

SENATE JOURNAL
OF THE
Second Extraordinary Session
Forty - Second Legislature
OF THE
STATE OF WASHINGTON
AT
Olympia, the State Capital

Convened January 10, 1972
Adjourned Sine Die February 22, 1972

Compiled, Edited and Indexed by
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JOURNAL OF THE SENATE

STATE OF WASHINGTON

SECOND EXTRAORDINARY SESSION

OF THE

FORTY-SECOND LEGISLATURE

FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Monday, January 10, 1972.

The Senate was called to order at 9:00 a.m. by President Cherberg. The Acting Secretary called the roll and announced to the President that all Senators were present except Senators Connor and Gissberg. On motion of Senator Greive, Senator Connor was excused. On motion of Senator Keefe, Senator Gissberg was excused.

The Color Guard, consisting of Pages Jacqueline de Souza and John Shaw, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, we know that in the affairs of men as in the rule of nature, there are times and seasons. We have come again to that time when, as legislative leaders of this state, these men have gathered in this capitol city for the purpose of passing laws affecting the lives of every citizen for years to come. These are fast moving days, Our Father. From sunup to sunset and far into the night human minds churn and turn on the need for what these men and women are here to do. The paper work mounts; the telephone rings, the meeting is called to order; the speeches are made; the mind is bogged with this choice over that option; and the vote is taken. The process of a free people governing themselves in an open and representative way takes place. And we are part of that process. Where in all this mixture of human desire, want and need do we find You, O God? Help us to learn to be still and to hear Your voice speaking to us more clearly than all the other voices which speak. May we see Your presence in the face of our fellow man. May we find Your peace in the restless night as we look back on the day's doings. May we hear Your 'Well done' when this session ends and we go home. Help us to be faithful to something, O God, while we are urged to support everything, lest at the end we know ourselves only to have been tossed and beaten on the crest of every wave. Give us courage to pray as Jesus prayed and taught us to pray: '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 into temptation but deliver us from evil. For Thine is the kingdom and the power and the glory, forever and ever.' Amen."

MESSAGE FROM THE SECRETARY OF STATE

January 10, 1972.

TO THE HONORABLE, THE PRESIDENT OF THE SENATE,
THE LEGISLATURE OF THE STATE OF WASHINGTON,
OLYMPIA, WASHINGTON.

MR. PRESIDENT:

I, A. Ludlow Kramer, 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 January, 1972, 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 the whole thereof, together with all official endorsements thereon. IN TESTIMONY WHEREOF, I have set my hand and affixed hereto the seal of the state of Washington. Done at the Capitol at Olympia on this the date of January 10, 1972.

A. LUDLOW KRAMER
Secretary of State.

PROCLAMATION BY THE GOVERNOR

The Forty-Second Washington State Legislature, which convened last January, adopted much significant legislation during its 120 days in Olympia. Other bills were introduced at that time, however, which failed to receive legislative approval and which are of critical importance to the citizens of this state. There is a manifest need for the Legislature to return and consider both these and other proposals which are also desirable in order to modernize our state's structure and laws and to make them more responsive to the needs of all our citizens. Additionally, the Legislature should review the budget to make certain that governmental operations for this biennium are based upon a proper allocation of state revenues in accordance with the most important priorities for their use.

The necessity for my calling a Second Extraordinary Session of the Washington State Legislature is dictated by the following factors:

1. *Economic Recovery and Expansion Program.* The critical problem of finding the means of stimulating the economic development of the state and providing more jobs for our workers was not solved by the Legislature in 1971. Insufficient consideration was given to the JOBS NOW and WASHINGTON FUTURE programs which were introduced then to provide such a solution for the state. Bills will again be introduced to establish a Regional Development Authority to provide assistance to areas hardest hit by unemployment or slow economic growth. A sales tax should be imposed upon the sale of gasoline to generate revenue for implementation of the Regional Development Act and other programs with a similar purpose. Finally, a series of bond issues should be proposed to the people which, together with federal and local matching funds, would provide a massive stimulus to Washington's economy and the capacity to achieve critically needed environmental objectives.

2. *Constitutional Amendment on Tax Policy.* The Legislature must consider ways of alleviating the overwhelming burden placed upon the state's taxpayers by a cumbersome and often inequitable taxing system. The Governor's Committee for a-New Tax Policy has been charged with developing a comprehensive reform proposal which, if presented to the Legislature, should serve as the vehicle for a constitutional amendment to be submitted to the voters next fall as a new direction for Washington's tax structure.

3. *Public Confidence in Government.* It should be clear to all persons in public life that a variety of factors has contributed in recent years to an erosion of citizen confidence in the responsiveness of their government and the willingness of their elected representatives to place the public interest above their personal aspirations. Responsible officials must act immediately to arrest this development which affects so directly the fundamental tenets upon which our system of government is based. The Legislature should adopt a Campaign Financing Disclosure bill to allow all citizens to consider the sources and recipients of

campaign monies used by candidates and political committees when casting their vote in an election. The existing conflict of interest statute should be broadened in scope to require the complete disclosure of assets and interests by all elective officials in the state and those other persons whose direct involvement with the governmental process necessitates public disclosure. Additionally, the Legislature should grant to the people the power to be heard more often on matters of importance to them by permitting annual general elections to be held throughout the state and should authorize annual sessions of the Legislature so changes and new ideas in state policy could be considered at more frequent intervals.

4. *Citizens Affairs.* While in Olympia the Legislature must address certain matters of great significance to the citizens of our state. Important among these considerations are proposals to amend and update the laws of community property and of landlord and tenant. The Legislature should also provide for the denial of the privilege of a state liquor license to those private clubs which practice racial or ethnic discrimination in choosing their membership.

5. *Redistricting.* The Legislature is under a court order to redistrict the political boundaries of this state by February 25, 1972. Hopefully this task can be accomplished swiftly so the attention of our lawmakers may be directed toward the pressing problems facing all the people of Washington.

As a result of these conditions, an emergency exists constituting an extraordinary occasion within the meaning of Article III, Section 7, of the Constitution of the State of Washington.

NOW, THEREFORE, I, Daniel J. Evans, Governor of the State of Washington, by virtue of the authority vested in me by the Constitution do hereby convene the Legislature of the State of Washington in Extraordinary Session in the Capitol at Olympia on the tenth day of January, A.D. 1972, at the hour of nine o'clock a.m., and

I DO HEREBY SPECIFY, in accordance with the requirements of the Constitution that the purposes for which the Legislature is convened are:

To carry on the necessary functions and services of state government; and

To consider the enactment of the several other measures specified above for the benefit of the people of the State of Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia, this 23rd day of December, A.D., Nineteen Hundred and Seventy-one.

DANIEL J. EVANS
Governor of Washington.

BY THE GOVERNOR:
A. LUDLOW KRAMER
Secretary of State.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor to escort the Honorable Hugh J. Rosellini, Justice of the Supreme Court of the state of Washington to the Senate Chamber and a seat upon the rostrum. The committee consisted of Senators Keefe and Andersen.

MESSAGE FROM THE SECRETARY OF STATE

Office of the Secretary, January 10, 1972.

TO THE HONORABLE, THE PRESIDENT OF THE SENATE,
THE LEGISLATURE OF THE STATE OF WASHINGTON.

SIR:

I, A. LUDLOW KRAMER, 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 of Washington on the third day of November 1970, as shown by the official returns of said election now on file in the office of Secretary of State and of "holdover" Senators from the forty-first session of the Legislature and of persons appointed to the office of State Senator prior to the beginning of the forty-second biennial session of the State Legislature as previously certified on January 11, 1971, together with a list of persons appointed to the office of State Senator since the adjournment of the First Extraordinary Session of the forty-second Legislature, and that all are entitled to seats in the Senate of the Legislature of the State of Washington at its Extraordinary Session commencing on the tenth day of January, A.D., 1972:

LIST OF SENATORS ELECTED NOVEMBER 3, 1970

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 6	Sam C. Guess	Spokane, part
No. 7	Robert W. Twigg	Spokane, part
No. 8	Damon R. Canfield	Yakima, part; Benton, part
No. 13	Nat Washington	Grant-Kittitas
No. 15	Perry B. Woodall	Yakima, part
No. 21	Jack Metcalf	Snohomish, part
No. 26	Booth Gardner	Pierce, part
No. 30	John H. Stender	King, part
No. 31	Gordon Herr	King, part
No. 32	Pete Francis	King, part
No. 33	Frank Connor	King, part
No. 34	R. R. Bob Greive	King, part
No. 35	Robert C. Ridder	King, part
No. 36	John Murray	King, part
No. 37	George Fleming	King, part
No. 38	August P. Mardesich	Snohomish, part
No. 42	R. Frank Atwood	Whatcom
No. 43	Jonathan Whetzel	King, part
No. 44	Ted G. Peterson	King, part
No. 45	Fred H. Dore	King, part
No. 46	George W. Scott	King, part
No. 47	Martin J. Durkan	King, part
No. 48	James A. Andersen	King, part; Snohomish, 1 precinct

LIST OF HOLDOVER SENATORS

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 1	Francis E. Holman	King, part
No. 2	Bruce A. Wilson	Okanogan-Pend Oreille-Stevens-Ferry
No. 3	James E. Keefe	Spokane, part
No. 4	William S. Bill Day	Spokane, part
No. 5	John L. Cooney	Spokane, part
No. 9	Elmer C. Huntley	Whitman-Lincoln-Adams
No. 10	Charles W. Elicker	Island; Kitsap, part
No. 11	Hubert F. Donohue	Asotin-Columbia-Garfield-Walla Walla
No. 14	Jim Matson	Yakima, part
No. 16	Dan Jolly	Franklin
No. 17	Al Henry	Klickitat; Skamania; Clark, part
No. 18	Don L. Talley	Cowlitz-Wahkiakum
No. 19	Robert C. Bailey	Pacific; Grays Harbor, part
No. 20	Gary M. Odegaard	Lewis; Grays Harbor, part
No. 22	Harry B. Lewis	Thurston
No. 23	Gordon L. Walgren	Kitsap, part

No. 24	Gordon Sandison	Clallam-Mason-Jefferson
No. 25	Reuben A. Knoblauch	Pierce, part
No. 27	Joe Stortini	Pierce, part
No. 28	Charles E. Newschwander	Pierce, part
No. 39	William A. Gissberg	Snohomish, part
No. 40	Lowell Peterson	San Juan-Skagit
No. 41	George W. Clarke	King, part
No. 49	Frank W. Foley	Clark, part

I further certify that as of October 7, 1971, the Board of County Commissioners of Pierce County appointed A. L. RASMUSSEN to the position of State Senator, 29th Legislative District, to fill the vacancy created by the death of State Senator John T. McCutcheon.

