTY KAUFMAN .....	32.75
MARK STEPHENSON .....	10.00
RUBY D. CARTER .....	134.00
NEVADA MURROW .....	132.36
GORDON ANDERSON .....	20.00
BEN M. NEWNHAM .....	21.95
ROBERT A. BARRETT .....	64.95
CLIFFORD BATTSON .....	28.25
JAMES M. GIBESON .....	41.95
TOM GIRARD .....	338.50
MURLE R. BRIDGHAM .....	576.10
JIM COLE, in full settlement for salary adjustment .....	291.65
General Fund—Capitol Building Construction Account Appropriation, for relief of the following corporation, to be disbursed on vouchers approved by the State Auditor:	
REMINGTON RAND DIVISION OF SPERRY RAND CORPORATION, for additional office equipment for the new State Library .....	795.48
Game Fund Appropriation for relief of various individuals, firms, and corporation for sundry reasons, to be disbursed on vouchers approved by the State Auditor, as follows:	
JOHN GUGLIELMELLI, in full settlement for damage to truck garden by pheasants .....	448.00
T. K. MONTANYE, in full settlement for loss of two dogs from poisoning .....	75.00
THEODORE RICHERT, in full settlement for damage by deer and elk .....	200.00
JOSEPH TICE, in full settlement for damage by deer and elk .....	28.00
BREMERTON SPORT SHOP, reimbursement for unsold licenses .....	3.00
ED'S GUN SHOP, reimbursement for unsold licenses .....	4.50
AL GUY SPORTING GOODS, reimbursement for unsold licenses .....	15.00
HAMM'S CHEVRON STATION, reimbursement for unsold licenses .....	4.25
JONES HARDWARE AND DRY GOODS, reimbursement for unsold licenses .....	16.00
QUEETS MOTEL, reimbursement for unsold licenses .....	2.00
TUGS' HARDWARE AND SPORTING GOODS, reimbursement for unsold licenses .....	8.00
TED WEEKS RESORT, reimbursement for unsold licenses .....	9.00
WELSH HARDWARE, reimbursement for unsold licenses .....	26.00
Motor Vehicle Fund—State Patrol Highway Account Appropriation for relief of various individuals, firms, and corporations, to be disbursed on vouchers approved by the State Auditor, as follows:	
JOSEPH M. LAMPMAN, reimbursement for travel expenses in 1957-1959 .....	8.11

JOHN R. OLSEENE, reimbursement for travel expenses in 1957-1959	\$	23.50
RICHARD H. SCHUSSTER, reimbursement for travel expenses in 1957-1959		8.31
Motor Vehicle Fund Appropriation for relief of various individuals, firms, and corporations, to be disbursed on vouchers approved by the State Auditor, as follows:		
MRS. ROSE BROWN, in full settlement for injury received November 7, 1958		7,000.00
MRS. JUANITA SOMMERS in full settlement for injuries received on May 27, 1958		3,000.00
JOHN H. JAMES in full settlement for fleck damages to station wagon		31.20
CARL J. BESTROM in full settlement for tools lost in fire		121.11
ROBERT G. SOMERLOTT, in full settlement for tools lost in fire		444.41
MRS. BETTY L. HEINL, in full settlement for spray damage to orchards		271.55
MRS. E. M. DOORNICK in full settlement for spray damage to orchards		705.05
LES McCURDY, in full settlement for spray damage to orchard and crops		308.00
SQUIRE-INGHAM, in full settlement for spray damage to orchard and crops		429.19
W. H. McMURRAY, in full settlement for spray damage to orchard and crops		279.00
W. E. FITZSIMMONDS, in full settlement for spray damage to orchard and crops		133.00
C. L. BABCOCK, in full settlement for spray damage to orchard and crops		418.50
OREGON STATE HIGHWAY COMMISSION, in full settlement for damages to automobile on Vancouver-Portland Interstate Bridge		29.20
RAYMOND A. JOHNSON, SR., in full settlement for flood damage		3,647.87
CLARENCE MAXWELL, in full settlement for loss of well and water supply		750.00
RAY POWELL JOHNSON AND ELSIE L. JOHNSON, in full settlement for flood damage		1,352.12
Accident Fund Appropriation for relief of various individuals, firms, and corporations for sundry reasons, to be disbursed on vouchers approved by the State Auditor:		
THEODORE JEFFRIES, in full settlement for injuries and time loss		2,321.00
JAMES W. PAPE, in full settlement for injuries received in logging accident August 22, 1946		1,000.00
Medical Aid Fund Appropriation for relief of various individuals, firms, and corporations for sundry reasons, to be disbursed on vouchers approved by the State Auditor:		
THEODORE JEFFRIES, in full settlement for injuries and time loss		2,321.00
JAMES W. PAPE, in full settlement for injuries received in logging accident August 22, 1946		1,000.00

**NEW SECTION.** Sec 3. The word "agency" used herein shall mean and include every state government office, officer, each institution, whether educational, correctional, or other and every department, division, board and commission, except as otherwise provided in this act.

**NEW SECTION.** Sec. 4. In order to carry out the provisions of these appropriations and the state budget, the budget director, with the approval of the governor, may:

(1) Allot all or any portion of the funds herein appropriated, or included in the state budget, to the various agencies by such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment: *Provided*, That the budget director shall not alter allotment requests filed with him, nor shall he place in reserve any funds, for the following Agencies headed by elective officials; University of Washington; Washington State University; Central Washington College of Education; Eastern Washington College of Education; Western Washington College of Education; Washington State Apple Advertising Commission; Washington State Fruit Commission; Washington Dairy Products Commission or any agricultural commodity commission created under the provisions of RCW 15.66; the legis-

lative branch of state government including the legislative council, the legislative budget committee, the statute law committee, and any legislative interim committee, or the judicial branch of state government: *Provided, however,* That the aggregate of allotments for any agency shall not exceed the total of applicable appropriations and local funds available to the agency concerned. It shall be unlawful for any officer or employee to incur obligations in excess of approved allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959 shall prevent revision of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Notwithstanding any other provisions herein or of any other law the governor shall, when in his judgment the economic conditions of the state require that expenditures be curtailed and a more economical allotment of funds be made, conserve the moneys herein appropriated by directing adjustments in the size and composition of the staff of any agency other than those enumerated in subsection (1) of this section. Such adjustments shall be effected by the budget director pursuant to such rules and regulations as the state personnel board may prescribe to effectuate this purpose, and in any case where dismissals may be required as a result of the diminution of any agency's staff, persons over retirement age in the service of the state shall be reverted to retirement status before other staff reductions are made.

(3) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(4) Prescribe procedures and forms to carry out the above.

**NEW SECTION.** Sec. 5. No part of the appropriations in this act may be used for increasing the salary of any position in the classified service unless each such position has been evaluated and classified according to the provisions of chapter 1, Laws of 1961.

**NEW SECTION.** Sec. 6. Except as otherwise provided in this act, any receipts from federal or other sources or from gifts or grants in excess of those estimated in the budget may be received and allotted by the governor but in the event that receipts shall be less than those estimated in the budget from any source the appropriation shall be limited to the amount actually received and allotments made as provided in section 4. Whenever possible, the receipt of federal or other funds which are not anticipated by the governor's budget or the legislature shall be used to support regular programs instead of using appropriated funds. The governor's budget shall identify allotments made pursuant to this section and shall indicate whether and to what extent the budgets for future bienniums will require any state funds for the continuation of the activities supported by such allotments.

**NEW SECTION.** Sec. 7. Agencies are authorized to make refunds of erroneous or excessive payments and in the case of other refunds, which may be provided by law, without express appropriation therefor.

**NEW SECTION.** Sec. 8. Whenever allocations are made from the governor's emergency appropriation to an agency which is financed by other than general fund moneys, the budget director may direct the repayment of such allocated amount to the General fund from any balance in the fund or funds which finance such agency. No appropriations shall be necessary to effect such repayment.

**NEW SECTION.** Sec. 9. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and sections 1 and 3 through 8 shall take effect on July 1, 1961 and section 2 shall take effect immediately.

**Senate Members**

WILBUR G. HALLAUER  
 JOHN N. RYDER  
 FRANK W. FOLEY

**House Members**

JOHN GOLDMARK  
 A. E. EDWARDS  
 DAMON R. CANFIELD

Senator Hallauer moved that the report of the free conference committee on Engrossed Senate Bill No. 1 be adopted.

Extensive debate ensued.

## PERSONAL PRIVILEGE

Senator Ryder:

"Mr. President; Members of the Senate:

"Several of the Senators have referred to me as the only representative of the big cities on the conference committee, and while I know that did not mean anything personally, the indication was that I have not done an adequate job of representing the large urban areas in that conference committee.

"I would like to say that no member of the committee at any time proposed anything of a punitive nature so far as the cities were concerned. I think that by and large on a fair basis the cities were adequately taken care of, and there was no indication that there was any move against the cities.

"I have always been in favor of taking care of all the citizens and senior citizens in need. I do not think it was necessary to have Democratic representation on this committee. I believe the Republican committee members were cognizant of their duty on this committee, and I think that Seattle was adequately taken care of insofar as the amount of money that the Seattle School District seeks from the thirteen million dollar increase. I spent a great deal of time thinking that out with the Superintendent of Public Instruction, as well as the Seattle School Board, and it was well agreed that it was not a proper thing for the Seattle School area to ask that they get the lion's share of that money.

"But we have a large urban area around Seattle whose school districts are equalization districts, which will benefit a great deal more than they would if we had put it on an A. D. A. basis there, and figuring it out, if we had put it on one-half and one-half equalization and A. D. A., Seattle would have gotten about the same amount.

"I just say that in defense of the Republican Party, and the Republican viewpoint, and in defense of the conference committee."

Senators Greive, Knoblauch and Kupka demanded the previous question.

The motion carried, and the demand was sustained.

The President stated the question to be, it has been moved that the report of the free conference committee be adopted.

Senator Greive demanded a roll call, which was sustained by Senators Nunamaker, Henry, Knoblauch, Hanna, Kupka, Angevine, Papajani and Sandison.

The Secretary called the roll, and the motion that the report of the free conference committee on Engrossed Senate Bill No. 1, be adopted was carried by the following vote: Yeas, 37; nays, 11; absent and excused, 1.

Those voting yea were: Senators Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Durkan, Elway, Jr., Foley, Foster, Freise, Gissberg, Hallauer, Hanna, Happy, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, Lennart, McCormack, McCutcheon, McMillan, Martin, Moriarty, Jr., Neill, Petrich, Rasmussen, Ryder, Sandison, Shannon, Talley, Thompson, Jr., Washington, Woodall—37.

Those voting nay were: Senators Angevine, Connor, Dore, Gallagher, Greive, Hess, Kupka, Morgan, Nunamaker, Papajani, Riley—11.

Those absent and excused were: Senator Raugust—1.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 1, as amended by the free conference committee, and the bill passed the Senate by the following vote: Yeas, 26; nays, 22; absent and excused, 1.

Those voting yea were: Senators Bailey, Bargreen, Cooney, Cowen, DeGarmo, Donohue, Durkan, Foley, Gissberg, Hallauer, Hanna, Henry, Herrmann, Hofmeister, Keefe, Knoblauch, McCormack, McCutcheon, McMillan, Martin, Nunamaker, Petrich, Rasmussen, Sandison, Talley, Washington—26.

Those voting nay were: Senators Angevine, Chytil, Connor, Dore, Elway, Jr., Foster, Freise, Gallagher, Greive, Happy, Hess, Kupka, Lennart, Morgan,

Moriarty, Jr., Neill, Papajani, Riley, Ryder, Shannon, Thompson, Jr., Woodall—22.

Those absent and excused were: Senator Raugust—1.

Engrossed Senate Bill No. 1, as amended by the free conference committee, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PROTEST

We protest the action of the Senate and House free conference committee on Engrossed Senate Bill No. 1, the Appropriations Bill containing the necessary funds for the operation of the State Government for the 1961-1963 biennium. Our protest goes, specifically, to page 16, lines 7 through 15, wherein the following language appears: "Provided, That no payments from this appropriation, other than ninety-day emergency care in cases of undue hardship, shall be made to or on behalf of an applicant for, or recipient of general assistance or medical indigent care for persons under sixty-five years of age, who are residing within the boundaries of the state of Washington and who are not subject to the jurisdiction of the state of Washington:" This proviso is aimed specifically at Indian Tribes throughout the state of Washington who have elected not to subject themselves to the jurisdiction of state law upon their reservations. Specific legislation was introduced during the regular session to deal with this problem, namely SB 33 and HB 64. During the Special Session SB 38 dealt with the problem of Indian jurisdiction. All of these bills were rejected by the Legislature.