I further certify that as of January 7, 1972, the Board of County Commissioners of Chelan County and the Board of County Commissioners of Douglas County in joint session appointed GEORGE L. SELLAR to the position of State Senator, 12th Legislative District, to fill the vacancy created by the resignation of State Senator R. D. McDougall.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this tenth day of January, A.D., 1972.

A. LUDLOW KRAMER
Secretary of State.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed Senators Greive and Woodall to escort the Honorable A. L. "Slim" Rasmussen to the bar of the Senate. The Honorable Hugh S. Rosellini, Justice of the Supreme Court, administered the oath of office to newly appointed Senator A. L. "Slim" Rasmussen.

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Lieutenant Governor, members of the Senate and guests, it is indeed a pleasure to be back here in this august body. I know that I will enjoy myself. Perry Woodall and Bob Greive were giving the message as I was coming down the aisle that this was going to be a most productive session and we may possibly be out of here in the next thirty days.

"It is a distinct pleasure for me to be sworn in by Judge Rosellini, who of course has served in the legislature. I was his seat mate in the House for a number of years. He is one of my constituents, so it has been a very pleasant morning and I hope it will remain that way. Thank you."

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed Senators Canfield and Wilson to escort the Honorable George L. Sellar to the bar of the Senate. The Honorable Hugh S. Rosellini, Justice of the Supreme Court, administered the oath of office to newly appointed Senator George L. Sellar.

REMARKS BY SENATOR SELLAR

Senator Sellar: "Lieutenant Governor, members of the Senate, guests, and my family in the gallery, it is certainly very much of a privilege and an honor to be here today and I will do my utmost to serve with dignity. Thank you."

REMARKS BY THE PRESIDENT

The President: "Members of the Senate, ladies and gentlemen, the President is sure that every member joins in extending a warm welcome to Senator Sellar and to Senator Rasmussen. I am sure that you can all determine from the friendly atmosphere that prevails this morning that the dove of peace is flying over the Senate Chamber and will be the rest of the session.

"At this time the members of the Senate would be delighted to have Senator Sellar's family and Senator Rasmussen's family please stand in order that we may recognize and welcome you in the fashion to which you are entitled. We are delighted to have you with us.

"Thank you very much, Judge Rosellini, for being with us and performing your duties in your own inimitably wonderful and capable manner."

The special committee escorted Judge Rosellini from the Senate Chamber.

MOTION

On motion of Senator Greive, the following resolution was adopted:

SENATE RESOLUTION 1972-1

By Senators Greive, Bailey and Atwood:

WHEREAS, The offices of President Pro Tempore of the Senate, Vice President Pro Tempore, Secretary of the Senate and Sergeant at Arms of the Senate were filled by competent persons during the forty-second regular and first extraordinary sessions of the legislature; and

WHEREAS, These officers served in a distinguished and satisfactory manner; and

WHEREAS, The standing committees of the Senate were formed and operated properly and efficiently during the forty-second regular and first extraordinary sessions of the legislature:

NOW, THEREFORE, BE IT RESOLVED, That the officers serving at the adjournment of the first extraordinary session of the forty-second legislature, committee chairmen and committee members serving at the adjournment of the first extraordinary session of the forty-second legislature and still serving in the Senate shall constitute the officers and committees of the second extraordinary session of the forty-second legislature.

MOTION

On motion of Senator Greive, the following resolution was adopted:

SENATE RESOLUTION: 1972-2

By Senators Bailey, Greive and Atwood:

BE IT RESOLVED, That a committee of three members be named by the President of the Senate to inform the House that the Senate is organized and ready to transact the business of the second extraordinary session of the forty-second legislature.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Day, Jolly and Scott to serve as a committee of three to notify the House that the Senate is organized and ready for business.

On motion of Senator Atwood, the appointees were confirmed.

The committee retired.

MOTION

On motion of Senator Greive, the following resolution was adopted:

SENATE RESOLUTION: 1972-3

By Senators Greive, Bailey and Atwood:

BE IT RESOLVED, That the courtesies of the Senate are hereby extended to all former presidents, former members and secretaries of the Senate.

MOTION

On motion of Senator Greive, the following resolution was adopted:

SENATE RESOLUTION: 1972-4

By Senators Sandison, Greive, Bailey and Atwood:

BE IT RESOLVED, That the state treasurer and budget director be, and they are hereby directed to draw their warrants for payment of the members' subsistence allowance every seventh day of the session upon subsistence payrolls which shall be certified to by the President and Secretary of the Senate, and they are hereby authorized and directed to deliver the warrants to the Secretary of the Senate, taking his receipt therefor; and

BE IT FURTHER RESOLVED, That the state treasurer and budget director be, and they are hereby directed to draw their warrants for the payment of salaries of the employees of the Senate every seventh day of the session upon salary payrolls which shall be certified to by the President and Secretary of the Senate, and the state treasurer is authorized and directed to deliver the warrants to the secretary of the Senate, taking his receipt therefor.

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 report was received and the committee was discharged.

COMMITTEE FROM THE HOUSE

A committee from the House comprised of Representatives Newhouse, Chatalas and Barden appeared before the bar of the Senate to notify the Senate that the House was organized and ready to do business.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

January 10, 1972.

MR. PRESIDENT: The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 1,
HOUSE CONCURRENT RESOLUTION NO. 2, and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 1, by Senators Durkan, Andersen and Gissberg:

An Act relating to controlled substances; defining crimes; providing for mandatory sentencing; amending section 69.50.401, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.401; adding a new section to chapter 308, Laws of 1971 ex. sess. and to chapter 69.50 RCW; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 2, by Senators Herr and Stortini:

An Act relating to the support of state government; establishing a sweepstakes commission and setting out its powers and duties; providing for a special fund; setting forth an effective date; and providing for the expiration hereof.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 3, by Senator Wilson:

An Act relating to outdoor recreation; and amending section 2, chapter 5, Laws of 1965 and RCW 43.99.020.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 4, by Senators Guess, Cooney, Keefe, Day and Twigg:

An Act relating to revenue and taxation; amending section 82.50.030, chapter 15, Laws of 1961 as last amended by section 37, chapter 299, Laws of 1971 ex. sess. and RCW 82.05.030; and amending section 56, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.410.

Referred to Committee on Ways and Means—Revenue and Taxation.

There being no objection, additional sponsors were permitted on Senate Bill No. 4.

SENATE BILL NO. 5, by Senator Walgren:

An Act relating to insurance; providing when property insurance may be cancelled; and adding a new section to chapter 48.18 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 6, by Senator Gissberg:

An Act relating to fire protection districts; amending section 39, chapter 34, Laws of 1939 as last amended by section 2, chapter 221, Laws of 1959 and RCW 52.16.070.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 7, by Senator Peterson (Lowell):

An Act relating to parks and recreation; and amending section 43.51.060, chapter 8, Laws of 1965 as amended by section 1, chapter 99, Laws of 1969 and RCW 43.51.060.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 8, by Senator Donohue:

An Act relating to motor vehicle operators' licenses; adding a new section to chapter 46.20 RCW; and declaring an effective date.

Referred to Committee on Transportation.

SENATE BILL NO. 9, by Senator Donohue:

An Act relating to hunting and fishing license fees; amending section 77.32.020, chapter 36, Laws of 1955 as last amended by section 1, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.020; amending section 77.32.100, chapter 36, Laws of 1955 as last amended by section 3, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.100; amending section 77.32.103, chapter 103, Laws of 1955 as last amended by section 4, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.103; amending section 77.32.105, chapter 36, Laws of 1955 as last amended by section 5, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.105; amending section 77.32.110, chapter 36, Laws of 1955 as last amended by section 6, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.110; amending section 77.32.113, chapter 36, Laws of 1955 as last amended by section 7, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.113; amending section 77.32.130, chapter 36, Laws of 1955 as last amended by section 8, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.130; amending section 77.32.150, chapter 36, Laws of 1955 as last amended by section 9, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.150; and amending section 77.32.160, chapter 36, Laws of 1955 as last amended by section 10, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.160.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 10, by Senator Donohue:

An Act relating to the renewal of drivers' licenses; and adding a new section to chapter 121, Laws of 1965 ex. sess. and to chapter 46.20 RCW.
Referred to Committee on Transportation.

SENATE BILL NO. 11, by Senator Donohue:
An Act relating to farm vehicles; and adding a new section to chapter 12, Laws of 1961 and to chapter 46.16 RCW.
Referred to Committee on Transportation.

SENATE BILL NO. 12, by Senators Walgren and Twigg (by Municipal Committee request):
An Act relating to state government; creating a state fire service commission; and adding a new chapter to Title 70 RCW.
Referred to Committee on State Government.

SENATE BILL NO. 13, by Senators Henry and Huntley:
An Act relating to motor vehicles; amending section 7, chapter 140, Laws of 1967 as last amended by section 38, chapter 281, Laws of 1969 ex. sess. and RCW 46.12.101; amending section 46.12.030, chapter 12, Laws of 1961 as amended by section 8, chapter 32, Laws of 1967 and RCW 46.12.030; and amending section 46.12.050, chapter 12, Laws of 1961 as amended by section 9, chapter 32, Laws of 1967 and RCW 46.12.050.
Referred to Committee on Transportation.

SENATE BILL NO. 14, by Senators Guess, Walgren, Talley and Wilson:
An Act relating to outdoor recreation; amending section 5, chapter 76, Laws of 1970 ex. sess. as amended by section 1, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.050; amending section 8, chapter 76, Laws of 1970 ex. sess. as amended by section 2, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.080; amending section 10, chapter 76, Laws of 1970 ex. sess. as amended by section 3, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.100; repealing section 6, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.010; repealing section 7, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.020; repealing section 8, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.030; repealing section 9, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.040; repealing section 10, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.050; repealing section 11, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.060; repealing section 12, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.070; repealing section 13, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.080; repealing section 14, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.090; repealing section 15, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.100; repealing section 16, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.110; repealing section 17, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.120; repealing section 18, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.130; repealing section 19, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.140; repealing section 20, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.150; repealing section 21, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.160; repealing section 22, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.170; repealing section 23, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.180; repealing section 24, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.190; repealing section 25, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.200; repealing section 28, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.210; repealing section 26, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.900; repealing section 4, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.130; and repealing section 5, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.140.
Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

MOTION

On motion of Senator Guess, Senator Talley was added as a sponsor on Senate Bill No. 14.

SENATE BILL NO. 15, by Senators Andersen, Keefe, Gissberg, Sandison and Elicker:

An Act relating to providing free tuition at certain institutions of education to children of Washington citizens determined to be prisoners of war or missing in action in Southeast Asia; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.09 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; and declaring an emergency.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

MOTION

On motion of Senator Andersen, the names of Senators Elicker and Sandison were added as sponsors to Senate Bill No. 15.

SENATE BILL NO. 16, by Senators Odegaard, Stender and Donohue:

An Act relating to the state board of education; amending sections 28A.04.010, 28A.04.020, 28A.04.030, and 28A.04.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.010, 28A.04.020, 28A.04.030, and 28A.04.080; amending section 28A.04.040, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 48, Laws of 1971 and RCW 28A.04.040; amending sections 29.18.040; 29.18.050 and 29.27.110, chapter 9, Laws of 1965 and RCW 29.18.040, 29.18.050 and 29.27.110; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; adding a new section to chapter 9, Laws of 1965 and to chapter 29.80 RCW; repealing section 28A.04.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.050; and repealing section 28A.04.060, chapter 223, Laws of 1969 ex. sess., section 25, chapter 283, Laws of 1969 ex. sess. and RCW 28A.04.060.

Referred to Committee on Education.

SENATE BILL NO. 17, by Senators Odegaard and Peterson (Ted):

An Act relating to licensing for hunting and fishing; amending section 77.32.010, chapter 36, Laws of 1955 as amended by section 1, chapter 245, Laws of 1959 and RCW 71.32.010; declaring an emergency and making an effective date.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 18, by Senator Metcalf:

An Act relating to public officials; prescribing procedures; and adding a new chapter to Title 42 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 19, by Senators Donohue, Walgren, Huntley, Peterson (Lowell), Gissberg, Day and Lewis:

An Act relating to outdoor recreation; repealing section 6, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.010; repealing section 7, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.020; repealing section 8, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.030; repealing section 9, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.040; repealing section 10, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.050; repealing section 11, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.060; repealing section 12, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.070; repealing section 13, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.080; repealing section 14, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.090; repealing section 15, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.100; repealing section 16, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.110; repealing section 17, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.120; repealing section 18, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.130; repealing section 19, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.140; repealing section 20, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.150; repealing section 21, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.160; repealing section 22, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.170; repealing section 23, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.180; repealing section 24, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.190; repealing section 25, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.200;

repealing section 28, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.210; and repealing section 26, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.900.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

There being no objection, additional sponsors were permitted on Senate Bill No. 19.

SENATE BILL NO. 20, by Senators Guess and Metcalf:

An Act relating to higher education; and adding new sections to Title 28B RCW.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 21, by Senator Lewis:

An Act relating to female employment; providing maximum number of hours that females may work per day in certain employments; and amending section 1, chapter 84, Laws of 1951 as amended by section 1, chapter 41, Laws of 1965 and RCW 49.28.070.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 22, by Senators Walgren and Peterson (Lowell):

An Act relating to hunting and fishing licenses; and amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 2, chapter 94, Laws of 1961 and RCW 77.32.230.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 23, by Senators Walgren and Talley:

An Act relating to harbor lines; and amending section 1, chapter 139, Laws of 1963 (uncodified), as last amended by section 1, chapter 158, Laws of 1971 ex. sess. (uncodified).

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 24, by Senator Walgren:

An Act relating to unemployment compensation; and amending section 19, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.323.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 25, by Senators Walgren, Andersen and Odegaard:

An Act relating to furloughs for prisoners; amending section 3, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.020; and declaring an emergency.

Referred to Committee on Public Institutions.

SENATE BILL NO. 26, by Senator Guess:

An Act relating to professional registration; amending section 2, chapter 323, Laws of 1959 and RCW 18.08.110; amending section 2, chapter 283, Laws of 1947 and RCW 18.43.020; and amending section 16, chapter 283, Laws of 1947 as last amended by section 2, chapter 126, Laws of 1965 ex. sess. and RCW 18.43.130.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 27, by Senators Gissberg and Andersen:

An Act relating to the salaries of supreme court justices, court of appeals judges, and superior court judges; providing for per capita income percentage increases or decreases; and adding a new chapter to Title 2 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 28, by Senators Foley, Atwood and Mardesich (by Legislative Budget Committee request):

An Act relating to state government; amending section 43.08.130, chapter 8, Laws of 1965 and RCW 43.08.130; adding a new section to chapter 43.08 RCW; creating new sections; providing for the expiration of certain sections hereof; making an appropriation; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 29, by Senators Holman, Day and Dore:

An Act relating to public health; enacting the Uniform Alcoholism and Intoxication Treatment Act; repealing section 1, chapter 85, Laws of 1959 and RCW 70.96.010; repealing section 2, chapter 85, Laws of 1959 and RCW 70.96.020; repealing section 3, chapter 85, Laws of 1959 and RCW 70.96.030; repealing section 4, chapter 85, Laws of 1959 and RCW 70.96.040; repealing section 5, chapter 85, Laws of 1959 and RCW 70.96.050; repealing section 6, chapter 85, Laws of 1959 and RCW 70.96.060; repealing section 7, chapter 85, Laws of 1959 and RCW 70.96.070; repealing section 8, chapter 85, Laws of 1959 and RCW 70.96.080; repealing section 1, chapter 143, Laws of 1965 ex. sess. and RCW 70.96.085; repealing section 9, chapter 85, Laws of 1959 and RCW 70.96.090; repealing section 10, chapter 85, Laws of 1959 and RCW 70.96.100; repealing section 11, chapter 85, Laws of 1959 and RCW 70.96.110; repealing section 12, chapter 85, Laws of 1959 and RCW 70.96.120; repealing section 13, chapter 85, Laws of 1959 and RCW 70.96.130; repealing section 14, chapter 85, Laws of 1959 and RCW 70.96.140; repealing section 15, chapter 85, Laws of 1959 and RCW 70.96.150; repealing section 16, chapter 85, Laws of 1959 and RCW 70.96.900; repealing section 71.08.010, chapter 25, Laws of 1959 and RCW 71.08.010; repealing section 71.08.020, chapter 25, Laws of 1959 and RCW 71.08.020; repealing section 71.08.030, chapter 25, Laws of 1959 and RCW 71.08.030; repealing section 71.08.040, chapter 25, Laws of 1959 and RCW 71.08.040; repealing section 71.08.050, chapter 25, Laws of 1959 and RCW 71.08.050; repealing section 71.08.060, chapter 25, Laws of 1959 and RCW 71.08.060; repealing section 71.08.070, chapter 25, Laws of 1959 and RCW 71.08.070; repealing section 71.08.080, chapter 25, Laws of 1959 and RCW 71.08.080; repealing section 71.08.090, chapter 25, Laws of 1959 and RCW 71.08.090; and adding a new chapter to Title 70 RCW.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE JOINT MEMORIAL NO. 1, by Senator Metcalf:

Petitioning Congress of United States to call for constitutional convention.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 101, by Senators Durkan, Day, Ridder, Dore, Talley, Greive and Odegaard:

Constitutionally mandating the funding of certain pension funds.

Referred to Committee on Public Pensions and Social Security.

MOTION

On motion of Senator Ridder, additional sponsors were permitted on Senate Joint Resolution No. 101.

SENATE JOINT RESOLUTION NO. 102, by Senator Durkan:

Providing tax relief for persons reaching retirement age for social security benefit purposes.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 103, by Senators Donohue, Durkan, Wilson, Talley, Odegaard, Knoblauch and Jolly:

Amending Constitution to permit valuing of agricultural lands by earning or productive capacity.

Referred to Committee on Ways and Means—Revenue and Taxation.

There being no objection, additional sponsors were permitted on Senate Joint Resolution No. 103.

SENATE CONCURRENT RESOLUTION NO. 1, by Senators Herr, Stortini and Guess:

Creating temporary committee for the investigation of alcoholic control within the state; setting out powers and duties.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE CONCURRENT RESOLUTION NO. 2, by Senators Bailey, Greive, Andersen, Atwood, Lewis and Sandison:

Limiting the session and providing cut-off dates.

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

On motion of Senator Greive, Senate Concurrent Resolution No. 2 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

POINT OF INQUIRY

Senator Atwood: "Senator Bailey, we would like to just have a little clarification. If no agreement has been reached in fourteen days, what does that imply?"

Senator Bailey: "Mr. President and members of the Senate, I thought it was about as clear as I could see it written and I thought it tells what it implies and that is at the end of the fourteenth day we cease consideration of redistricting measures."

POINT OF INQUIRY

Senator Canfield: "Will Senator Bailey yield to a question? Senator Bailey, pursuing Senator Atwood's question, does this word 'agreement' mean final passage?"

Senator Bailey: "Senator Canfield, if you will read on the second page, it says that if no agreement is reached, that no further work shall be done by the Senate or the House. I think it is quite clear that the intention is to pass something of that kind."

ROLL CALL

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, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Absent or not voting: Senator Gardner—1.

Excused: Senator Connor—1.

SENATE CONCURRENT RESOLUTION NO. 2, having received the constitutional majority, was declared passed.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 1, by Representative Bledsoe:

Notifying the Governor that the legislature is organized.

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

On motion of Senator Greive, 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 Bailey, Atwood and Mardesich 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.

On motion of Senator Bailey, the committee appointments were confirmed.

The committee retired.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 2, by Representative Bledsoe:
Joint session to receive the Governor's message to the legislature.

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

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

REPORT OF SPECIAL COMMITTEE

The special committee appointed under the provisions of House Concurrent Resolution No. 1 to notify the Governor that the legislature was organized and ready to transact business appeared before the bar of the Senate and reported that the Governor had been notified.

The report was received and the committee was discharged.

MOTION

At 10:15 a.m., on motion of Senator Greive, the Senate recessed until 6:30 p.m.

EVENING SESSION

The President called the Senate to order at 6:30 p.m.

At 6:35 p.m., the Senate retired to the House Chamber to meet in Joint Session for the purpose of hearing the State of the State message by Governor Daniel J. Evans.

JOINT SESSION

The Sergeant at Arms of the House announced the arrival of the Senate at the bar of the House.

The Speaker invited the Senators to seats within the House and instructed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore, and Vice President Pro Tempore of the Senate to seats on the rostrum beside the Speaker.

The Speaker turned the gavel over to the President of the Senate.

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

The Clerk called the roll of the House, and all members were present.

The President of the Senate appointed the following committee to escort the Justices of the Washington State Supreme Court from the State Reception Room to the bar of the House: Senators Gissberg, Holman and Andersen, and Representatives Bottiger, Eikenberry, Julin and Knowles.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the Justices of the Washington State Supreme Court at the bar of the House, and the President invited them to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to escort the elected state officials from the State Reception Room to the bar of the House: Senators Walgren, Lewis and Knoblauch, and Representatives Amen, King and Zimmerman.