We feel that it is palpably unfair and unjust for a free conference appropriations committee to legislate on subjects of general law. They should have confined their deliberations to that of appropriations only. We were asked to deal with an impossible situation. If we voted "no" on the entire appropriations bill, we would be denying funds for the support of all segments of our government. If we vote "yes", we would be impliedly expressing our consent to this terrible approach to the Indian problem.

This Legislature determined, during the regular session, to submit the general problem of Indian jurisdiction to the study of the Legislative Council, and we believe that through such a means an agreement could have been worked out between the affected Indians and the state of Washington. The means taken by the Appropriations Bill is like placing a loaded rifle at the heads of our Indian people. We deplore this action.

(signed)

WILLIAM A. GISSBERG  
GORDON SANDISON  
H. B. HANNA  
FRED J. MARTIN

#### PERSONAL PRIVILEGE

Senator Cowen:

"Mr. President; Members of the Senate:

"I would like to speak for just a moment.

"I have served, at the conclusion of this term, twenty-eight years on the Committee on Appropriations. I want to assure you before I start that I am not going to make a political speech, because I am not fearing what will happen to David Cowen in the 1962 election. But I am standing on my feet at this very moment, having served with numerous Senators who have been chairmen of the Committee on Appropriations many times, and I want to pay a tribute to a man who I think deserves the commendation of every member of the Senate today. I do not believe he has crucified any people of the state of Washington. I did not attend many meetings this year or the last few years, because I have been in ill health, but I do take my hat off to Senator Wilbur Hallauer for his dedicated service to the state of Washington.

"Having served fourteen sessions as a member of this Appropriations Committee and having seen Senator Hallauer stand on this floor and give an item by item description of this bill to us, after having him describe it in caucus, is more than I have ever seen before in all my years in the Senate. I have never yet heard a chairman of an Appropriations Committee explain in detail as he has.

"Therefore, I feel every member of the Senate does owe Senator Hallauer a tribute for the hours he has worked and the way he painstakingly conducted himself. I am speaking about a man who deserves applause from every man in this body today and they should acclaim Senator Hallauer, and take off their hats to a man who is so deeply honest on everything he is doing on the floor today. I do not feel that he is worried about the 1962 election but I do feel that some men have attacked him and I am going to stand up and defend him.

"I want to thank you, and God bless you, and God bless you, Senator Hallauer."

#### PERSONAL PRIVILEGE

Senator Lennart:

"I, too, feel that this man deserves every bit of acclamation and recognition that the citizens of this great state of Washington could shower upon him. May we see him back in 1963, once again."

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Senate Bill No. 14, have compared same with the engrossed bill and find it correctly re-engrossed.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

#### MOTION

At 6:15 o'clock p. m., on motion of Senator Greive, the Senate recessed until 8:00 o'clock p. m.

#### EVENING SESSION

At 8:00 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary called the roll and announced to the President that all Senators were present except Senators Raugust and Talley, Senator Raugust having been excused.

The President declared the Senate to be at ease, subject to the Call of the President.

At 8:30 o'clock p. m. the Senate was called to order by President Cherberg.

The Secretary read:

#### REPORT OF STANDING COMMITTEE

Senate Chamber,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills to whom was referred Engrossed Senate Bill No. 1; also

Re-Engrossed Senate Bill No. 14, have compared same with the engrossed and re-engrossed bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman*.

I concur in this report: Joe Chytil.

## SIGNED BY THE PRESIDENT

**The President signed: Senate Bill No. 1; also  
Senate Bill No. 14.**

## MOTION

On motion of Senator Foster, the Senate reverted to the first order of business for the purpose of making a motion.

## MOTION

Senator Foster moved that the Committee on Rules and Joint Rules be relieved of further consideration of Senate Bill No. 38, and that it be placed on the second reading calendar.

Senator Durkan moved that the bill be removed from the Committee on Rules and Joint Rules and referred to the Committee on Engrossment and Enrollment.

The amendment to the motion lost.

The motion by Senator Foster lost.

The Secretary read:

## SENATE RESOLUTION

By Senators Gissberg, Ryder, Hallauer, Foley and Neill:

WHEREAS, The Central Budget Agency has proved to be an invaluable arm of the executive in the efficient and economic management of the fiscal affairs of the state of Washington; and

WHEREAS, Warren Bishop, director of the Central Budget Agency, is the guiding spirit of that office; and

WHEREAS, The staff of the Central Budget Agency and especially Warren Bishop have not only been most cooperative in furnishing to the Legislature and its members speedy, efficient and accurate information, but have been extremely courteous gentlemen at all times; and

WHEREAS, Mr. Bishop and the staff of the Central Budget Agency in rendering service and assistance to Legislators and committees of the Legislature, have held themselves available, regardless of the hour or any personal inconvenience to themselves or their families; and

WHEREAS, The service rendered by Mr. Bishop and the staff of the Central Budget Agency has always been above political partisanship; and

WHEREAS, The entire membership of the Senate Ways and Means Committee is especially cognizant of the service rendered by Mr. Bishop and the staff of the Central Budget Agency;

*Now, Therefore, Be It Resolved*, That the Washington State Senate does hereby extend to Warren Bishop and to the staff of the Central Budget Agency its heartfelt thanks and appreciation for their unstinting efforts and cooperation in dealing with affairs of state government during the thirty-seventh Legislature, Regular and Extraordinary Sessions; and

*Be It Further Resolved*, That the Secretary of the Senate prepare suitably enrolled copies of this Resolution and transmit them to Mr. Bishop and the staff of the Central Budget Agency.

On motion of Senator Hallauer, the resolution was adopted.

The Secretary read:

## MESSAGES FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 1, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 14, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### MOTIONS

Senator Kupka moved that the rules be suspended, and the Committee on Rules and Joint Rules be relieved of further consideration of House Joint Resolution No. 6 and the resolution be placed before the body.

Debate ensued.

The motion lost.

The Secretary read:

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 2, and has passed the bill as amended by the Free Conference Committee. The bill and the report of the Free Conference Committee are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 2, adopting the capital budget and making appropriations for capital improvements, have had the same under consideration, and we recommend that the attached bill be substituted therefor and that it do pass.

#### ENGROSSED SENATE BILL NO. 2

As Amended by Free Conference Committee

An Act adopting the capital budget and making appropriations for capital improvements for the fiscal biennium beginning July 1, 1961, and ending June 30, 1963.

*Be It Enacted by the Legislature of the State of Washington:*

Section 1. That a capital budget is hereby adopted and subject to the provisions hereinafter set forth the several amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated are hereby appropriated and authorized to be disbursed for capital projects during the fiscal biennium beginning July 1, 1961, and ending June 30, 1963, out of the several funds hereinafter named:

#### FOR GENERAL ADMINISTRATION

	Reappropriations	From Fund Designated	From the State Building Construction (Bonds of 1961)
Site acquisition, Construct and equip buildings, Remodel and equip exist-facilities (4,000,000)			
General Administration Construction Fund .....	2,000,000	2,000,000	500,000
Remodel Offices, facilities—State Capitol Group Site acquisition for parking and capitol expansion, construct and equip Record Center Building (1,607,000)			
Capitol Building Construction Account .....		857,000	
Capitol Purchase and Development Account .....		750,000	

Legislative Building Ventilation.....			232,000
Total—(\$6,339,000) .....	(2,000,000)	(3,607,000)	(732,000)

FOR THE AERONAUTICS COMMISSION

	Reappropriations	
Construct Emergency Landing fields including site acquisition and improvements		
State Building Construction Account .....	48,000	

FOR THE STATE PATROL

	Reappropriations	From the State Patrol Highway Account
Micro-wave—Ephrata		
State Patrol Highway Account....	18,200	
Point-to-Point Radio Relay System		
State Patrol Highway Account....	130,000	
Replace Mobile and Fixed (Communications) Stations .....		658,950
Extend Micro-wave to Klickitat County Mountain top Radio Stations, Road Improvement .....		35,000
Construct and equip Scalehouses including site acquisition and improvement to existing scalehouse sites ...		5,000
		74,500
Total—(\$921,650) .....	(148,200)	(773,450)

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

	Reappropriations
Construct and equip Rehabilitation Dormitory	
Medical Aid Fund .....	150,000

FOR THE MILITARY DEPARTMENT

	Reappropriations	From the General Fund	From the State Building Construction (Bonds of 1961)
Armory—Bellingham			
State Building Construction Account .....	20,000		
Armory—Colville			
State Building Construction Account .....	97,240		
Remodel Port Orchard Armory			
State Building Construction Account, Reappropriation .....	22,600		
Replace Roof—Seattle Armory			
State Building Construction Account, Reappropriation .....	25,000		
Construct, renovate, and remodel Armory Buildings, including site acquisition and improvement (583,500) .....		57,800	525,700
Total—(\$748,340) .....	(164,840)	(57,800)	(525,700)

## FOR THE PENITENTIARY

	Reappro- priations	From the General Fund
Cell Block (1,008,130)		
Institutional Building Construction Account .....	1,000,000	
State Building Construction Account .....	8,130	
Hospital Wing (305,989)		
Institutional Building Construction Account .....	200,000	
State Building Construction Ac- count .....	90,000	
General Fund .....	15,989	
Industrial Bays		
Institutional Building Construction Account .....	180,000	
Administration Building (209,475)		
Institutional Building Construction Account .....	200,000	
State Building Construction Ac- count .....	9,475	
Creamery Building (91,000)		
Institutional Building Construction Account .....	66,000	
State Building Construction Ac- count .....	25,000	
Replace utility lines, State Building Construction Account Reappropri- ation .....	20,000	
Remodel and renovate old Administra- tion Building .....		14,230
Repair Electrical Lines .....		17,500
Replace Wall Catwalk .....		7,000
<b>Total (\$1,853,324) .....</b>	<b>(1,814,594)</b>	<b>(38,730)</b>

## FOR THE REFORMATORY

	Reappro- priations	From the General Fund	From the State Building Construction (Bonds of 1961)
Steam Plant			
Institutional Building Construction Account .....	125,000		
Central Dairy			
State Building Construction Ac- count .....	34,721		
Water Lines, Cell House #1			
State Building Construction Ac- count .....	25,600		
Personnel Housing			
Motor Vehicle .....	18,000		
Provide Sewage Disposal Facilities....			125,000
Remodel and Equip Inmate Kitchen...			282,505
Replace Ceiling, Cell Block #1.....		20,800	
Install Fire Protection in New Dairy and Farm Area .....		8,746	
Improve new parking area .....		5,000	
<b>Total—(\$645,372) .....</b>	<b>(203,321)</b>	<b>(34,546)</b>	<b>(407,505)</b>

<b>FOR THE WASHINGTON CORRECTION CENTER</b>		<b>From the State Building Construction (Bonds of 1961)</b>
Construct and equip correctional Institution, including site improvement..		7,323,121
<b>FOR THE JUVENILE RECEPTION-DIAGNOSTIC CENTER</b>		<b>From the State Building Construction (Bonds of 1961)</b>
Remodel and equip Cushman Indian Hospital—Tacoma .....		1,097,920
<b>FOR FORT WORDEN SCHOOL</b>		<b>From the State Building Construction (Bonds of 1961)</b>
Remodel Diagnostic Cottages to Residential Units .....		160,000
Complete and equip Girls' Residential Building .....		106,680
Total—(\$266,680) .....		(266,680)
<b>FOR MAPLE LANE SCHOOL</b>		<b>From the State Building Construction (Bonds of 1961)</b>
	<b>Reappropriations</b>	
Security Treatment Building (86,000) Institutional Building Construction Account .....	61,000	
State Building Construction Account .....	25,000	
Classroom Building		
State Building Construction Account .....	8,000	
Sewer System		
State Building Construction Account .....	40,000	
Replace water, sewer, and power utilities .....		125,000
Total—(\$259,000) .....	(134,000)	(125,000)
<b>FOR GREEN HILL SCHOOL</b>		<b>From the State Building Construction (Bonds of 1961)</b>
	<b>Reappropriations</b>	
Recreation Building (214,860) Institutional Building Construction Account .....	200,000	
State Building Construction Account .....	14,860	
Extend water system, steam lines, install boiler .....		181,300
Total—(\$396,160) .....	(214,860)	(181,300)