The committee retired.

The Sergeant at Arms of the Senate announced the arrival of the elected state officials at the bar of the House, and the President invited them to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to notify Governor Daniel J. Evans that the Senate and House are in Joint Session and are ready to receive his message: Senators Washington, Whetzel and Donohue, and Representatives Morrison, O'Brien and Pardini.

The committee retired.

The Sergeant at Arms of the House announced the arrival of Governor Daniel J. Evans at the bar of the House, and the President requested the committee to escort him to a seat on the rostrum.

The President: "Honored members of the legislature, ladies and gentlemen: It is with pride and honor that the President presents to you at this time His Excellency, the Honorable Daniel J. Evans, Governor of the State of Washington."

STATE OF THE STATE MESSAGE BY GOVERNOR DANIEL J. EVANS

"Mr. President, Mr. Speaker, Ladies and Gentlemen of the Legislature, and my fellow citizens of Washington:

"I believe the best way to begin is with a simple statement. The state of the state is that the state is alive.

"It has not, as so many members of the national press have written, slipped into the sea. The fields do not lie fallow, the streets are not empty, the stores are not vacant. And those prophets who are waiting around for the last person leaving the state to turn out the lights are going to have a long, long wait indeed.

"We have subjected ourselves to one of the most difficult and trying economic times in this state's history—and we have survived. We have taken the worst with courage and without panic; and we have given our best in return. Now we are clearly on the sure road to recovery.

"My fellow citizens—it is you, not we, who deserve the primary credit for survival. Most of you have felt the touch of recession; many of you have been unemployed. But collectively you have borne the burden of economic trial with dignity and with patience. Farmers, national guardsmen, church groups and volunteers, young and old, have joined to help their 'Neighbors in Need'. There isn't an official of this state or a legislator in this audience tonight who doesn't owe you a public debt of gratitude.

"Public employees have won universal respect for a willingness to forego salary increases during this time of economic crisis. We are grateful.

"Finally, to the legislature itself, assembled for the second time in nine months to address itself to the business of the state. We differed greatly in 1971, and we will no doubt differ again. But let me say this to the people of the State of Washington: this is not a body of small men; it is a small body of very large men and women who did the job that was absolutely necessary and did it well. They made the cuts in budget and the cuts in services that no politician likes to make. And because they did we have weathered the storm in a fiscally sound position. There is little more a people could ask of their legislature, and I know that they join me in both gratitude and admiration tonight.

"One year ago, as we began 1971, this state was faced with an unemployment rate of over 10 percent, representing 140,000 unemployed citizens. Aerospace alone had dropped 57,000 employees and we were faced with the probability that another 20,000 in that industry would have to be laid off. There seemed to be no end to our economic troubles.

"One year ago, this administration presented an austere but balanced budget to you and asked that you avoid the irresponsible extremes of unmindfully slashing programs or placing an untimely additional burden on the taxpayers of this state.

"One year ago we asked state agency directors, state employees and employees of local school districts to share the increasing work among fewer people, to reduce expenditures in the face of rising costs and to forego any increase in salary.

"One year ago we asked the federal government to assist the state by allowing the N-reactor at Hanford to continue in operation on a sound business-like basis; by releasing over \$80 million in federal highway trust funds held in reserve; by providing for the distribution of surplus food as well as food stamps, and by providing grants to create public service jobs for the unemployed. This vital federal assistance totaled over one third of a billion dollars.

"Seen from the vantage point of today, January of 1971 was a very cold January—the beginning of a difficult and challenging year that would test the mettle of this state as it had rarely been tested before. Now it becomes evident that we have indeed succeeded. The unemployment situation did not deteriorate as we had reason to believe it would. State

agencies, the school districts and the legislature did what was asked of them. The federal government showed a willingness to help us. We managed with a tight rein. Therefore, I can report to you tonight that for the remainder of the biennium we expect to receive \$40 million in higher state revenue than we forecast twelve months ago.

"This anticipated surplus did not occur because we estimated too low. It occurred because the state was able to take positive actions to improve our general economic condition, and because the state agencies spent wisely and managed well. It was not exclusively an executive accomplishment, or a state agency success. It occurred in the final analysis through the united efforts of the Legislature, the agency managers, our state labor and business leaders, the congressional delegation and state employees. We have exceeded our estimates but in the absence of statesmanship and sound management, we might very well have suffered severe and lasting financial crisis in the State of Washington.

"Let us turn now to the question of what will be done with these additional funds. Within the next several days, I will request that the Legislature make five major budgetary commitments:

"First, in my veto message last session which cut \$20 million appropriation to the Teachers' Retirement System, I said: 'I am making this veto with the full assurance that it will not in any way hinder the payment of pensions to retired teachers. No one can be sure whether revenue will exceed or fall below estimates made for the 1971 Legislative Session. Should sufficient revenue in excess of present estimates appear to be available when the 1972 session convenes, they will have the option to utilize it to resolve the K-12 shortage and solve other problems in the budget, and to eliminate the impact of this veto.' It is now clear that there is sufficient revenue to return the \$20 million to the Retirement System and I therefore ask you to do so.

"Second, state employees last received a salary increase on July 1, 1970. It has been grossly unfair to continue to ask them to forego an increase while others all around receive theirs—including federal government employees within this state. It is time to begin to redress the balance, and to recognize with dollars the sacrifice these people have so willingly and so patiently made. Therefore, I will ask that the Legislature authorize a three percent cost of living salary increase to all state employees, employees of our colleges and universities and local school district employees effective September 1, 1972.

"Third, I will ask the Legislature to increase the per-pupil state support of K through 12 education from the present \$365 per year to \$379 per year. This will permit individual school districts to underwrite authorized salary increases and at the same time subtract these dollars from the impact of many planned special school levies which will, in turn, reduce the burden on our already overburdened property tax.

"Fourth, I will ask the Legislature to authorize \$12 million in supplemental funds for the programs of the Department of Social and Health Services, including provisions for improved medical and mental health care in our state's adult correctional facilities, to augment the nursing home inspection teams and to continue the outstanding work being done by educators and social service personnel with urban, racial and rural disadvantaged students.

"Fifth, and finally, in the event the economic upturn is stronger than projected, and in the event revenues are again higher than estimates, I will ask the Legislature to assign the surplus directly to the Teachers' Retirement Fund, taking advantage of 'one-time' revenues to strengthen the financial reserves of the fund without jeopardizing the on-going commitments of the state.

"These are the kinds of investments which economic recovery and additional funds make possible. But we should not be deluded. The programs I have so far recommended do not create jobs now—they do not put people back to work—and they do not address the attention of the state to the later years of this decade when employment opportunity may well be more crucial than it is today.

"As we look ahead to 1972 and the years beyond, it becomes increasingly clear that we face both a short run and a long run employment crisis. There is the obvious one today, and I think we owe it to the people to stop debating the details and move ahead with an economic recovery program. But I am equally disturbed about a new and potentially more devastating economic problem in our future.

"Since World War II Washington, along with other states, has had to make

extraordinary provisions for the post war baby boom. As these children were growing up, we expanded classroom space, hired additional teachers, provided institutional services and made welfare payments to those who needed assistance. We reached the point where today, for every dollar we spend on those over 18, we spend seven dollars for those under age 18. Now, having grown up, they are entering the labor force in unprecedented numbers—as many as 20,000 a year for all of the rest of the years of this decade. These are not just new job requirements, they are job requirements over and above the thousands currently in the work force who are now unemployed.

“This is a task that none of us can take lightly. It is not enough to let nature take its course—to let recovery occur at a leisurely pace. We as a people and as a government must act and act now. But you cannot rebuild our economy by just paying people to remain idle. Economic recovery requires a public investment in productive jobs for our people.

“It isn't the easy thing to do, but it's the right thing to do—and now is the time to do it.

“So I propose to you again, as I did in January of 1971, the twin programs of Jobs Now and Washington Future. Jobs Now for today—for right now—and Washington Future for the decade ahead.

“Jobs Now will put \$36 million in state funds and \$40 million in matching funds to work immediately both to provide new jobs and to generate additional jobs in the private sector. Most is earmarked for a proposed Regional Development Authority, which will make direct and immediate loans to local government to accelerate the construction of public facility projects. But there are other dollars specified for the planning, engineering and construction of transportation projects, utilities projects, direct public service employment and, of vital importance, tourist and industrial promotion. These are not administrative dollars. These are employment dollars—dollars to be used immediately—dollars that will take men and women off the unemployment lines and put them to work, 13,000 of them by the end of this biennium. Forty-one projects are ready to go within 90 days while another 86 can be under contract in the next 90 days. Our challenge is to provide Jobs Now so people can work, not just to provide money for not working.

“Washington Future is a massive two billion dollar program to meet the coming employment crisis and to assure the future well-being of our state. Starting with a \$500 million bond issue, with additional local and federal matching, we will have \$2 billion available to deal with some of the major problems of our time: water supply, waste disposal, public transportation, social and health facilities, parks and recreation and road improvements. And, at the other end of the ledger it will produce more than 30 thousand new jobs each year through the end of this decade, amounting to nearly 250,000 man years of work.

“It is an ambitious program, but the demands of the decade are not small ones. Some people look only at the costs, but I prefer also to look at the results. Yes, there will be an investment—a price to pay—but it is not excessive. In fact, it is small—less than twenty-five cents per motorist per week. But for that price we can assure that twenty-five thousand young people a year will be brought gainfully into the work force—and not left to swell the ranks of the unemployed. And that, I submit, is worth the investment.

“To fund the Jobs Now and Washington Future programs I will ask this legislature to authorize the application of the state retail sales tax to gasoline. If the people turn down the bond issues of Washington Future in November of 1972, this tax would be removed. I recognize this proposal is controversial, but by almost any measurement it is a fair tax. It will add one percent to the yearly operating cost of the average motorist, or about a quarter a week. Before anyone rushes to a conclusion, I think we have to ask the question: ‘Is it worth it?’ And so I ask you—those in the Legislature and those of you at home tonight:

“Is it worth twenty-five cents a week to you to create 13,000 new jobs by the end of this biennium and more than 30,000 additional jobs a year thereafter?

“Is it worth twenty-five cents a week to you to clean up the waters of this state?

“Is it worth twenty-five cents a week to you to resolve the problem of waste disposal, to provide adequate storm drainage for our communities and control of devastating floods?

“Is it worth twenty-five cents a week to you to improve our community health and mental health facilities and provide better community based treatment for the retarded?