FOR MARTHA WASHINGTON SCHOOL		From the General Fund	
Enclose Stairwells .....		5,000	
FOR CEDAR CREEK YOUTH FORESTRY CAMP		From the General Fund	
Construct Warehouse Building .....		2,500	
FOR CAPITOL FOREST YOUTH CAMP			From the State Building Construction (Bonds of 1961)
Construct and equip Barracks Building			195,000
FOR MISSION CREEK YOUTH CAMP			From the State Building Construction (Bonds of 1961)
Construct and equip Vocational Gymnasium Building .....			146,851
FOR THE SOLDIERS' HOME AND COLONY		From the General Fund	
	Reappropriations		
Hospital Infirmary Type Building			
State Building Construction Account .....	420,000		
Install boiler and stoker .....		225,000	
Remodel Garfield Barracks .....		19,925	
Total—(\$664,925) .....	(420,000)	(244,925)	
FOR THE VETERANS' HOME		From the General Fund	
	Reappropriations		
Water System .....	6,136		
General Fund State Building Construction Account .....	31,600		
Improve Power Plant .....		24,310	
Install Ventilating System in Hospital.		20,000	
Total—(\$82,046) .....	(37,736)	(44,310)	
FOR THE SCHOOL FOR THE BLIND		From the General Fund	From the State Building Construction (Bonds of 1961)
Replace Electrical Power Distribution		45,000	
Construct and equip Superintendent's Residence, including site improvement .....			35,000
Construct and Equip Physical Education Building and Boiler Plant, including site improvement .....		111,000	318,000
Total—(\$509,000) .....		(156,000)	(353,000)

FOR THE SCHOOL FOR THE DEAF

	Reappropriations	From the General Fund	From the State Building Construction (Bonds of 1961)
Vocational Building			
State Building Construction Account .....	25,124		
Vocational Equipment .....		30,000	
Construct and equip Administration Building .....			33,913
Remodel old Administration Building..		49,536	
<b>Total—(\$138,573) .....</b>	<b>(25,124)</b>	<b>(79,536)</b>	<b>(33,913)</b>

FOR WESTERN HOSPITAL

	Reappropriations	From the General Fund	From the State Building Construction (Bonds of 1961)
Therapy and Recreation Building			
State Building Construction Account .....	8,000		
Provide Additional Water Supply.....			180,000
Remodel and equip Female Ward Buildings .....			160,000
Remodel and equip Kitchen and Dining Hall .....			300,000
Repair Roofs .....		30,000	
<b>Total—(\$678,000) .....</b>	<b>(8,000)</b>	<b>(30,000)</b>	<b>(640,000)</b>

FOR NORTHERN HOSPITAL

	Reappropriations		From the State Building Construction (Bonds of 1961)
Receiving Medical Building (1,200,000)			
Institutional Building Construction Account .....	1,000,000		
State Building Construction Account .....	200,000		
Occupational Therapy Building (388,850)			
Institutional Building Construction Account .....	368,850		
State Building Construction Account .....	20,000		
Recreation Building (194,467)			
Institutional Building Construction Account .....	179,467		
State Building Construction Account .....	15,000		
Addition to Commissary			
Institutional Building Construction Account .....	68,267		
Remodel Four Wards			
State Building Construction Account .....	350,000		
Construct Addition to and Equip Laundry Building .....			144,760
Construct Addition to Boiler Plant....			243,706
<b>Total—(\$2,590,050) .....</b>	<b>(2,201,584)</b>		<b>(388,466)</b>

FOR EASTERN HOSPITAL		Reappropriations		
Three Incinerators				
State Building Construction Account	.....	6,000		
Six Quonset Huts				
General Fund	.....	15,000		
Rehabilitate Geriatrics Building				
State Building Construction Account	.....	100,000		
Recreation Building (241,480)				
Institutional Building Construction Account	.....	216,480		
State Building Construction Account	.....	25,000		
Therapy and Recreation Building (330,000)				
Institutional Building Construction Account	.....	275,000		
State Building Construction Account	.....	55,000		
Total—(\$692,480)	.....	(692,480)		
FOR LAKELAND VILLAGE		Reappropriations	From the General Fund	From Fund Designated
Boys' and Girls' Hospital				
State Building Construction Account (329,302)	.....	259,302		70,000
Replace Boiler #2	.....		243,730	
Remodel and Repair Buildings	.....		25,000	
Total—(\$598,032)	.....	(259,302)	(268,730)	(70,000)
FOR RAINIER SCHOOL		Reappropriations		From the State Building Construction (Bonds of 1961)
Sewage Disposal Plant				
State Building Construction Account	.....	36,311		
Farm Buildings				
State Building Construction Account	.....	37,306		
Water Main				
State Building Construction Account	.....	40,000		
Remodel and equip Hospital Building and Administration Offices (Phase III)				268,780
Construct and Equip Intensive Treatment Center				260,000
Construct and equip Milk Holding Room—Main Kitchen				53,950
Total—(\$696,347)	.....	(113,617)		(582,730)
FOR FIRCREST SCHOOL				From the State Building Construction (Bonds of 1961)
Construct and equip Residential Units				1,563,360

FOR THE BOARD OF EDUCATION

	Reappro-
	riations
Public School Building Construction	
Public School Building Construc-	
tion Account .....	30,000,000

FOR THE UNIVERSITY OF WASHINGTON

	Reappro-	From the	From Fund
	riations	University	Designated
		of Washington	
		Building	
		Account	
Research Computer Laboratory			
University of Washington Building			
Account .....	380,000		
Construct and equip Library Addition			
(4,587,450)			
Institutional Building Construction			
Account .....	1,430,000		
University of Washington Building			
Account .....	1,500,000	1,657,450	
Burke Memorial -- Washington State			
Museum (630,000)			
University of Washington Building			
Account .....	430,000	200,000	
Business Administration Unit 11			
(1,163,000)			
University of Washington Building			
Account .....	1,000,000	163,000	
Remodel Guthrie Hall (277,300)			
University of Washington Building			
Account .....	200,000	77,300	
Remodel Miller Hall (715,840)			
University of Washington Building			
Account .....	250,000	465,840	
Power Plant			
University of Washington Building			
Account .....	400,000		
Remodel and extend tunnels and utili-			
ities (2,372,000)			
University of Washington Building			
Account .....	895,000	1,477,000	
Construct and equip buildings and			
grounds--Shops and Central Stores			
(987,850)			
University of Washington Building			
Account .....	487,850	500,000	
Construct and equip Pharmacy Wing			
Medical and Dental Building Ac-			
count .....			800,000
Remodel Building .....		1,030,930	
Remodel Architecture Hall.....		112,100	
Remodel 3rd and 4th Floor Physics			
Hall .....		30,830	
Improvement at Friday Harbor			
Laboratory .....		200,000	
Site Acquisition for Residence			
Halls .....		250,000	
Construct and equip Nuclear Ac-			
celerator Building .....		500,000	
Remodel Laboratories Johnson Hall		67,550	
Construct Forest Products			
Laboratory			
State Building Construction			
Bonds of 1961 .....			500,000

Construct Materials Sciences Building .....		3,000,000	
Remodel Bagley Hall			
State Building Construction			
Bonds of 1961 .....			1,341,000
Construct Addition to Roberts Hall			
State Building Construction			
Bonds of 1961 .....			500,000
<b>Total—(\$19,845,850) .....</b>	<b>(6,972,850)</b>	<b>(9,732,000)</b>	<b>(3,141,000)</b>
<b>FOR WASHINGTON STATE UNIVERSITY</b>			
		<b>From Fund Designated</b>	<b>From the State Building Construction (Bonds of 1961)</b>
Water Distributing System	<b>Reappropriations</b>		
State Building Construction			
Account .....	75,000		
Biological Sciences Building (881,795)			
Institutional Building Construction			
Account .....	800,000		
State Building Construction			
Account .....	81,795		
Chemistry Building (613,317)			
Institutional Building Construction			
Account .....	566,295		
State Building Construction			
Account .....	47,022		
Agricultural Land			
State Building Construction			
Account .....	250,283		
Plant Sciences Building (198,909)			
General Fund .....	100,000		
State Building Construction			
Account .....	48,909		
Institutional Building Construction			
Account .....	50,000		
Technology Building — Engineering Addition "A" (1,039,511)			
Institutional Building Construction			
Account .....	1,000,000		
State Building Construction			
Account .....	39,511		
Veterinary Clinic (118,336)			
General Fund .....	15,446		
State Building Construction			
Account .....	102,890		
Alterations and Major Betterment (1,260,000)			
Washington State University Building Account .....	400,000	860,000	
Construct and equip Safety Building (216,000) .....			182,000
General Fund .....		34,000	
Construct and equip office and Laboratory Building, Boiler Plant—Prosser .....			1,300,000
Install Additional Boiler and extend utilities .....			889,525
Construct and equip Education Building .....			1,469,000
General Fund .....		30,000	
<b>Total—(\$8,341,676) .....</b>	<b>(3,577,151)</b>	<b>(924,000)</b>	<b>(3,840,525)</b>

FOR EASTERN WASHINGTON  
COLLEGE OF EDUCATION

	Reappropriations	From the General Fund	From the State Building Construction (Bonds of 1961)
Complete installation of elevator Showalter Hall (29,312) .....			18,965
State Building Construction Account .....	10,347		
Additional Boiler and lines			
State Building Construction Account .....	119,253		
Construct and equip Science Building (2,473,313) .....		169,040	
Institutional Building Construction Account .....	2,069,273		
State Building Construction Account .....	235,000		
Develop and improve recreational field		85,250	
Remodel Showalter Hall and Field House .....		132,750	
Remodel College Buildings .....			147,784
Participation in City of Cheney Sewage Project .....			193,600
Purchase land for campus expansion..			100,000
Extend Steam Lines, Water Distribution System, Electrical Distribution System .....			286,000
<b>Total—(\$3,567,262) .....</b>	<b>(2,433,873)</b>	<b>(387,040)</b>	<b>(746,349)</b>

FOR CENTRAL WASHINGTON  
COLLEGE OF EDUCATION

	Reappropriations	From the General Fund	From the State Building Construction (Bonds of 1961)
Library Building (756,543)			
Institutional Building Construction Account .....	640,845		
State Building Construction Account .....	115,698		
Utilities			
State Building Construction Account .....	3,900		
Install Additional Boiler .....			188,300
Repair Buildings .....		21,912	
Construct and equip Music Education Building, including land acquisition (1,190,835) .....		90,000	1,100,835
Remodel and equip College Buildings (398,000) .....		24,000	374,000
Purchase Land for Campus Expansion			100,000
Replace and extend Steam Distribution System and Power Utility Lines.....			213,370
<b>Total—(\$2,872,860) .....</b>	<b>(760,443)</b>	<b>(135,912)</b>	<b>(1,976,505)</b>

FOR WESTERN WASHINGTON  
COLLEGE OF EDUCATION

	Reappro- riations	From the General Fund	From the State Building Construction (Bonds of 1961)
Physical Education Building (187,680)			
Institutional Building Construction Account .....	160,826		
State Building Construction Account .....	26,854		
Extend and Repair Steam Line, Drain- age System .....			271,224
Extend Electrical Distribution System .....			171,668
Purchase Land for Campus Expansion .....			115,000
Remodel Buildings .....		35,000	
Construct and equip Classroom Build- ing (750,000) .....			750,000
Construct and equip Library Addition (950,000) .....		155,600	794,400
<b>Total—(\$2,480,572) .....</b>	<b>(187,680)</b>	<b>(190,600)</b>	<b>(2,102,292)</b>