"Is it worth twenty-five cents a week to create new park lands and recreational facilities and to improve the condition of our urban arterials?"

"Is it worth twenty-five cents to see local utility projects go forward, to see men put back to work and to see the state begin to aggressively promote the location of new industry?"

"Is it worth twenty-five cents a week to build a better, more prosperous, more livable state?"

"I think it is worth every penny of twenty-five cents a week. I've heard it said—you have, too—when someone bought a dollar's worth of goods, 'and here's five cents for the Governor.' Well, this time every citizen who pays the tax, once a week can look himself straight in the eye and say 'Here's a quarter for me. For my state. For my children and my neighbors' children and for our future health and economic welfare. It is worth the burden; it is worth the cost. But if you believe it is not, I can only ask this question: 'What is economic recovery and the future of our state worth to you—a nickel, a dime, sixteen cents? And where would you get the money?"

"No one likes to raise taxes, or create new ones—or even talk about them. I know there are those who have grown weary of hearing me talk about the need for genuine tax reform and tax protection, about the need to reduce the crushing burden and inequity of property taxes; about the inequities and inadequacies of the sales tax. But weary or not, the problem remains. Perhaps it will be the magnitude of the Jobs Now and Washington Future program which will cause us finally to come to grips with the need to change our state's tax structure.

"Tonight I will only commend to your attention the forthcoming report of the Committee on New Tax Policy. This new proposal will deserve your most careful attention for many reasons, but chief among them is the fact that I believe it will offer the first real constitutional protection in our state's history for all taxpayers. All major taxes would be constitutionally limited and any increase in rates beyond constitutional limits would require a vote of the people. For the first time, the people of this state would become fully involved and directly responsible in the act of taxation. If you believe as I do that the power and right for public decisions resides ultimately with the people, then that is as it should be.

"Finally, this evening, there is the matter of restoring the confidence of our citizens in government itself—confidence that government will respond to their needs and that they can play a significant role in the governmental process. There is no doubt that this confidence has been eroded away in recent years, not always by design but not always by default either. At a time in our history when the restoration of confidence is of the highest priority—when we face the long difficult road of economic investment and recovery—it is absolutely vital that government take the lead.

"The public is simply entitled to see more and to know more about the political process and the legislative process. We are not a private club down here and we cannot make our way in secrecy. We need to adopt the principle of 'open decisions openly arrived at', to become more visible to our constituents and therefore more faithful to the mandate they have given us. This principle should apply with equal force to the legislative as well as to the executive process.

"Over the next several days I will submit to the legislature a number of bills which deal with restoring public confidence and with the subject of improving the organization and conduct of government. In addition, I will submit a series of proposed laws that will reaffirm the equality of rights between citizens, and between citizens and those organizations and businesses and institutions whose public trust is guaranteed by government license.

"All of these measures come down to one word: confidence. Confidence that government can govern fairly, earnestly and with an even hand. That government is, after all, not self-perpetuating; that it depends in sole measure upon the participation and final good judgment of all citizens of this state—whose government it was in the beginning and remains today.

"On the matter of public confidence let me briefly mention redistricting. This state must be reapportioned in time for the 1972 election and we are under a court mandate to do so. This is an urgent and priority matter, the disposition of which will affect both the legislature and the people. While I fully recognize the difficulties inherent in this task and its

importance none of us can allow it to delay or defeat the actions which must be taken on the problems of our people. To do otherwise would further erode their confidence in us and their system of government.

"And so, ladies and gentlemen of the Legislature, and my fellow citizens of Washington, if this is not a time for celebration, then neither is it a time for pessimism. We have stared economic crisis in the face and we have defeated it. We have borne the burden with great success and even greater courage. We have demonstrated to ourselves that nothing is beyond the reach of ordinary citizens if they will but pull together, sacrifice together and exercise collective patience in a time of common trial.

"What remains is the question of how we will proceed. Will we now pick up the fallen mantle of progress and move ahead? Will we consolidate those gains we have made and begin to make the investment in our final recovery? Will we examine the structure of our taxation and our governmental process and work to improve them? Will we restore to government that priceless commodity of the peoples' confidence?

"I think we will, because I know we must. We will do it because the people of this state have weathered a storm they do not wish to see again. We will do it, furthermore, because it is right; and because it is the only way the future can be secured—a decent living in a decent environment with a decent chance to progress together in prosperity as we so firmly have stood together in adversity."

The President of the Senate instructed the committee consisting of Senators Washington, Whetzel and Donohue, and Representatives Morrison, O'Brien and Pardini to come forward and escort Governor Evans to his office.

The committee retired.

The President of the Senate instructed the committee consisting of Senators Walgren, Lewis and Knoblauch, and Representatives Amen, King and Zimmerman to come forward and escort the elected state officials to the State Reception Room.

The committee retired.

The President of the Senate instructed the committee consisting of Senators Gissberg, Holman and Andersen, and Representatives Bottiger, Eikenberry, Julin and Knowles to come forward and escort the Justices of the Washington State Supreme Court to the State Reception Room.

The committee retired.

The President: "Mr. Speaker, the President is sure that the members of the Supreme Court and the State Officials and the members of the Washington State Senate join with me in expressing our deepest appreciation to you, Mr. McBeath, Mr. Prince and the members of the House of Representatives for the wonderful hospitality and cordial treatment you always give us."

MOTION

On motion of Mr. Morrison, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker.

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore, and Vice President Pro Tempore, and the members of the Senate to the Senate Chamber.

The President called the Senate to order at 7:35 p.m.

MOTION

At 7:37 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Tuesday, January 11, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

SECOND DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, January 11, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Gardner and Murray. On motion of Senator Keefe, Senator Gardner was excused. On motion of Senator Matson, Senator Murray was excused.

The Color Guard, consisting of Pages Priscilla Webb, Color Bearer, and Tom Howard, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

“Bless the Lord, O my soul, and all that I am. Bless His Holy Name. Bless the Lord, O my soul and never forget His goodness. He forgives all my sins and heals my infirmities. He saves my life from death and crowns me with mercy and love. Bless the Lord, all His creation, in every place where He rules. Bless the Lord, O my soul. Heavenly Father, in You we live and move and have our being. We humbly pray You stay to guide and govern us by Your good spirit, that in all the cares and occupations in our life we may not forget You but remember that we are ever walking in Your sight. Through Jesus Christ Our Lord. Amen.”

MOTIONS

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

At 11:05 a.m., on motion of Senator Greive, the Senate recessed until 12:05 p.m.

NOON SESSION

The President called the Senate to order at 12:05 p.m.

MESSAGES FROM THE HOUSE

January 10, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 3, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

January 10, 1972.

Mr. President: The House has passed HOUSE BILL NO. 12, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

January 10, 1972.

Mr. President: The Speaker has signed:
HOUSE CONCURRENT RESOLUTION NO. 1,
HOUSE CONCURRENT RESOLUTION NO. 2, and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
HOUSE CONCURRENT RESOLUTION NO. 1,
HOUSE CONCURRENT RESOLUTION NO. 2.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 30, by Senators Wilson, Peterson (Ted) and Odegaard:

An Act relating to the state board of education; and amending section 28A.04.060, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 283, Laws of 1969 ex. sess. and RCW 28A.04.060.

Referred to Committee on Education.

SENATE BILL NO. 31, by Senators Guess, Stender and Ridder:

An Act relating to open public meetings; and amending section 11, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.110.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 32, by Senators Walgren, Twigg and Keefe (by Municipal Committee request):

An Act relating to revenue and taxation; and amending section 12, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.910.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 33, by Senators Francis and Whetzel:

An Act relating to public highways; amending section 46.68.070, chapter 12, Laws of 1961 and RCW 46.68.070; amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 1, chapter 83, Laws of 1963 and RCW 46.68.130; and adding new sections to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW.

Referred to Committee on Transportation.

SENATE BILL NO. 34, by Senators Durkan, Woodall, Knoblauch and Peterson (Ted):

An Act relating to veterans; providing veterans with certain public employment preferences; and amending section 1, chapter 189, Laws of 1945 as last amended by section 2, chapter 269, Laws of 1969 ex. sess., and RCW 41.04.010.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

There being no objection, additional sponsors were permitted on Senate Bill No. 34.

SENATE BILL NO. 35, by Senators Durkan, Knoblauch, Woodall and Peterson (Ted):

An Act relating to layoffs and subsequent reemployment of veterans in classified service under the jurisdiction of the state civil service law and the higher education personnel law; amending section 10, chapter 36, Laws of 1969 ex. sess. as amended by section 1, chapter 19, Laws of 1971 ex. sess. and RCW 28B.16.100; amending section 15, chapter 1, Laws of 1961 as last amended by section 2, chapter 19, Laws of 1971 ex. sess. and RCW 41.06.150; and declaring an emergency.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

There being no objection, additional sponsors were permitted on Senate Bill No. 35.

SENATE BILL NO. 36, by Senators Metcalf, Stortini, Ridder and Odegaard:

An Act relating to education; authorizing a study; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; creating new sections; and making an effective date.

Referred to Committee on Education.

There being no objection, additional sponsors were permitted on Senate Bill No. 36.

SENATE BILL NO. 37, by Senators Odegaard, Canfield and Ridder:

An Act relating to the financial support of the common schools; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 294, Laws of 1971 ex. sess. and RCW 28A.41.130; and declaring an emergency.

Referred to Committee on Ways and Means—Appropriations.

SENATE BILL NO. 38, by Senators Atwood and Foley.

An Act relating to court reporters' salaries; amending section 1, chapter 210, Laws of 1951 as last amended by section 1, chapter 95, Laws of 1969 and RCW 2.32.210.

Referred to Judiciary Committee.