FOR THE PARKS AND RECREATION  
COMMISSION

	Reappro- riations	From the Parks and Parkway Account
Dash Point State Park (88,000).....	10,000	78,000
Fort Canby State Park .....		45,000
Fort Ward State Park .....		100,000
Lake Osoyoos State Park .....		32,000
Rockport State Park .....		40,000
Lake Newport State Park.....		35,000
Yakima State Park .....		48,000
Mount Spokane State Park .....		45,000
Conconully State Park .....		18,000
Dosewallips River State Park .....		54,000
Fort Simcoe State Park .....		20,000
Paradise Point State Park (65,800)....	9,800	56,000
Sacajawea State Park (44,100).....	7,100	37,000
Belfair State Park .....		42,000
Ocean City State Park .....		25,000
Birch Bay State Park .....		32,000
Pearrygin Lake State Park .....		24,000
Mount Pilchuck State Park .....		48,000
Alta Lake State Park (59,100).....	22,100	37,000
Brooks Memorial State Park .....		25,000
Lake Sammamish State Park .....		42,000
Millersylvania State Park .....		41,000
Sun Lakes State Park .....		65,000
Deception Pass State Park .....		61,000
Fort Flagler State Park .....		28,000
Riverside State Park and the vicinity, which is identified as Fort George Wright; (78,500) .....	10,500	68,000
Camano Island State Park .....		35,000
Lake Cushman State Park .....		28,000
Easton Reservoir State Park (58,700)..	37,700	21,000
Kopachuck State Park (34,000) .....	11,000	23,000
Beacon Rock State Park (16,000).....	13,000	3,000
Blake Island State Park .....		20,000
Bridgeport State Park .....		25,000
Lake Chelan State Park (23,000).....	5,000	18,000
Penrose Point State Park .....		20,000
Sequest State Park .....		15,000

South Whidbey State Park .....		23,000
Fields' Spring State Park .....		11,000
Crawford Cave State Park .....		5,000
Twanoh State Park .....		15,000
Twinharbors State Park (41,000).....	6,000	35,000
Moran State Park .....		23,000
Lake Sylvia State Park .....		12,000
Curllew Lake State Park .....		42,000
Fort Columbia State Park .....		10,000
Fort Okanogan State Park .....		10,000
Ginko State Park .....		10,000
Larrabee State Park .....		10,000
Kamiak Butte State Park .....		20,000
Ledbetter Point State Park .....		10,000
Old Fort Townsend State Park.....		21,000
Fort Casey State Park .....		23,000
Moses Lake State Park .....		15,000
Sequim Bay State Park .....		10,000
Lake Wenatchee State Park (26,000)...	4,000	22,000
Bogachiel State Park .....		12,000
Bridle Trails State Park .....		6,000
Bush Pacific Pioneer State Park.....		5,000
Fay Bainbridge State Park .....		5,000
Mayfield Lake State Park .....		25,000
Mukilteo State Park .....		5,000
Schafer State Park .....		5,000
Federation Forest State Park.....		10,000
Steamboat Rock State Park (44,600)..	26,600	18,000
Potholes State Park (19,700).....	4,700	15,000
Snohomish County Vicinity .....		16,000
Prehistoric Caves, Lower Grand Coulee .....		30,000
Jones Beach .....		6,000
Lake Chelan Vicinity .....		34,000
East Wenatchee .....		48,000
Potlatch Vicinity .....		35,000
Minerva Beach State Park .....		30,000
Lewis & Clark State Park .....	9,400	
Peace Arch State Park.....	4,600	
Archeological Investigations .....		25,000
Develop Boat Moorage at Langley and repair Dock and develop Moorage at Olga .....		30,000
Develop Boat Moorages and Launch- ings: <i>Provided</i> , That these funds shall be expended in new acqui- sitions and developments in addition to presently authorized state parks..		20,000
Develop Group Camp Facilities: <i>Provided</i> , That not less than 25,000 shall be expended for overnight roadside camping facilities .....		50,000
Historical Sites and Markers .....		50,000
Purchase or develop park sites.....		75,000
<b>Total—(\$2,417,500) .....</b>	<b>(181,500)</b>	<b>(2,236,000)</b>

FOR THE DEPARTMENT OF COMMERCE  
AND ECONOMIC DEVELOPMENT

	Reappro- priations
Century 21 Exposition	
World Fair Fund .....	2,658,000

## FOR THE DEPARTMENT OF FISHERIES

	Reappropriations	From the General Fund	From the State Building Construction (Bonds of 1961)
Install Fish Passage Facilities (110,000)		80,000	
General Fund .....	30,000		
Construct Fish Farms, Hatcheries, Expand and improve existing Hatcheries, Fish Facilities (1,065,960) (100% Reimbursable) .....		788,460	
General Fund (100% Reimbursable) .....	277,500		
Construct Fish Farms, Spawning Channels, Purchase Land, Fish Farm study and Engineering, Fishways, Emergency Repairs to Structures (629,600) .....		548,600	
General Fund .....	81,000		
Remodel Oyster Production and Research Laboratory .....			24,700
Renovate Deception Pass Marine Station (20,400) .....			15,400
State Building Construction Account .....	5,000		
Construct new and improve existing Salmon Hatchery facilities (972,104)		9,270	765,534
General Fund .....	195,300		
State Building Construction Account .....	2,000		
Improvement to Fishways, Spawning Channels, Rearing Ponds (69,200) ..			41,800
General Fund .....	27,400		
<b>Total—(\$2,891,964) .....</b>	<b>(618,200)</b>	<b>(1,426,330)</b>	<b>(847,434)</b>

## FOR THE DEPARTMENT OF GAME

	From the Game Fund
Acquisition of Land .....	400,000
Repairs and Replacement of Fish and Game Protective Facilities .....	200,000
Construct and equip brooder houses and pens at game farms .....	33,000
Renovate Spokane Hatchery .....	150,000
Construct and equip Fish and Game Rearing Protective Facilities .....	1,000,000
Purchase or construct district headquarters buildings .....	52,000
Improvements to Game Ranges and Farms .....	185,600
<b>Total—(\$2,020,600) .....</b>	<b>(2,020,600)</b>

## FOR THE DEPARTMENT OF NATURAL RESOURCES

	Reappropriations	From the General Fund	From the State Building Construction (Bonds of 1961)
Improvements to Webster Nursery (80,640) .....		5,640	69,500
State Building Construction Account .....	5,500		

Additions to Honor Camps, Youth Camps (46,000) .....			36,000
State Building Construction Account .....	10,000		
Clear Water Access Road General Fund .....	60,000		
Timber Access Roads, Rights-of-Way (226,700) .....			220,000
Forest Development .....	6,700		
Range Improvements .....		10,000	
Construct and equip Lookout Towers .....		83,560	
Construct, improve and equip buildings (595,550) .....		39,550	556,000
<b>Total—(\$1,102,450) .....</b>	<b>(82,200)</b>	<b>(138,750)</b>	<b>(881,500)</b>

<b>FOR THE DEPARTMENT OF AGRICULTURE</b>	<b>From the</b>
Construct and equip Greenhouse, Washington State Nursery, Bellingham .....	<b>General Fund</b>
	<b>30,000</b>

**FOR THE DEPARTMENT OF EMPLOYMENT SECURITY**

	<b>Reappropriations</b>
Central or local office building	
General Fund .....	<b>2,450,000</b>

**From the State Building Construction (Bonds of 1961)**

**FOR THE HEALTH DEPARTMENT**

Remodel Edgecliff Sanatorium .....	<b>230,000</b>
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**NEW SECTION.** Sec. 2. The words "capital improvement" or "capital projects" used herein shall mean acquisition of sites, easements, rights of way or improvements thereon or appurtenances thereto, construction and initial equipment, reconstruction, demolition or major alteration of new or presently owned capital assets.

**NEW SECTION.** Sec. 3. Before a capital project shall begin or an obligation incurred or contract entered into the Budget Director, with the approval of the Governor, shall first allot funds therefor or so much as may be necessary from the appropriations made herein.

**NEW SECTION.** Sec. 4. Additional federal or other receipts and gifts and grants in excess of those estimated in the budget may be allotted by the Governor for capital projects included in the capital budget. In addition the governor may receive and allot any federal funds made available for capital outlay at any one of the five institutions of higher education; provided that if any of the projects contained in this act qualify for such federal funds, the amount of state funds not required are hereby appropriated to projects in the 1963/65 capital program for that institution to be designated by the Governor on the basis of priority in the program and funds available on the advice of the governing board of the institution.

**NEW SECTION.** Sec. 5. To effectively carry out the provisions of this act, the Governor may assign responsibility for planning, engineering and construction and other related activities to any appropriate agency.

**NEW SECTION.** Sec. 6. Reappropriations shall be limited to the unexpended balances remaining at June 30, 1961, in the current appropriation for each project.

**NEW SECTION.** Sec. 7. The Governor, through the Budget Director may authorize the transfer of funds appropriated for a capital project which are in excess of the amount required for the completion of such project, to other capital projects in this act for which there are insufficient appropriations: "Provided, That no such transfer shall be used to expand the capacity of any facility beyond that anticipated by the

appropriation: *Provided further*, That although such transfers may be made between institutions of the department of institutions, they shall not be made between different departments, commissions, or institutions of higher learning."

**NEW SECTION.** Sec. 8. Any capital improvement or capital project for construction, repair, or maintenance authorized by this act, unless constructed pursuant to the provisions of chapter 39.04 RCW, shall be done by contract after public notice and competitive bid: *Provided*, That this section shall not apply to the acquisition of sites, easements, or rights of way; nor to contracts for architectural or engineering services; nor to emergency repairs nor to any improvement or project costing less than twenty-five hundred dollars, nor to portions of projects involving inmate labor at a state institution.

*Senate Members*

WAYNE G. ANGEVINE  
ERNEST W. LENNART  
EDWARD F. RILEY

*House Members*

ROBERT M. SCHAEFER  
KEITH H. CAMPBELL  
STANLEY C. PENCE

On motion of Senator Angevine, the Senate adopted the report of the free conference committee on Engrossed Senate Bill No. 2.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 2, as amended by the free conference committee, and the bill passed the Senate by the following vote: Yeas, 37; nays, 1; absent or not voting, 11.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Chytil, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Moriarty, Jr., Neill, Rasmussen, Riley, Ryder, Sandison, Shannon, Thompson, Jr., Washington, Woodall—37.

Those voting nay were: Senator Freise—1.

Those absent or not voting were: Senators Connor, Foster, Gissberg, Herrmann, McMillan, Martin, Nunamaker, Papajani, Petrich, Raugust, Talley—11.

Engrossed Senate Bill No. 2, as amended by the free conference committee, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

**MESSAGE FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The House has adopted the report of the free conference committee on Engrossed Senate Bill No. 5, and has passed the bill as amended by the free conference committee. The bill and the report of the free conference committee are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

**REPORT OF FREE CONFERENCE COMMITTEE**

Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

MR. SPEAKER:

We, of your free conference committee, to whom was referred Engrossed Senate Bill No. 5, providing for financing of capital improvement projects from bond issue, have had the same under consideration, and we recommend that the bill be amended as follows and that it do pass:

Strike the House committee amendment to page 1 and insert the following:

On page 1, section 1, after "sum of" and before "dollars" strike "twenty-six million three hundred and twenty-four thousand" and insert "twenty-seven million five hundred fifty-six thousand"

*Senate Members*

WAYNE G. ANGEVINE  
ERNEST W. LENNART  
EDWARD F. RILEY

*House Members*

ROBERT M. SCHAEFER  
KEITH H. CAMPBELL  
STANLEY C. PENCE

On motion of Senator Riley, the Senate adopted the report of the free conference committee on Engrossed Senate Bill No. 5.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5, as amended by the free conference committee, and the bill passed the Senate by the following vote: Yeas, 36; nays, 3; absent or not voting, 10.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Elway, Jr., Foley, Gallagher, Greive, Hallauer, Hanna, Happy, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, Lennart, McCormack, McCutcheon, Morgan, Neill, Petrich, Rasmussen, Riley, Ryder, Sandison, Shannon, Washington, Woodall—36.

Those voting nay were: Senators Chytil, Freise, Moriarty, Jr.—3.

Those absent or not voting were: Senators Connor, Foster, Gissberg, McMillan, Martin, Nunamaker, Papajani, Raugust, Talley, Thompson, Jr.—10.

Engrossed Senate Bill No. 5, as amended by the free conference committee, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Greive, Hess and Hofmeister demanded a Call of the Senate.

A Call of the Senate was ordered.

#### CALL OF THE SENATE

The Sergeant-at-Arms locked the doors and guarded the elevators.

On motion of Senator Greive, the rules were suspended, the roll call under the Call of the Senate was dispensed with, and the Senate proceeded subject to roll call.

The Senate reverted to the first order of business.

The Secretary read:

#### SENATE RESOLUTION

By Senators McCutcheon, Knoblauch, Petrich, Kupka and Rasmussen:

WHEREAS, The Secretary of Defense has announced today that the Department of Defense plans the curtailment of the operations of Mount Rainier Army Ordnance Depot in Pierce County, and the eventual closure thereof within a period of three years; and

WHEREAS, The Mount Rainier Ordnance Depot has established a splendid performance record during its period of operation, due in no small part to its strategic geographical location at the gateway to the Orient, and due to the availability of a skilled and reliable pool of civilian workers residing in the area; and

WHEREAS, This region is at present suffering economic problems, to the point where it has either been designated a depressed area, or is on the verge of becoming one;

*Now Therefore, Be It Resolved*, By the Senate, that in the interests of national defense and of the economy of the Northwest, we hereby urge the Congress and the national administration to reconsider this closure and to maintain the Depot at or near its present strength; and

*Be It Further Resolved*, That the Secretary of the Senate is requested to forward copies of this resolution to the President of the United States, the Secretary of Defense, and to each member of Congress from the state of Washington.

Senator McCutcheon moved that the resolution be adopted.

Extensive debate ensued.

The motion carried, and the resolution was adopted.

#### SENATE RESOLUTION

By Senators Rasmussen, Henry, Dore, Riley, Freise, Bailey, Talley and Hess:

WHEREAS, The recompilation of the permanent rules of the Senate in such form as to afford ready-reference thereto by the members of the Senate can result in a substantial saving of time in the deliberations of this body; and

WHEREAS, Such improvement to the rules can best be effected by reorganizing the rules into code form, arranging them by subject matter and reserving numbers therein to provide for future expansion;

Now, Therefore, Be It Resolved, By the Senate, that a committee of three Senators shall be appointed by the President of the Senate to work with the Secretary of the Senate during the interim between the thirty-seventh and thirty-eighth sessions, to codify the rules of the Senate, making such revisions in form and substance as will best carry out the purposes of this resolution, and to submit a draft of such code to the Senate for its approval, at the commencement of the thirty-eighth session of the Legislature.

On motion of Senator Rasmussen, the resolution was adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of the resolution, the President appointed the following Senators to work with the Secretary to codify the rules of the Senate: Senators Bailey, Moriarty and Greive.

The President announced that the President would serve as an ex-officio member of the committee.

On motion of Senator Riley, the appointments were confirmed.

The Secretary read:

#### SENATE RESOLUTION

By Senators Henry and Freise:

WHEREAS, We, the members of the Senate, have had present with us as co-laborers during the thirty-seventh session and the first extraordinary session, not only the members of the House of Representatives, but also representatives of the press, radio and television; and

WHEREAS, The visiting newspaper correspondents of the various public journals of the state and representatives of the various television channels and radio stations have, by their frequent courtesies, their close attention to business, and their careful account of the proceedings, worked, as we have striven to do, for the best interests of the people of the state of Washington, always with a kindly fellow feeling and with loyalty to the papers, the television channels, and radio stations they represent; and

WHEREAS, The Allied Daily Newspapers of Washington, during said sessions, has supplied each Senator with daily complimentary copies of two Washington dailies of the Senator's choice;

Now, Therefore, Be It Resolved, That the Senate extend its thanks for these courtesies and good will, its praise for good work well done, and the hope that in the thirty-eighth Legislature all may meet again and renew old friendships.

On motion of Senator Henry, the resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"Members of the Senate; Ladies and Gentlemen:

"The President feels that it is entirely appropriate that the members of the press, radio and television and various services be requested to stand and be properly recognized by the members of the Senate.

"Eldon Barrett, United Press International; Robert (Bob) C. Cummings, Associated Press and Radio Station KGY; Jack E. Fischer, Spokesman-Review; Leroy M. Hittle, Associated Press; John J. Lemon, Spokane Chronicle; Robert L. Mott, United Press International; Stub Nelson, Seattle P. I.; Jack Pyle, Tacoma News-Tribune; Herb Robinson, KOMO-TV; and Ed Sierer, KOMO-TV."

**INTRODUCTION AND FIRST READING OF BILLS, MEMORIALS AND RESOLUTIONS**

The following was introduced, read first time by title and acted upon as indicated:

**Senate Joint Resolution No. 7**, by Senators Hallauer, Nunamaker and Morgan:

Authorizing the adoption of an income tax.

Senator Hallauer moved that the resolution be advanced to second reading and read the second time in full.

A division was requested.

Senator Greive demanded a roll call, which was sustained by Senators Woodall, Freise, Ryder, DeGarmo, Chytil, Moriarty, Nunamaker, Henry and Hess.

The President stated the question to be, it has been moved that the rules be suspended and Senate Joint Resolution No. 7 be advanced to second reading and read the second time in full.

**PARLIAMENTARY INQUIRY**

Senator Greive:

"Mr. President, would you tell us what members of the Senate are absent and have been excused?"

The President:

"Senators Connor, Gissberg, Raugust and Talley; Senators Raugust and Talley have been excused, Senator Greive."

**MOTIONS**

Senator Greive moved that Senator Gissberg be excused.

The motion was lost, and Senator Gissberg was not excused.

Senator Washington moved that Senator Connor's name be called at the conclusion of roll call.

**RULING OF THE PRESIDENT**

The President:

"With your permission, Senator Washington, the President feels, under the circumstances, that the Senate should wait until Senator Connor arrives."

**MOTIONS**

On motion of Senator Woodall, it was ordered that the rules be suspended and the name of Senator Connor be called at the conclusion of roll call.

On motion of Senator Ryder, it was ordered that the rules be suspended and the name of Senator Gissberg be called at the conclusion of roll call.

Senator Woodall moved that the rules be suspended and the two absent members, Senators Gissberg and Connor, be excused.

The motion carried, and the two absent and unexcused Senators were excused.

The Secretary called the roll and the motion to advance Senate Joint Resolution No. 7 to second reading, having failed to receive the two-thirds majority vote of the Senate, was lost by the following vote: Yeas, 25; nays, 20; absent and excused, 4.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Cooney, DeGarmo, Durkan, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, Martin, Morgan, Nunamaker, Papajani, Riley, Sandison, Washington—25.

Those voting nay were: Senators Chytil, Cowen, Donohue, Dore, Elway, Jr., Foster, Freise, Happy, Herrmann, Lennart, McCutcheon, McMillan, Moriarty, Jr., Neill, Petrich, Rasmussen, Ryder, Shannon, Thompson, Jr., Woodall—20.

Those absent and excused were: Senators Connor, Gissberg, Raugust, Talley—4.

Senate Joint Resolution No. 7 was referred to the Committee on Constitution, Elections and Legislative Processes.

#### PERSONAL PRIVILEGE

Senator Lennart:

"Mr. President; Members of the Senate:

"I don't believe I have ever had anything as insulting as that come before this body since I have come here.

"It is an insult to me to come here at the last minute just to get a record vote on this measure when no one has had a chance to look at it. Everybody knows that no one has had a chance to see it."

The Senate reverted to the first order of business.

The Secretary read:

#### SENATE RESOLUTION

By Senators Bailey, Bargreen, Gallagher, Connor, DeGarmo, Gissberg, Keefe, Knoblauch, Washington, Hess, Kupka, Talley, Herrmann, Martin, Hofmeister, Hanna, Donohue, Nunamaker, McCormack, Cowen, McMillan, Cooney, Papajani and Henry:

WHEREAS, The extraordinary session of the thirty-seventh legislature is successfully drawing to a conclusion; and

WHEREAS, Governor Rosellini, without qualification, put at the disposal of the members of this legislature his entire staff to give whatever assistance was desired in aid of the final completion of budget and tax legislation; and

WHEREAS, It was greatly through the efforts of Governor Rosellini and his staff that the two branches of the legislature were able to come to agreement over differences in matters of budgeting and taxation, thus insuring a successful termination of the regular and special sessions; and

WHEREAS, The members of the legislature have witnessed for the first time in twelve years of legislative session at which no deficiency appropriations for governmental operations have been requested, reflecting greatly on the integrity and aptness of Governor Rosellini in fiscal affairs; and

WHEREAS, At the time of passage of a recent Senate resolution, that of March 25th, suggesting a lack of leadership by the Governor in furthering a legislative budget and taxation program, the fact was that Governor Rosellini was then meeting with members of tax conference committees of both houses in an attempt to resolve their differences;

Now, *Therefore, Be It Resolved*, By the members of this Senate, that Governor Rosellini and the members of his staff are to be commended for their services to this body and to the legislature, for their leadership in seeking to resolve existing differences between the two houses and for their excellent presentation for the legislature's consideration of the fiscal affairs of this state; and

*Be It Further Resolved*, That the Senate resolution mentioned above as adopted on Saturday, March 25th, 1961, be and it is hereby rescinded and the Secretary of the Senate is hereby instructed to expunge the Senate records of all references to the same.

Senator Greive moved that the resolution be adopted.

Extensive debate ensued.

**POINT OF ORDER**

Senator Moriarty:

"My point of order is that this is not constitutional. Article 2, Section 11 of the State Constitution states that 'Each house shall keep a journal of its proceedings and publish the same, except such parts as require secrecy.' There has been no finding that this part requires secrecy and it is beyond the power of the Senate to expunge this, and I ask for a ruling on this point."

Senator Greive:

"I think that the point of order raised is in error. We are not suggesting that we don't keep a record. We are stating that we made an error and asking at this time the error be rectified."

Senator Moriarty:

"That portion of the resolution said that the journal shall be expunged, and I say that once the journal of the preceding day is read and approved it becomes published and you cannot go back and strike it out. How can you go back now after it has been published and move to strike it out?"

**POINT OF ORDER**

Senator Gallagher:

"Mr. President:

"Did you recognize me when I moved for the previous question?"

The President:

"Yes, you were recognized, but a point of order arose."

Senator Gallagher:

"The point of order is well taken . . . ."

**RULING OF THE PRESIDENT**

The President:

"The President must make a ruling on the point of order. I think this will take some study.

The President:

"The President will place your motion immediately upon settling the point of order, Senator Gallagher."

**POINT OF INQUIRY**

Senator Rasmussen:

"What about my amendment, Mr. President?"

The President:

"That is something that will have to be taken up at another time, Senator Rasmussen."

**POINT OF INQUIRY**

Senator Gallagher:

"I hold a journal of the state of Washington in my hand. I would like to request of the Secretary whether or not the journal of this session has already been published in bound form?"

The President:

"Having conferred with the Secretary of the Senate, I can report that the journal of the Senate for the 1961 session has not yet been published in printed and bound form."

**MOTION**

Senator Ryder moved that this matter be made a special order of business for 1:00 o'clock p. m. tomorrow.

The motion was lost.

Senator Greive:

"Speaking to the point of order. The Constitution states in Article 2, Section 9, Rules of Procedure: 'Each house may determine the rules of its own proceedings.'

"I would suggest for your consideration that if a majority of this house desires to expunge some matter from our records, we have the right under that particular article to do so."

Senator Woodall:

"Replying to this last article of the Constitution referred to by Senator Greive, obviously that means consistent with the Constitution. I think the Senator is going way out. The rules here is very clear, It says it shall be published. Published does not mean in bound form. It means when it is read back. It is open to the public from that point on, and it may be quoted from the journal. Now this set of books cannot be altered, You would then be able to say what is in the newspapers is wrong, because there is nothing in the journal that supports what was said."

Senator Greive:

"The position which this body takes is there are various facts and articles in our State Constitution. What Senator Woodall would have us do is say that we keep a journal and give that preference over Section 9. There is nothing in Section 9 that says we cannot do it."

#### RULING OF THE PRESIDENT

The President:

"The President rules that the resolution is properly before the Senate, and it is up to the Senate to determine whether they wish to adopt this particular resolution or not. If there is something in the resolution that is unconstitutional, that is for the Supreme Court to decide."