SENATE BILL NO. 39, by Senators Rasmussen and Gissberg:

An Act relating to revenue and taxation; amending section 82.50.010, chapter 15, Laws of 1961 as last amended by section 35, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.010; amending section 82.50.020, chapter 15, Laws of 1961 as last amended by section 36, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.020; amending section 82.50.030, chapter 15, Laws of 1961 as last amended by section 37, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.030; amending section 82.50.040, chapter 15, Laws of 1961 as last amended by section 38, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.040; amending section 82.50.050, chapter 15, Laws of 1961 as last amended by section 39, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.050; amending section 82.50.070, chapter 15, Laws of 1961 as last amended by section 40, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.070; amending section 82.50.101, chapter 15, Laws of 1961 as last amended by section 41, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.101; amending section 82.50.105, chapter 15, Laws of 1961 as last amended by section 42, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.105; amending section 82.50.110, chapter 15, Laws of 1961 as last amended by section 43, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.110; amending section 82.50.120, chapter 15, Laws of 1961 as last amended by section 44, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.120; amending section 82.50.130, chapter 15, Laws of 1961 as last amended by section 45, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.130; amending section 82.50.140, chapter 15, Laws of 1961 as last amended by section 46, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.140; amending section 82.50.180, chapter 15, Laws of 1961 as last amended by section 48, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.180; amending section 82.50.190, chapter 15, Laws of 1961 as last amended by section 49, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.190; amending section 82.50.200, chapter 15, Laws of 1961 as last amended by section 50, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.200; amending section 55, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.400; amending section 56, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.410; amending section 57, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.420; amending section 58, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.430; amending section 59, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.440; amending section 60, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.450; amending section 61, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.460; amending section 62, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.470; amending section 63, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.480; amending section 64, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.490; amending section 65, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.500; amending section 67, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.520; amending section 68, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.530; amending section 69, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.540; and amending section 53, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.901.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 40, by Senators Guess, Day and Stender:

An Act relating to residential schools; amending section 72.33.180; chapter 28, Laws of 1959 as last amended by section 1, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.180; amending section 4, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.860; and adding a new section to chapter 118, Laws of 1971 ex. sess. and to chapter 72.33 RCW.

Referred to Committee on Public Institutions.

SENATE BILL NO. 41, by Senators Gissberg, Atwood, Durkan, Holman and Walgren (by State Women's Council request):

An act relating to the rights of married persons; amending section 5, page 131, Laws of 1854 as last amended by section 6, Code of 1881 and RCW 4.08.030; amending section 492, page 219, Laws of 1854 as last amended by section 7, Code of 1881 and RCW 4.08.040; amending section 2409, Code of 1881 and RCW 26.16.030; amending section 2410, Code of 1881 and RCW 26.16.040; amending section 2413, Code of 1881 and RCW 26.16.140; amending section 2402, Code of 1881 and RCW 26.16.190; amending section 2, chapter 32, Laws of 1909 and RCW 49.48.100; and repealing section 2404, Code of 1881 and RCW 26.16.130.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 41.

SENATE BILL NO. 42, by Senators Washington, Knoblauch and Huntley (by Superintendent of Public Instruction, Insurance Commissioner and Fire Marshal request):

An Act relating to education; establishing a fire prevention and safety code for the common schools; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.48 RCW.

Referred to Committee on Education.

SENATE BILL NO. 43, by Senators Fleming, Murray, Gardner and Stortini (by Joint Committee on Education request):

An Act relating to educational programs for the urban, racial, and rural disadvantaged; making appropriations; and declaring an emergency.

Referred to Committee on Ways and Means—Appropriations.

There being no objection, additional sponsors were permitted on Senate Bill No. 43.

SENATE BILL NO. 44, by Senators Ridder, Metcalf and Stortini (by Joint Committee on Education request):

An Act granting all school districts the authority to create police forces; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

SENATE BILL NO. 45, by Senators Ridder, Peterson (Ted) and Odegaard (by Joint Committee on Education request):

An Act relating to the apportionment of state funds to common school districts; amending section 15, chapter 15, Laws of 1970 ex. sess. and RCW 28A.48.010; and declaring an emergency and making an effective date.

Referred to Committee on Education.

SENATE BILL NO. 46, by Senators Metcalf, Francis and Ridder (by Joint Committee on Education request):

An Act relating to the powers and duties of intermediate school district superintendents; and amending section 11, chapter 176, Laws of 1969 ex. sess. as amended by section 17, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.110.

Referred to Committee on Education.

SENATE BILL NO. 47, by Senators Francis, Metcalf and Ridder (by Joint Committee on Education request):

An Act to repeal obsolete provisions relating to the temporary special levy study commission heretofore directed to study programs, problems and financial needs of the common schools of the state; repealing section 1, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.010; repealing section 2, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.020; repealing section 3, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.030; repealing section 4, chapter 235, Laws of 1969 ex. sess., section 54, chapter 48, Laws of 1971 and RCW 28A.96.040; repealing section 5, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.050; repealing section 6, chapter 235, Laws of 1969 ex. sess. and RCW

28A.96.060; repealing section 7, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.070; repealing section 8, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.080; repealing section 9, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.090; repealing section 10, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.100; and repealing section 11, chapter 235, Laws of 1969 ex. sess. and RCW 28A.96.300.

Referred to Committee on Education.

SENATE BILL NO. 48, by Senators Francis, Metcalf and Ridder (by Joint Committee on Education request):

An Act relating to school holidays, including programs suitable thereto; amending section 13, chapter 283, Laws of 1969 ex. sess. and RCW 28A.02.061; repealing section 28A.02.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.02.060; and repealing section 28A.02.070, chapter 223, Laws of 1969 ex. sess., section 101, chapter 176, Laws of 1969 ex. sess. and RCW 28A.02.070.

Referred to Committee on Education.

SENATE BILL NO. 49, by Senators Ridder, Peterson (Ted) and Odegaard (by Joint Committee on Education request):

An Act relating to the financing of educational opportunities for secondary pupils who reside in nonhigh school districts; amending section 28A.41.130, chapter 223, Laws of 1969 ex. sess. as last amended by section 19, chapter 294, Laws of 1971 ex. sess. and RCW 28A.41.130; amending section 28A.44.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 36, chapter 282, Laws of 1971 ex. sess. and RCW 28A.44.080; amending section 28A.44.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 37, chapter 282, Laws of 1971 ex. sess. and RCW 28A.44.090; amending section 28A.44.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 38, chapter 282, Laws of 1971 ex. sess. and RCW 28A.44.100; amending section 28A.48.110, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 100, Laws of 1971 ex. sess. and RCW 28A.48.110; amending section 84.52.050, chapter 15, Laws of 1961 as last amended by section 24, chapter 299, Laws of 1971 ex. sess. and RCW 84.52.050; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.44 RCW; repealing section 28A.44.050, chapter 223, Laws of 1969 ex. sess., section 15, chapter 48, Laws of 1971, section 33, chapter 282, Laws of 1971 ex. sess. and RCW 28A.44.050; declaring an emergency and making effective dates.

Referred to Committee on Education.

SENATE BILL NO. 50, by Senators Donohue and Huntley:

An Act relating to embalming; amending section 4, chapter 108, Laws of 1937 as last amended by section 24, chapter 292, Laws of 1971 ex. sess. and RCW 18.39.040; and declaring an emergency.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 51, by Senators Donohue, Jolly and Huntley:

An Act relating to workmen's compensation; and amending section 16, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.035.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 52, by Senators Washington, Francis, Talley, Stortini, Fleming, Wetzzel, Gissberg, Rasmussen, Scott, Greive, Holman, Gardner, Murray, Peterson (Ted), Wilson, Odegaard, Sandison, Elicker, Foley, Bailey, Ridder, Jolly and Connor:

Including the legislature within the scope of the open public meetings act.

Referred to Committee on Constitution, Elections and Legislative Processes.

MOTION

On motion of Senator Washington, additional sponsors were permitted on Senate Bill No. 52.

SENATE JOINT RESOLUTION NO. 104, by Senators Washington, Francis, Talley, Stortini, Fleming, Whetzel, Peterson (Ted), Elicker, Scott, Greive, Gardner, Murray, Wilson, Odegaard, Gissberg, Rasmussen, Jolly, Foley, Dore, Ridder, Connor, Durkan, Holman and Sandison:

Amending the Constitution to allow open legislative committee meetings.

MOTION

Senator Washington: "Mr. President, I move that the rules be suspended and, without reading them, a substantial number of additional sponsors be added to the bill."

POINT OF ORDER

Senator Atwood: "Mr. President, for the record I make the inquiry of the Chair. What rules is Senator Washington talking about?"

RULING BY THE PRESIDENT

The President: "The President believes the point of order presented by Senator Atwood is well taken.

"With the approval of the Senate, the added sponsors will stand approved by the Senate. Senate Bill No. 104 is referred to the Committee on Constitution, Elections and Legislative Processes."

INTRODUCTION AND FIRST READING

SENATE JOINT RESOLUTION NO. 105, by Senators Lewis, Greive, Cooney and Gissberg (by Legislative Council request):

Amending the Constitution to allow the legislature to call itself into session.

Referred to Committee on Constitution, Elections and Legislative Processes.

There being no objection, additional sponsors were permitted on Senate Joint Resolution No. 105.

SENATE JOINT RESOLUTION NO. 106, by Senators Bailey, Elicker and Francis (by State Women's Council request):

Providing for equality of rights regardless of sex.

Referred to Judiciary Committee.

SENATE CONCURRENT RESOLUTION NO. 3, by Senators Metcalf, Huntley and Ridder (by Joint Committee on Education request):

Providing suggested action for schools to take in effort to eliminate drug abuse in the schools.

Referred to Committee on Education.

HOUSE BILL NO. 12, by Representatives Copeland and Chatalas:

Enabling the Senate and House of Representatives to provide for the form of printing of their respective journals.

On motion of Senator Greive, House Bill No. 12 was advanced to second reading and read the second time in full.

On motion of Senator Greive, House Bill No. 12 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 12 and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr,

Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Fleming, Scott—2.

Excused: Senators Gardner, Murray—2.

HOUSE 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.

HOUSE CONCURRENT RESOLUTION NO. 3, by all House and Senate members:

Honoring the late George D. Zahn.

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

On motion of Senator Huntley, the following amendment was adopted:

On page 2, line 20, after "transmitted to" and before "the members" insert "the family of George Zahn and to"

REMARKS BY SENATOR HUNTLEY

Senator Huntley: "Mr. President and members of the Senate, you who served with George Zahn as a member of the Senate and those of you who had contact with him, and I am sure every one of you did, during the time that he served on the highway commission and the toll bridge authority, know better than I do the accomplishments of George Zahn. Therefore there is very little that I can say which will add to the concurrent resolution or to what you people already know.

"It was my privilege to serve with George for several years on the commission. It was my privilege also to pack with a pack train from Winthrop across the mountains, which is the route of the north cross-state Cascade highway, over to Diablo Dam, about a three-day trip, as I recall. I do know that it was one of George's fondest hopes that he would live to see the day that he could drive across that piece of highway. In fact, during his lingering illness, this was still one of his greatest desires. George, as the resolution says, was the motivating force behind this piece of highway. For those of you who have not had the opportunity to see this magnificent country up there, I suggest that as soon as it is open or as soon thereafter as possible, that you take that trip because it is a beautiful trip.

"I do not think that we in this body could do anything that would have pleased George any more than to suggest to the highway commission as this resolution has, that it be dedicated to his memory and a monument so erected. I would suggest that we have a unanimous vote in favor of this resolution."