Senator Rasmussen moved that the following amendment be adopted:  
Strike the last paragraph of the resolution.

#### POINT OF ORDER

Senator Gallagher:

"Mr. President, I had moved the previous question."

#### RULING OF THE PRESIDENT

The President:

"Senator Gallagher, the President believes that the amendment should be considered. The President did not permit proper time for amendments to be offered, and even though your motion for the previous question was made, the demand has not been sustained, as yet."

Senator Greive moved that the amendment by Senator Rasmussen be laid on the table.

Senator Rasmussen demanded a roll call, which was sustained by Senators Happy, Ryder, Freise, Moriarty, McCutcheon, Foster, Chytil and Thompson.

The President stated the question before the Senate to be, it has been moved that the amendment by Senator Rasmussen be laid on the table.

The Secretary called the roll and the amendment by Senator Rasmussen was laid on the table by the following vote: Yeas, 31; nays, 15; absent and excused, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Sandison, Washington—31.

Those voting nay were: Senators Chytil, Elway, Jr., Foster, Freise, Happy, Lennart, McCutcheon, Moriarty, Jr., Neill, Rasmussen, Riley, Ryder, Shannon, Thompson, Jr., Woodall—15.

Those absent and excused were: Senators Gissberg, Raugust, Talley—3.  
Senator Woodall demanded that the roll call be recalled.

#### POINT OF ORDER

Senator Woodall:

"I recall on the last roll call that Senator Gissberg's name was called and that he was excused from that particular roll call."

Senator Greive moved that the rules be suspended and that Senator Gissberg be excused and that Senator Woodall's motion be expunged.

Senator Woodall moved that the record of the Senate be totally expunged as to all matters of record taxing soda pop.

Debate ensued.

#### PARLIAMENTARY INQUIRY

Senator Greive:

"May I inquire what is before the Senate?"

The President:

"Senator Ryder has the floor at the present time."

#### MOTION

Senator Greive:

"I move that Senator Ryder wait until the time is right to make his observations."

#### POINT OF INQUIRY

Senator Greive:

"I ask for a ruling whether or not Senator Ryder can speak when there is nothing before the Senate."

The President:

"What is the point of your talk, Senator Ryder?"

Senator Ryder:

"I am about through now."

#### POINT OF INQUIRY

Senator Moriarty:

"If this resolution be adopted by the Senate, would it appear in the record?"

The President:

"It certainly will."

#### POINT OF ORDER

Senator Dore:

"I think this question is out of order at this time, requesting the President to advise of the effect this would have."

Senator Moriarty:

"I suggest that if this resolution be adopted it cannot appear in the Senate record for the reason that it is self-defeating. The very fact that the Secretary be directed to expunge the record itself, would have to show in the journal."

**RULING OF THE PRESIDENT**

The President:

"The President has already ruled that the resolution is properly before the Senate."

Senator Rasmussen moved that the following amendment be adopted:

Add a new section: *Provided further*, That in consideration of the kindness of the Senate in adopting this resolution the Governor shall refrain from criticizing the legislature for doing the best job possible in these trying times.

**QUESTION OF CONSIDERATION**

Senator Greive raised the question of consideration on the amendment by Senator Rasmussen.

A division was requested.

The motion to consider the amendment lost on a rising vote, and the amendment was not considered.

Senators Greive, Hofmeister and Bargreen demanded the previous question.

Senator Ryder demanded a roll call, which was sustained by Senators Woodall, Shannon, Neill, Elway, Thompson, Foster, Chytil, Moriarty and Freise.

The President stated the question before the Senate to be, shall the main question be now put.

The Secretary started to call the roll on the previous question.

**MOTION**

Senator Herrmann moved that the rules be suspended and that Senators Cowen and Keefe be excused for the purpose of this roll call only.

**POINT OF ORDER**

Senator Woodall:

"The roll call has now been commenced and I believe that Senators Cowen and Keefe would have to be excused prior to roll call."

Senator Moriarty demanded a roll call on the motion by Senator Herrmann.

Senator Rasmussen:

"I believe, as I read Rule 32, that the only motion that can be made while a roll call is in progress is for the purpose of a Call of the Senate. Is that what your book says, Mr. President?"

**RULING OF THE PRESIDENT**

The President:

"The President believes that in those cases where a member of the Senate is absent, it will take the unanimous approval of the Senate to excuse the absent Senators.

"In the past the President has accepted motions to suspend the rules in the interest of expediting legislative matters, but in this particular case, it will take the unanimous approval of the members of the Senate to excuse a member from a roll call."

**PERSONAL PRIVILEGE**

Senator Knoblauch:

"This seems just a little foolish to me. These two Senators have their reservations. They are heading for the airport. If we had something urgent I would not hesitate, but why are we doing this? I feel, in the common sense of the Senators present, let's have those two men excused."

Senator Woodall:

"I think we have something very, very important before this Senate. I think one of the most important decisions is about to be made."

Senator Herrmann:

"I think the President has already made the ruling and I would like to know what is before the Senate."

#### RULING OF THE PRESIDENT

The President:

"Ruling upon the point of order. A roll call may not be interrupted for anything except for the purpose of a Call of the Senate. The Sergeant-at-Arms will be directed to deliver Senators Cowen and Keefe to the bar of the Senate."

Senator Woodall:

"I think the President had recognized me, and I was speaking under a point of personal privilege."

#### RULING OF THE PRESIDENT

The President:

"The President does not believe that you were speaking under a point of personal privilege. You did not state it as such, and therefore, the President will not recognize any further motions."

#### MOTION

Senator Riley:

"I would like to move that if there be no objection, the rules be suspended and Senators Keefe and Cowen be excused."

An objection was raised by Senator Woodall.

The Sergeant-at-Arms announced that Senators Cowen and Keefe were present.

The Secretary completed calling the roll on the previous question, and the demand for the previous question was sustained by the following vote: Yeas, 31; nays, 15; absent and excused—3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Durkan, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Martin, Morgan, Nunamaker, Papajani, Riley, Sandison, Washington—31.

Those voting nay were: Senators Chytil, Elway, Jr., Foster, Freise, Happy, Lennart, McCutcheon, Moriarty, Jr., Neill, Petrich, Rasmussen, Ryder, Shannon, Thompson, Jr., Woodall—15.

Those absent and excused were: Senators Gissberg, Raugust, Talley—3.

#### PERSONAL PRIVILEGE

Senator Moriarty:

"I asked the President to please restate his ruling under which he held that his ruling was not in violation of Rule 32."

The President:

"The President made no such ruling."

#### POINT OF ORDER

Senator Dore:

"That is the same point I raised earlier when Senator Moriarty raised the same point of order. It is premature. There has been no ruling made on this point of order."

Senator Woodall:

"The time to raise a constitutional question is when it is being voted on. Senator Moriarty is perfectly right to raise it now when it is being voted on. I say it is in order for him to raise it now and it is proper for the President to rule."

Senator Dore:

"Senator Moriarty is speaking on a point of personal privilege. He then makes some statement which is not relative to the point of personal privilege and lacking grounds against the proposition, asks for a ruling."

The President:

"The President believes that Senator Dore is correct in that interpretation. The President believes that the Senator 'jumped the gun.'"

#### RULING OF THE PRESIDENT

The President:

"The President believes that Senators Moriarty and Woodall are impeding progress, and if they would just remain quiet, the President will make a ruling."

#### RULING OF THE PRESIDENT

The President:

"Senator Dore, the President was merely trying to expedite the business of the Senate and trying to resolve an extremely complicated situation. The President was trying to resolve it to the best interests of everyone, even the Governor, but under the present conditions the President finds it particularly difficult to even perform an act of kindness. Senator Greive, would you please come to the rostrum. Senator Woodall, would you please come to the rostrum."

#### RULING OF THE PRESIDENT

The President:

"Senator Greive, your demand for the expunging of the record is denied.

"The President is not ruling on the constitutionality of the matter regarded within the resolution. However, the President does believe that once the minutes of the preceding day are read and approved, the journal does become a public record. Therefore, the President must remind the members of the Senate that he must sign each day's proceedings, and if this particular matter is expunged, the President will refuse to sign the minutes for that particular day unless they are in proper order."

#### MOTION

Senator Bailey:

"If that be the ruling, I suggest that we return to the proper place where we can propose another amendment."

Senator Bailey moved that the following amendment by Senators Bailey and Greive be adopted.

Strike the semicolon and the word "and" at end of the sixth paragraph and all of the last paragraph. Insert period at end of sixth paragraph after "state"

Debate ensued.

The amendment to the resolution was adopted.

The President stated the question to be the adoption of the resolution as amended.

The Secretary commenced to call the roll on the adoption of the resolution.

#### MOTION

Senator Woodall moved that the name of Senator Bargreen be called at the end of roll call.

An objection was received from Senator Cowen.

The Secretary called the roll, and the resolution as amended, was adopted by the following vote: Yeas, 32; nays, 14; absent and excused, 3.

Those voting yea were: Senators Angevine, Bailey, Bargreen, Connor, Cooney, Cowen, DeGarmo, Donohue, Dore, Foley, Gallagher, Greive, Hallauer, Hanna, Henry, Herrmann, Hess, Hofmeister, Keefe, Knoblauch, Kupka, McCormack, McMillan, Martin, Morgan, Nunamaker, Papajani, Petrich, Rasmussen, Riley, Sandison, Washington—32.

Those voting nay were: Senators Chytil, Durkan, Elway, Jr., Foster, Freise, Happy, Lennart, McCutcheon, Moriarty, Jr., Neill, Ryder, Shannon, Thompson, Jr., Woodall—14.

Those absent and excused were: Senators Gissberg, Raugust, Talley—3.

#### EXPLANATION OF VOTE

My reason for voting against the Senate Resolution commending our great Governor was not without profound admiration for him but rather a deep disappointment in the actions of the Senate in failing to pass the Resolution as introduced. I feel that the amendment in deleting the last paragraph was a reflection upon the Senate.

The Senate was in error when earlier this week they criticized the Governor and had this Resolution been adopted in full the error would have been corrected and the high esteem by which Governor Rosellini is regarded, while not impaired by the earlier action of the Senate, could have been corrected in expunging all references to the same.

(signed) MARTIN J. DURKAN.

#### POINT OF INQUIRY

Senator Riley:

"Mr. President, when might it be appropriate for me to add a word on the matter of the proceedings thus far? I want to make a suggestion that another record be expunged because I am worried about the over-zealous motions by Senators to show on the record where anything was expunged. I know and admit that there is nothing before the Senate, but I was going to ask Senator Greive if he would not like to remove his motion that a motion by Senator Woodall be expunged, because I am very fearful that if we permit a matter or unconstitutional motion to be expunged, I feel that in the next session we will be constantly expunging the record."

#### MOTION

Senator Greive moved that the motion which he made to expunge the record on behalf of Senator Woodall be withdrawn.

Senator Hess:

"Speaking upon the point of order that Senator Riley was addressing, I am sure that I share Senator Riley's concern, and I ask the President if it might not be in order that the ruling in the future be that any motion to expunge require unanimous consent. My reason for this suggestion is that it would seem to me that any action having been taken becomes the property of the whole body, and thus, cannot be withdrawn without the consent of the whole body."

Senator Riley:

"I might suggest to the committee having to do with the codifying of the rules, that they might well suggest a very tight rule for the next session, if not a unanimous consent, at least a three-quarters, or some substantial authority that we cannot have the record expunged except by some very vital important matter."

#### POINT OF ORDER

Senator Greive:

"What is before the Senate?"

The President:

"A report of enrollment is before the Senate."

The Secretary read:

**REPORTS OF STANDING COMMITTEE**

Senate Chamber,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Engrossed Senate Bill No. 2; also

Engrossed Senate Bill No. 5, have compared same with the original engrossed bills and find them correctly re-engrossed.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

Senate Chamber,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

Your Committee on Engrossed and Enrolled Bills, to whom was referred Re-Engrossed Senate Bill No. 2; also

Re-Engrossed Senate Bill No. 5, have compared same with the re-engrossed bills and find them correctly enrolled.

MARTIN J. DURKAN, *Chairman.*

I concur in this report: Joe Chytil.