REMARKS BY SENATOR WASHINGTON

Senator Washington: "Mr. President and members of the Senate, I had the privilege of serving here on the floor of the Senate when George was a Senator. I worked very closely with him as chairman of the Senate transportation committee and also just as a citizen and someone interested in development and in highways in north central Washington.

"I think the main thing we can talk about is what George did as far as the north cross-state highway is concerned, and also the many things that he did in the way of developing transportation. I think the thing that I will remember him most for is his complete bipartisan or nonpartisanship which he typified as a member of the highway commission. He was a Republican. He was a strong party Republican. He was appointed by a Republican governor. But when it came to the work on that commission, you had no idea what his politics were. He was completely fair, he was completely objective. I would commend anyone else on the highway commission or any other commission to emulate George in his absolute fairness in carrying out his duties as a partisan appointment."

REMARKS BY SENATOR WILSON

Senator Wilson: "Mr. President and members of the Senate, George Zahn was a man of two worlds. He was a man of the world, perhaps a more exciting and glamorous world of politics and state government, high officials and multi-million dollar highway projects. His second world was the beautiful isolated Methow Valley and Okanogan county where he resided virtually all of his life. This is a world of raising apples, attending grange meetings, shirt-sleeve conversations on the main streets of the small towns up and down the Methow, and strolling or riding through the beautiful hills of home. George Zahn was a man of two worlds. He was equally respected and loved in each of these two worlds and is equally missed in both of them."

On motion of Senator Greive, House Concurrent Resolution No. 3, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the resolution was unanimously adopted.

MOTION

On motion of Senator Peterson (Ted), the following resolution was adopted:

SENATE RESOLUTION: 1972-5

By Senators Peterson (Ted), Greive and Francis:

WHEREAS, The crime rate for violent crimes continues to rise, and the number of victims of crime continues to rise correspondingly; and

WHEREAS, The victims of crime are innocent citizens unable to anticipate or prepare themselves for such occurrences and the physical and monetary burdens which may result therefrom; and

WHEREAS, The victims of crime often have no recourse against criminals for their physical injuries or monetary or material losses; and

WHEREAS, The State of Washington is interested in minimizing the heavy burden placed on victims of crime;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the legislative council to make a study of former bills in the Washington State Legislature regarding benefit payments to victims of crime; and to study the bill introduced in the United States Senate by Senator McClellan regarding benefit payments; and to review the current work of the National Conference of Commissioners on Uniform State Laws; and to report back to the 1973 Legislature.

MOTION

On motion of Senator Lewis, the following resolution was adopted:

SENATE RESOLUTION: 1972-6

By Senators Lewis, Twigg, Bailey, Talley and Sellar:

WHEREAS, Certain businesses are required to make periodic reports to governmental agencies concerning employee pay periods; and

WHEREAS, The department of industrial insurance requires information on employee hours and days worked for purposes of workman's compensation; and

WHEREAS, The state employment security department requires information on employee weeks or months worked for purposes of unemployment compensation; and

WHEREAS, The conflict in requirements necessitates unnecessary individualized reports and extra work without benefit to employee or employer.

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the legislative council to study the possibility of standardizing reporting units, and to report to the 1973 Legislature.

MOTION

At 12:40 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Wednesday, January 12, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRD DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, January 12, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The President declared the Senate to be at ease subject to the call of the Chair. The President called the Senate to order at 12:05 p.m. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Gardner, Newschwander and Whetzel. On motion of Senator Keefe, Senators Dore and Gardner were excused. On motion of Senator Matson, Senators Newschwander and Whetzel were excused.

The Color Guard, consisting of Pages Leslie Little, Color Bearer, and Gregory Miller, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia offered prayer as follows:

"Almighty God, Father of all men, Creator of the universe and sustainer of the life of all You have created, look with Your mercy and favor on the members of this Senate of the state of Washington. Support them, O Lord, in their efforts to uphold the rights and citizenship of all the people of this State; restrain them from hasty and intemperate action; inspire them to work for the creation of legislation which puts the needs of all people above the interest of the few. Keep them, O Lord, from the pitfalls of greed, arrogance, moral weakness and self-deception. In this day, when many question the ability of free men to govern themselves responsibly, may the actions of this Senate clearly set forth for all in our State an example of justice, fairness and common concern for the welfare of all people so that we may live together in peace and make our system of government work. We need the strength of Your blessing, Our Father, that we may never forget we are Your children and we serve greater ends in living life well than material gain and physical pleasure. Glory to You O God, who shares Your spirit with men! Hear our prayer and give us Your grace, 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.

MESSAGES FROM THE HOUSE

January 11, 1972.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 2, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

January 11, 1972.

Mr. President: The House has adopted ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 5, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SENATE CONCURRENT RESOLUTION NO. 2.

PARLIAMENTARY INQUIRY

Senator Gissberg: "With the President having signed Senate Concurrent Resolution No. 2, could you advise what the limitation is on the introduction of bills by members?"

REPLY BY THE PRESIDENT

The President: "Senator Gissberg, the next Wednesday is the tenth day of the legislative session. That is, January 19 is the last day for the introduction of bills by Senators. The Secretary of the Senate has advised that the bills must be in the evening previous to January 19. They must be in by 5:00 p.m. Tuesday, January 18."

INTRODUCTION AND FIRST READING

SENATE BILL NO. 53, by Senator Holman (by Judicial request):

An Act relating to attorneys' fees in divorce cases; and amending section 9, chapter 215, Laws of 1949 as amended by section 70, chapter 81, Laws of 1971 and RCW 26.08.090.

Referred to Judiciary Committee.

SENATE BILL NO. 54, by Senators Holman and Dore (by Judicial Council request):

An Act relating to inferior courts; amending section 2, chapter 299, Laws of 1961 and RCW 3.30.020; and amending section 129, chapter 299, Laws of 1961 and RCW 3.74.920.

Referred to Judiciary Committee.

SENATE BILL NO. 55, by Senators Stortini, Lewis and Francis:

An Act relating to elections; amending section 29.13.010, chapter 9, Laws of 1965 as amended by section 2, chapter 123, Laws of 1965 and RCW 29.13.010; amending section 29.27.045, chapter 9, Laws of 1965 and RCW 29.27.045; amending section 29.42.030, chapter 9, Laws of 1965 and RCW 29.42.030; amending section 29.42.040, chapter 9, Laws of 1965 and RCW 29.42.040; amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 2, chapter 32, Laws of 1967 ex. sess. and RCW 29.42.050; amending section 29.68.080, chapter 9, Laws of 1965 and RCW 29.68.080; amending section 29.68.090, chapter 9, Laws of 1965 and RCW 29.68.090; amending section 29.80.010, chapter 9, Laws of 1965 and RCW 29.80.010; adding a new section to chapter 9, Laws of 1965 and to Title 29 RCW; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 56, by Senators Holman and Dore (by Judicial Council request):

An Act relating to juries; amending section 4, chapter 48, Laws of 1891, and RCW 2.36.050; amending section 1, chapter 43, Laws of 1903 as last amended by section 2, chapter 304, Laws of 1961 and RCW 4.44.100; amending section 185, page 164, Laws of 1854 as last amended by section 206, Code of 1881 and RCW 4.44.120; amending section

1, chapter 36, Laws of 1895 and RCW 4.44.380; amending section 2, chapter 36, Laws of 1895 and RCW 4.44.390; and amending section 36.18.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 32, Laws of 1970 ex. sess. and RCW 36.18.020.

Referred to Judiciary Committee.

SENATE BILL NO. 57, by Senators Bailey, Gardner and Murray (by Superintendent of Public Instruction request):

An Act relating to education; and the apportionment of funds for school district purposes; amending section 28A.41.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.055; and declaring an emergency.

Referred to Committee on Education.

SENATE BILL NO. 58, by Senator Holman (by Judicial Council request):

An Act relating to clerks' fees; and amending section 36.18.020, chapter 4, Laws of 1963 as last amended by section 1, chapter 32, Laws of 1970 ex. sess. and RCW 36.18.020.

Referred to Judiciary Committee.

SENATE BILL NO. 59, by Senators Rasmussen, Durkan, Bailey and Walgren:

An Act relating to veterans' benefits; providing for the payment of a bonus to certain veterans of the armed forces from the state of Washington from the current statutory excise tax on cigarettes and such additional means as the legislature shall provide; providing a burial allowance; amending section 2, chapter 272, Laws of 1959 as amended by section 2, chapter 299, Laws of 1971 ex. sess. and RCW 73.32.130; making an appropriation; and providing penalties.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

There being no objection, additional sponsors were permitted on Senate Bill No. 59.

SENATE BILL NO. 60, by Senators Talley, Mardesich, Atwood, Stortini, Knoblauch, Donohue, Lewis and Henry:

An Act relating to unemployment compensation; amending section 104, chapter 35, Laws of 1945 as last amended by section 14, chapter 3, Laws of 1971 and RCW 50.24.160; and amending section 20, chapter 3, Laws of 1971 and RCW 50.44.030.

Referred to Committee on Labor and Industrial Insurance.

There being no objection, additional sponsors were permitted on Senate Bill No. 60.

SENATE BILL NO. 61, by Senators Talley, Lewis and Odegaard:

An Act relating to crimes and punishment; adding a new section to chapter 249, Laws of 1909 and to chapter 9.54 RCW; and providing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 62, by Senators Mardesich, Walgren and Lewis:

An Act relating to public employees' benefits; and amending section 1, chapter 264, Laws of 1971 ex. sess. and RCW 41.04.250.

Referred to Committee on State Government.

SENATE BILL NO. 63, by Senators Henry, Guess, Walgren, Peterson (Lowell), Talley, Huntley, Donohue, Matson and Bailey:

An Act relating to motor vehicles; and amending section 46.20.100, chapter 12, Laws of 1961 as last amended by section 10, chapter 218, Laws of 1969 ex. sess. and RCW 46.20:100.

Referred to Committee on Transportation.

There being no objection, additional sponsors were permitted on Senate Bill No. 63.

SENATE BILL NO. 64, by Senators Peterson (Ted), Francis, Elicker and Herr:

An Act relating to businesses and professions, including providing for the regulation and licensing of the practice of manicuring; amending section 2, chapter 281, Laws of 1927 as last amended by section 1, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.010; amending section 1, chapter 215, Laws of 1937 as amended by section 2, chapter 3, Laws of

1965 ex. sess. and RCW 18.18.030; amending section 18, chapter 215, Laws of 1937 and RCW 18.18.040; amending section 5, chapter 180, Laws of 1951 as last amended by section 6, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.090; amending section 7, chapter 180, Laws of 1951 as last amended by section 3, chapter 266, Laws of 1971 ex. sess. and RCW 18.18.140; amending section 15, chapter 215, Laws of 1937 as amended by section 8, chapter 324, Laws of 1959 and RCW 18.18.220; amending section 11, chapter 52, Laws of 1957 as last amended by section 17, chapter 3, Laws of 1965 ex. sess. and RCW 18.18.260; adding a new section to chapter 18.18 RCW; declaring an emergency; and making an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

There being no objection, additional sponsors were permitted on Senate Bill No. 64.