**SIGNED BY THE PRESIDENT**

**The President signed: Senate Bill No. 2; also  
Senate Bill No. 5.**

**PERSONAL PRIVILEGE**

Senator Cowen:

"Mr. President and Members of the Senate:

"I deeply regret that I had left the building this evening. I had no intention of ever ducking a bill, or refusing to vote on a bill. We were close to the city of Tacoma when the State Patrol brought us back.

"I shall presume I do not need to tell the Senators of the condition that exists in my home, and has for seven years. For seven consecutive years I have kept my wife's mother in my home and she is very ill and the burden is very great on my wife."

Senator Woodall:

"It was not called to my attention, or to the attention of the President of the Senate so far as I know, or any other member of the Senate, that there was any unusual circumstance that might have necessitated your leaving. I know that if anyone had known of any condition in your home, there would have been no question about bringing you back."

**PERSONAL PRIVILEGE**

Senator Rasmussen:

"I want to apologize to the members of the Senate and their wives who are waiting patiently to adjourn, but I want to point out that I am very sorry about Senator Cowen having been brought back, but I do want to point out that the matter we were considering was a very important one, and more important than we realize. It is very important to have voted on the question of the desirability of expunging from the journal of the Senate. If we could expunge one thing, we could another, and if I want to keep my vote in the record, I do not want them to be able to expunge it from the journal."

The Secretary read:

## MESSAGE FROM THE HOUSE

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The House has adopted: House Concurrent Resolution No. 4, and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

## FIRST READING OF HOUSE RESOLUTION

The following was read first time by title and acted upon as indicated:

**House Concurrent Resolution No. 4**, by Committee on Rules and Order: Relating to adjournment of the First Extraordinary session of the Thirty-Seventh Legislature *sine die*.

On motion of Senator Greive, the rules were suspended and the resolution was advanced to second reading and read the second time in full.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 4 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

The Senate reverted to the first order of business.

The Secretary read:

## SENATE RESOLUTION

By Senators DeGarmo, Nunamaker and Thompson, Jr.:

WHEREAS, The opportunity for enjoyment of the recreational facilities afforded by the lakes, streams, and salt waters of the state of Washington have been unexcelled in the past; and

WHEREAS, The opportunity for the residents of our state and especially persons in the lower income brackets and children to engage in boating, swimming, fishing, camping, and other outdoor activities and to enjoy the beaches of the fresh and salt waters of the state is needed for enjoyable and healthful lives and to combat juvenile delinquency; and

WHEREAS, The continuation of the tourist business within the state and its beneficial effect upon our economy is based upon the opportunity for enjoyment of recreational facilities; and

WHEREAS, The tremendous increase in the need for expansion of recreational opportunities afforded by the fresh and salt waters of our state is evidenced by:

(1) A population increase in our state of over one-quarter of a million persons in the past five years and a projected increase of approximately one-half million persons in the next ten years;

(2) An increase of game fish license holders of over twenty thousand in the past five years; and

(3) An increase in the visitors to our state parks of nearly two and one-half million persons in the past five years.

WHEREAS, The serious decrease in the availability of such recreational opportunities is evidenced by:

(1) The subdividing of beaches and the sale and subdividing of privately owned resorts;

(2) The fact that our fresh and salt water resorts are suffering the highest rate of bankruptcy of any other type of business in the state and are steadily decreasing in size and number.

WHEREAS, A study of the entire field of the fading recreational opportunities afforded by the fresh and salt waters of the state is desperately needed to enable us to find a solution to this problem;

Now, Therefore, Be it Resolved, By the Senate, that the Legislative Council is authorized and directed to conduct such a study and that the State Parks and Recreation Commission, the State Department of Fisheries and the Fisheries Interim Committee, the State Game Department and the Game and Game Fish Interim Committee, the State Department of Commerce and Economic Development are authorized and directed to give every means of assistance and to otherwise cooperate in this study. The Legislative Council shall hold such public hearings as deemed

necessary in conducting its study and shall consult with fresh and salt water resort owners or lessees;

*Be It Further Resolved*, That the Legislative Council report the result of its study to the thirty-eighth session of the Legislature together with its recommendations.

On motion of Senator DeGarmo, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Knoblauch, Gallagher and Bargreen:

WHEREAS, The plans for the forthcoming Century 21 Exposition have progressed rapidly and our state will host the world at this exposition in Seattle in 1962; and

WHEREAS, Senator Edward F. Riley is one of the sponsors of the original bill conceiving this exposition and has sponsored additional legislation to promote Century 21 in succeeding legislative sessions; and

WHEREAS, Senator Edward F. Riley has worked long and hard as a volunteer worker in promoting the successful completion of this world's fair which will be held in the thirty-fifth legislative district of King County which he represents; and

WHEREAS, Senator Riley by serving in a strictly voluntary and personal capacity has given unstintingly of his time and efforts, traveling to the furthest corners of the Pacific to Japan, the Philippines and Hong Kong to promote the cause of Century 21;

*Now, Therefore, Be It Resolved*, That we, the members of the Senate, in this extraordinary session of the thirty-seventh Legislature, do commend Senator Ed Riley for his long and loyal devotion to the success of the Century 21 Exposition and that in gratitude therefor we do hereby proclaim Senator Riley an honorary member of the Century 21 world fair commission; and

*Be It Further Resolved*, That the Secretary of the Senate transcribe a copy of this resolution and present it on behalf of the members of this Senate to Senator Riley.

On motion of Senator Gallagher, the resolution was adopted.

#### MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

#### SENATE RESOLUTION

By Senator Gissberg:

WHEREAS, Lieutenant Governor John A. Cherberg has presided over the thirty-seventh session and the first extraordinary session of the Washington State Senate with fairness and impartiality; and

WHEREAS, He has firmly established himself as an able parliamentarian and presiding officer; and

WHEREAS, He has worked closely with members of the Senate to the end that legislation in the public good has been enacted; and

WHEREAS, As chairman of the Committee on Rules and Joint Rules he has accepted his responsibility seriously, labored diligently for long hours under some times difficult circumstances to the end that the work of the Committee be successful and effective; and

WHEREAS, His outstanding qualities of leadership have upon many occasions brought divergent groups together with results which have proved to be in the best interests of all the people of the state of Washington and contributed much to the smooth operation of the legislature;

*Now, Therefore, Be It Resolved*, That the Senate extend its thanks, appreciation and praise to Lieutenant Governor John A. Cherberg for good work well done; and

*Be It Further Resolved*, That the Secretary of the Senate suitably enroll a copy of this resolution and transmit the same to Lieutenant Governor John A. Cherberg; and

*Be It Further Resolved*, That a copy of this resolution be entered in the Senate journal.

On motion of Senator Greive, the resolution was adopted.

Senator Greive:

"I think at this point in the session we have found something upon which we can all agree."

Senator Woodall:

"I am going to concur in those remarks by Senator Greive. This is another one of those few times we find ourselves on the same side."

#### SENATE RESOLUTION

By Senators Cowen and Knoblauch:

WHEREAS, The members of the Senate of the state of Washington are elected to a term of four years, during which term of office a desk is provided on the floor of the Senate for each duly elected Senator; and

WHEREAS, The precedent has been established of affixing each individual Senator's name and district in the space provided on the front of his desk throughout the duration of each session; and

WHEREAS, The legislature regularly convenes at the end of each biennium for a session of sixty days; and

WHEREAS, The Senators hold their respective offices during the interim as well as during the sessions of the legislature;

Now, Therefore, Be It Resolved, That the Secretary of the Senate is hereby instructed to maintain the name-plates of each Senator on the front side of his desk during the interim, between sessions of the legislature, as well as during the time the legislature is actually in session, and to provide suitable transparent coverings therefor.

On motion of Senator Knoblauch, the resolution was adopted.

#### SENATE RESOLUTION

By Senators Angevine, Papajani and Elway, Jr.:

WHEREAS, Senate Committee Room No. 1 has been used during this and previous legislative sessions by press correspondents; and

WHEREAS, The Associated Press has maintained a teletype machine to facilitate communication with daily newspapers and place the business of the legislature before the people of this state; and

WHEREAS, It is equally important that the matters of state government taking place throughout the year at times other than legislative sessions be readily communicated to the newspapers and made available to people of this state;

Now, Therefore, Be It Resolved, By the Senate of the state of Washington in legislative session assembled:

That the Associated Press be granted the continuous use of Senate Committee Room No. 1, heretofore used as press correspondence headquarters during the legislative sessions, for press correspondence purposes with permission to keep therein teletype machines and other incidents to effectual press correspondence from this date henceforward, provided that the same shall be maintained without expense to any state agency or department, and shall be maintained in good condition.

On motion of Senator Elway, the resolution was adopted.

#### PRESIDENT'S PRIVILEGE

The President:

"It is with a great deal of pleasure that the President presents Mr. Stub Nelson of the Seattle P. I."

Mr. Nelson:

"As President of the Capitol Correspondence Association, I want to thank the Senate for the kind resolution adopted a few minutes ago, praising the press, and I want to assure you that all members of the press always try to report objectively, and thank you for the appreciation.

"There are a few other members in the press here now, Wayne Jacobi, of the Seattle Times, is a young man who has added a lot of grace to the press row. Adele Ferguson has added feminine charm, Jack Fisher, is around, but he is writing a story. He is about on his dead-line. I should be. I just want to add that it is always a pleasure to be here although perhaps it has been too long. There is one member still present since I started, my dear and treasured friend, David Cowen. John McCutcheon was here a long time. Mike Gallagher was also here a long time. All that time it has been a pleasure to work with you.

"I would like to make a motion. This is a personal motion. About 1,000 bills died in the legislature. Now, you know I never lobby, but I was particularly happy to see one bill not passed by the Senate. They just didn't get around to act upon it. I didn't have to lobby on it. It just faded away. But because you didn't get around to act upon it, I am personally going to suspend old Rule 40, if the Sergeant-at-Arms will wait upon me."

Senator Riley:

"I think I can make a guess as to which bill it was because Mr. Stub Nelson represents a morning paper and if the story gets out at a certain time, certain papers get the advantage. I don't know what bill it was, but I have an idea."

Mr. Nelson:

"Well, you might have made a good guess. I am very proud that Senator Riley is my Senator, and he has been for a long time, and you can be my Senator forever, Senator Riley!"

The President:

"Mr. Nelson, the President would like to thank you for your most cordial remarks.

"The President should like to remark that it is always a good policy to get along with newspaper people. He learned this from Mr. Fred C. Lynch a long time ago, when the President learned if you called a newspaperman a bum, he heard it; but if he called you one, several thousand people heard it! We are so happy to have the press in the front row. Thank you for being so fair and the manner in which you have handled your coverage of the Senate."

#### SENATE RESOLUTION

By Senators Gissberg and Greive:

WHEREAS, The First Extraordinary Session of the Thirty-Seventh Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment;

*Now, Therefore, Be It Resolved*, That the Secretary of the Senate without additional compensation therefor be, and he is hereby authorized and directed to complete the work of said Extraordinary Session, to reply to and give necessary attention to correspondence and other details arising therefrom; and

*Be It Further Resolved*, That the Secretary of the Senate be, and he hereby is, authorized to retain such employees as he may deem necessary and that said employees be allowed such per diem rate of pay therefor as the Secretary and the President or President Pro Tempore shall deem proper; and

*Be It Further Resolved*, That the Secretary of the Senate be, and he hereby is, authorized and directed to make out and execute with the President, or the President Pro Tempore, the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn from funds provided therefor for legislative expenses; and

*Be It Further Resolved*, That the Secretary of the Senate be, and hereby is, authorized and directed to have a copy of the Senate Journal of the First Extraordinary Session of the Thirty-Seventh Legislature, together with a suitable index therefor, prepared by the State Printer; and

*Be It Further Resolved*, That after the close of the Session the Secretary of the Senate, and the President, or the President Pro Tempore of the Senate be, and they hereby are, authorized and directed to prepare and execute the necessary vouchers, upon which warrants shall be drawn for the final payment of all expenses incurred after the adjournment of this First Extraordinary Session of the Thirty-Seventh Legislature in closing the business of such Session.

On motion of Senator Greive, the resolution was adopted.

#### COMMITTEE FROM THE HOUSE

A committee from the House comprised of Representatives Henry, Marsh and Rickdall appeared before the bar of the Senate to notify the Senate the House was about to adjourn *sine die*.

The report was received and the committee was invited by the President to remain and hear a song by Doris Swanson and Harold Bergem.

**PRESIDENT'S PRIVILEGE**

The President:

"Mrs. Swanson and Mr. Bergem will sing a song of great current interest at this time, the title of which is 'The Governor's Sine Die Message to the Legislature.' The President will provide the soft background music!"

**THE GOVERNOR'S SINE DIE MESSAGE TO THE LEGISLATURE**

I'm gonna sit right down and write myself a budget  
 To hell with Webb and Goldmark, too!  
 We've got to raise those mills you know  
 For Dr. Heynes and Lou Bruno  
 We've got to give our soul and body  
 To help out Charlie Hodde.  
 We've got to slip the tax on soda pop and liquor  
 And serve the same on Sunday, too—  
 I'm gonna sit right down and write myself a budget  
 And make believe it came from you.

I'm gonna give my soul for roads and education  
 Oh, Julia, Baby—please come home  
 Get on the stick—quit being sluggish  
 Remember Hagan and Bill Bugge  
 And even though they assail her  
 I'm gonna help out Louise Taylor  
 I'm gonna grit my teeth at Nicolai and Bishop  
 Send 'em up those stairs with bull whips, too.

I'm gonna sit right down and write myself a budget  
 'Cause I've been faked out by all of you.  
 Goodbye, O'Brien  
 'Cause I've been faked out by all of you  
 And you, too, Cowboy  
 'Cause I've been faked out by all of you.

**PERSONAL PRIVILEGE**

Senator Kupka:

"I'm glad you made that ruling. It would be an awful job to expunge that from the records!"

The Secretary read:

**MESSAGES FROM THE HOUSE**

House of Representatives,  
 Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The Speaker has signed: Senate Bill No. 2; also  
 Senate Bill No. 5, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,  
 Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The Speaker has signed: House Concurrent Resolution No. 4, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*

**SIGNED BY THE PRESIDENT**

The President signed: House Concurrent Resolution No. 4.

**MOTION**

Senator Foster moved that the Secretary of the Senate be requested to mimeograph the words of the song and copies be sent to each member of the Senate.

The motion carried, and it was so ordered.

The Secretary read:

**SENATE RESOLUTION**

By Senators Foley and Freise:

*Be It Resolved*, By the Senate of the state of Washington; That all bills incurred up to and including this date, covering Senate expenditures made, or obligations incurred, which are payable out of the funds appropriated for the payment of expenses, except legislative printing, of the First Extraordinary Session of the Thirty-Seventh Legislature of the state of Washington, and which are presented for payment after adjournment of the First Extraordinary Session of the Thirty-Seventh Legislature, before payment is authorized must bear the approval of the President or President Pro Tempore of the Senate, and the Secretary of the Senate.

On motion of Senator Greive, the resolution was adopted.

**SENATE RESOLUTION**

By Senator Cowen:

*Be It Resolved*, That all bills, resolutions and memorials in the hands of the Secretary of the Senate, committees or committee clerks be indefinitely postponed.

On motion of Senator Cowen, the resolution was adopted.

**SENATE RESOLUTION**

By Senators Greive, Bailey and Angevine:

*Be It Resolved*, That a committee of three members of the Senate be appointed to notify the House that the Senate is ready to adjourn *sine die*.

On motion of Senator Greive, the resolution was adopted.

**APPOINTMENT OF SPECIAL COMMITTEE**

Under the provisions of the resolution, the President appointed Senators Riley, Morgan and Moriarty as the committee of three members of the Senate to notify the House the Senate was ready to adjourn *sine die*.

**APPOINTMENT OF SPECIAL COMMITTEE**

Under the provisions of House Concurrent Resolution No. 4, the President appointed Senators Bailey, Woodall, Angevine and Cowen as the committee of four members of the Senate to join with the House members to notify the Governor that the Legislature is about to adjourn *sine die*.

On motion of Senator Greive, the appointments were confirmed.

The Secretary read:

**SENATE RESOLUTION**

By Senator Papajani:

WHEREAS, Sam Doces and his brother G. John Doces are successful Seattle businessmen and prominent civic leaders; and

WHEREAS, Sam Doces entered this country from Albania as an immigrant boy in the year 1921 and was followed by his brother G. John Doces in 1938; and

WHEREAS, Their unwavering faith in America and their example of hard work and thrift resulting in ultimate success is an example for all American people to follow;

Now, Therefore, Be It Resolved, By the Senate, that we do hereby commend the Doces brothers and extend best wishes for their continued success and welfare.

On motion of Senator Papajani, the resolution was adopted.

**PRESIDENT'S PRIVILEGE**

The President:

"It may be of particular interest to the members of the Senate to learn that everything seems to happen for the best. The flight which Senators Keefe and Cowen were to take to Spokane, has been cancelled."

**MESSAGES FROM THE HOUSE**

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

The Speaker has appointed as members of the committee to notify the Governor that the House is ready to adjourn *sine die*, Representatives King, Mardesich and Moos.  
SIDNEY R. SNYDER, Asst. Chief Clerk.

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

Under the provisions of Senate Concurrent Resolution No. 2 of the Extraordinary Session, the Speaker has appointed as members of the Committee on Remodding the Legislative Building: Representatives Roy R. Ritner, Richard "Dick" Taylor, P. J. "Jim" Gallagher, Wm. S. "Bill" Day, Cecil C. Clark and Ed M. Morrissey.  
S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

Under the provisions of Chapter 183, Laws of 1961, the Speaker has appointed as members of the Site Advisory Commission on location of the juvenile correctional institution: Representatives DeJarnatt, Kirk and O'Donnell.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,  
Olympia, Wash., March 31, 1961.

MR. PRESIDENT:

Under the provisions of chapter 21, Laws of 1961 Ex, the Speaker has appointed as members of the Joint Fact-Finding Committee on Highways, Streets and Bridges: Representatives W. J. Beierlein, Horace W. Bozarth, Robert Bernethy, Paul H. Conner, Daniel J. Evans, Elmer C. Huntley, Victor A. Meyers, Jr. and Lincoln E. Shropshire.  
S. R. HOLCOMB, Chief Clerk.

**PRESIDENT'S PRIVILEGE**

The President:

"Members of the Senate:

"The President intended to make a little talk here.

"The President believes that the members of the Senate have acted in a most gracious manner and wishes to be thoughtful enough to record his commentary on the good feelings that existed in the Senate which was due in large measure to Senators Happy and Woodall, respected leaders of the Republican Party, and to the noted Senator Greive and Senator Bailey for their wonderful work. The friendly atmosphere has been illustrated throughout the session.

"I want to say a special word to President Pro Tempore Al Henry for the tremendous job he has done. I want to express my gratitude for his willingness and readiness to help out at all times.

"I certainly would be amiss if I didn't mention how much I can rely on our Secretary Ward Bowden for his constant help and assistance in all matters. Don Wilson, his assistant, is not here, but the lovely Secretary to the Secretary is here and I know you all know Florence Kenderesi and owe her a debt of gratitude. Mrs. Norine Munson, the Minute Clerk, has done a wonderful job, and Miss Virginia Holte has done just

as well and is always pleasant and nice to work with. Our reading clerk, Peter Brudevold, is most appreciated also.

"I want to thank Ulyssus Stevens, Newton Fry and Charlie Johnson for their wonderful work and Mary Lou Bammert and Mary Kay Krinbring, two associates in my office for their wonderful and very competent help, and what is perhaps the most important to the President, their patience.

"I have expressed my appreciation to the Press, and I want to thank the members of the Senate for their wonderful help and true spirit of cooperation."

#### REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee, composed of Senators Riley, Morgan and Moriarty, appointed to notify the House that the Senate was about to adjourn *sine die* reported back and Senator Riley informed the President that the House had been so notified.

The report was received and the committee was discharged.

#### PRESIDENT'S PRIVILEGE

The President:

"The President has been duly tried and convicted of the most grievous error of all. This was certainly an omission of the mind and not of the heart. The President should like to call attention to the girls in the Work Room. I want you to please stand. It is so often we all overlook the tremendous asset this group is to the Senate and their long and tedious hours of endeavor.

"Another group of all-importance to the Senate is that very fine staff of pages that have worked so well for each of us. Let's give them a big hand. And the boys in the Bill Room, Hi Groshell, Hayes Elder, Avery Fulcher, and all of those guys have done such a fine job too."

#### REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee, composed of Senators Bailey, Woodall, Angevine and Cowen, appointed to notify the Governor that the Legislature was about to adjourn *sine die*, appeared before the bar of the Senate and reported that the committee had so notified the Governor, and the Governor was willing that the Senate adjourn *sine die*.

The report was received and the committee was discharged.

#### MOTIONS

On motion of Senator Greive, the journal of the twenty-second day of the First Extraordinary Session of the Thirty-Seventh Legislature was ordered to stand approved.

At 12:14 o'clock a. m., on motion of Senator Greive, the Senate of the First Extraordinary Session of the Thirty-Seventh Legislature adjourned *sine die*.

JOHN A. CHERBERG, *President of the Senate.*

WARD BOWDEN, *Secretary of the Senate.*

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## APPENDIX

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### SENATE ROSTER

### SENATE STANDING COMMITTEES

### SENATE MEMBERS' INDIVIDUAL COMMITTEE ASSIGNMENTS

(See Regular Session Journal 1961—Pages 1222 to 1226)

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**LEGISLATIVE INTERIM COMMITTEE APPOINTMENTS****Thirty-seventh First Extraordinary Legislative Session—1961****JOINT FACT FINDING COMMITTEE ON HIGHWAYS,  
STREETS AND BRIDGES****(Chapter 21, Laws of 1961 Ex)***Senators:*

ROBERT C. BAILEY  
 F. STUART FOSTER  
 AL HENRY  
 LOUIS E. HOFMEISTER  
 FRED J. MARTIN  
 W. C. RAUGUST  
 NAT WASHINGTON

*Representatives:*

W. J. BEIERLEIN  
 ROBERT BERNETHY  
 HORACE W. BOZARTH  
 PAUL H. CONNER  
 DANIEL J. EVANS  
 ELMER C. HUNTLEY  
 VICTOR A. MEYERS, JR.  
 LINCOLN E. SHROPSHIRE

**COMMITTEE ON LEGISLATIVE BUILDING  
ACCOMMODATIONS****(Senate Concurrent Resolution No. 2 Ex)***Senators:*

ROBERT C. BAILEY  
 JOE CHYTIL  
 VICTOR F. DEGARMO  
 AL HENRY  
 FRANCES HADDON MORGAN  
 WILLIAM D. SHANNON

*Representatives:*

CECIL C. CLARK  
 WILLIAM S. DAY  
 P. J. GALLAGHER  
 ED M. MORRISSEY  
 ROY R. RITNER  
 RICHARD TAYLOR

**SITE DEVELOPMENT ADVISORY COMMISSION****(Chapter 183, Laws of 1961)***Senators:*

WILBUR G. HALLAUER  
 FRED J. MARTIN  
 ALBERT C. THOMPSON, JR.

*Representatives:*

ARLIE U. DEJARNATT  
 MRS. DOUGLAS KIRK  
 ANN T. O'DONNELL

**LAW OF DAMAGES INTERIM COMMITTEE****(Chapter 27, Laws of 1961)**

EDWARD E. HENRY  
 SHIRLEY R. MARSH  
 RONALD A. MURPHY

LEW SELVIDGE  
 J. P. TONKOFF  
 SMITH TROY

## SENATE BILLS PASSED BY BOTH SENATE AND HOUSE

Senate Bills Passed by Both Senate and House Showing the Action  
by the Governor Thereon

### THIRTY-SEVENTH LEGISLATIVE SESSION—1961

#### FIRST EXTRAORDINARY SESSION

Senate Bill No.	Subject	Chapter Number	Date Signed	Date Effective
1	Budget appropriations .....	26	4- 4	Sec. 2 4- 4-61-Rest 7- 1-61 PV
2	Capital budget appropriations .....	25	4- 4	6-30-61
3	Ferry-Hood Canal bridge bonds .....	9	3-30	3-30-61
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