SENATE BILL NO. 65, by Senators Francis, Ridder, Holman, Fleming, Metcalf, Gardner, Keefe and Dore (by Joint Committee on Education request):

An Act relating to needy or disadvantaged elementary and secondary students; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and providing penalties.

Referred to Committee on Education.

There being no objection, additional sponsors were permitted on Senate Bill No. 65.

SENATE BILL NO. 66, by Senators Day, Holman, Francis, Metcalf, Gardner, Dore and Ridder (by Joint Committee on Education request):

An Act relating to part-time students; and amending section 4, chapter 217, Laws of 1969 ex. sess. and RCW 28A.41.145.

Referred to Committee on Education.

There being no objection, additional sponsors were permitted on Senate Bill No. 66.

SENATE BILL NO. 67, by Senators Ridder and Francis (by Joint Committee on Education request):

An Act relating to school districts serving residents of certain U.S. military reservations; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; and declaring an emergency.

Referred to Committee on Education.

SENATE BILL NO. 68, by Senators Holman, Gardner and Francis (by Department of Social and Health Services request):

An Act relating to acknowledgments and oaths; and adding a new section to chapter 64.08 RCW.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 68.

SENATE BILL NO. 69, by Senators Guess and Henry:

An Act relating to dump truck operators; amending section 81.80.010, chapter 14, Laws of 1961 as amended by section 1, chapter 69, Laws of 1967 and RCW 81.80.010; and amending section 81.80.040, chapter 14, Laws of 1961 as amended by section 7, chapter 59, Laws of 1963 and RCW 81.80.040.

Referred to Committee on Transportation.

SENATE BILL NO. 70, by Senator Henry:

An Act relating to motor vehicle licenses; and amending section 46.16.270, chapter 12, Laws of 1961 as amended by section 1, chapter 78, Laws of 1965 ex. sess. and RCW 46.16.270.

Referred to Committee on Transportation.

SENATE BILL NO. 71, by Senators Gissberg, Woodall and Cooney (by Legislative Council request):

An Act relating to liability for damages; and adding a new section to chapter 58, Laws of 1971 ex. sess. and to chapter 72.66 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 72, by Senators Henry and Peterson (Lowell):

An Act relating to shoreline areas; and amending section 14, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.140.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 73, by Senators Stortini, Greive and Dore:

An Act relating to unemployment compensation; amending section 2, chapter 1, Laws of 1971 and RCW 50.22.010; adding new sections to chapter 1, Laws of 1971 and to chapter 50.22 RCW; repealing section 9, chapter 1, Laws of 1971 and RCW 50.22.080; and declaring an emergency.

On motion of Senator Greive, Senate Bill No. 73 was advanced to second reading and read the second time in full.

Senator Greive moved that Senate Bill No. 73 be advanced to third reading, the second reading to be considered the third.

Debate ensued.

POINT OF ORDER

Senator Atwood: "We do not have any rules at this time, do we? Is there any such thing as second or third reading?"

REPLY BY THE PRESIDENT

The President: "The majority rule prevails at this time, Senator."

POINT OF ORDER

Senator Atwood: "An additional point of order. I thought Senate Concurrent Resolution No. 2 prevented anything being put on third reading."

REMARKS BY SENATOR GREIVE

Senator Greive: "Mr. President, may I answer that? I am all prepared. I would point out, Senator, that Senator Stortini is going to lead the fight for this measure. I am handling the parliamentary part but, because we knew you would be interested, we looked up the rule and apparently the only requirement is that it be passed by two-thirds vote. We probably can put it any place we want by simple majority but we cannot pass it if we were to follow the concurrent rules. Actually, it is on line nineteen through twenty-six of Senate Concurrent Resolution No. 2."

PARLIAMENTARY INQUIRY

Senator Atwood: "Mr. President, this does not say by the Senate, two-thirds of all members of the legislature elected to each House. My question specifically, is the bill properly before us on final passage, in view of the adoption and signing of Senate Concurrent Resolution No. 2?"

RULING BY THE PRESIDENT

The President: "Senator Atwood, the President, in reading the resolution, believes that it would be permissible to put the measure on third reading but not final passage. It would take two-thirds of the Senate and two-thirds of the House to pass the measure."

PARLIAMENTARY INQUIRY

Senator Clarke: "Do I understand correctly your pronouncement to mean that in the event it were desired to, in effect, suspend this rule by the two-thirds vote of each House, that that would have to be brought up as a preliminary separate amendment and voted on by each House prior to the time that there would be any consideration of the particular bill to which it is to be applied?"

PARLIAMENTARY INQUIRY

Senator Andersen: "My point of parliamentary inquiry is that I do not understand the debate that is going on. I thought that the President had ruled that a bill can only go to third reading. That is, that the Senate Concurrent Resolution precluded a bill going past third reading, that is Senate Concurrent Resolution No. 2. Now if that is the case, I am unaware of what the subject being debated is. Unless it is an appeal from the ruling of the Chair that is under debate."

REMARKS BY SENATOR GREIVE

Senator Greive: "I would just like to tell the members of the body that I just checked and we have a concurrent resolution sitting there. It is not as though it does not exist, and we cannot do it. It would seem to me a fruitless gesture. Either you do or you do not have the two-thirds vote. And I would urge the President, as Senator Mardesich said, rather than go through two steps when we can go through one, that we just proceed in order."

PARLIAMENTARY INQUIRY

Senator Andersen: "Having tried a number of lawsuits against Senator Greive, and being familiar with the way I would make an objection to the court and he would rule on the objection, I would respectfully suggest that when I make a point of parliamentary inquiry directed to the President, that the President rule on it, rather than Senator Greive, though I do respect his considerable wisdom in such matters."

RULING BY THE PRESIDENT

The President: "The President believes that the points that have been presented by Senator Clarke, Senator Andersen and Senator Greive are certainly worthy of further consideration. And the President believes that there is a certain degree of validity to the points raised by the respective Senators. Therefore, with the consent of the Senate, the President should like to hold this matter in abeyance for further study and will announce the answers to the inquiry and the decision at the earliest possible moment."

POINT OF INQUIRY

Senator Stender: "I would like to ask Senator Stortini to yield to a question. Senator, yesterday there was a hearing of the Labor Committee to cover this measure and I was not able to go there because of conflict of another committee meeting at the same time. I am very much interested in this measure. Was there testimony taken with regard to the soonest possible date that this measure could become effective if it were in fact passed by the legislature?"

Senator Stortini: "Yes, Senator Stender. This would take effect this coming Sunday."

Senator Stender: "Did the department give you any information of when they could implement it?"

Senator Stortini: "As far as implementation, the department did say that it would take a few days. First of all, for the news media, and number two. . . ."

POINT OF ORDER

Senator Mardesich: "There is no issue before us. Has not the President taken the matter under consideration?"

REPLY BY THE PRESIDENT

The President: "That is true, Senator, but the President believes that Senator Stender is entitled to the question and Senator Stortini to answer."

POINT OF INQUIRY

Senator Stender: "Mr. President, I hope that I am not embarrassing anyone. This is apparently being run as an emergent measure, and testimony that I have directly from the head in charge of the department of employment security was that this matter could not possibly be implemented until well in the middle of February. It was, of course, to be retroactive, but that is why I bring up the question as to whether we are wasting a lot of time here in relation to a parliamentary question when the matter could be handled at a later time and be effective just as quickly so far as the people that are waiting for unemployment compensation."

Senator Stortini: "Yes, Senator, in answer to your question, there was some regard as to whether or not it could be implemented in the next few days as far as the payment itself. The department felt it would take possibly about two weeks before any payments would be received by the recipients."

Senator Greive: "Mr. President, at this time I withdraw my motion that we proceed on this particular matter, and to expedite matters if I might, again I would like to move the concurrent resolution, solve the problem and get it going."

PARLIAMENTARY INQUIRY

Senator Greive: "Mr. President, do we have a Concurrent Resolution No. 5 on the desk?"

REPLY BY THE PRESIDENT

The President: "Yes, Senator Greive."

PARLIAMENTARY INQUIRY

Senator Greive: "Mr. President, may I ask at this time that we immediately consider Concurrent Resolution No. 5;"

REPLY BY THE PRESIDENT

The President: "If there are no objections, the Senate will immediately consider Senate Concurrent Resolution No. 5."

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 5, by Senators Stortini, Greive and Dore:

Suspending Senate Concurrent Resolution No. 2 to permit final passage of Senate Bill No. 73.

PARLIAMENTARY INQUIRY

Senator Atwood: "Are there any second or third readings?"

REPLY BY THE PRESIDENT

The President: "Senator Atwood, the President believes under the provisions of the resolution that it is permissible to advance the measure to second reading."

POINT OF INQUIRY

Senator Stender: "Senator Andersen, could you tell me what the timing is that is involved with the department of employment security as to implementing any of these emergency benefits?"

Senator Andersen: "Yes, Senator Stender, I will be pleased to. Senator Stortini answered part of your question. First of all that the department head, the director of the employment security has personally informed me and the members of my caucus, that this bill that we are talking about here could not be implemented by our state until the middle of February, not two weeks hence but a full month hence. That no other department in the United States could do that.

"Secondly, that these people that Senator Stortini is talking about that are running out of unemployment benefits cannot possibly get a check under this bill and that they will get checks first under the Magnuson amendment, and thirdly that the flaw is in this whole problem and the reason the bill is required is because the Magnuson amendment that is being stated here as the greatest thing since history, did not even have an emergency clause in it; and hence will not become effective until the first of next month. The point is that I think the other aspect of the matter is, as I have stated to Senator Stender and Senator Stortini stated only part of it."

MOTION

Senator Greive moved that Senate Concurrent Resolution No. 5 be made a special order of business on Saturday, January 15, 1972.

POINT OF INQUIRY

Senator Holman: "Would Senator Greive yield? Senator, I would like to get your opinion on whether or not this Senate Concurrent Resolution needs a two-thirds vote of this chamber in order for it to pass here."

Senator Greive: "It does. Whichever way we went we knew we needed two-thirds. It is just a question of what the procedure is."

Senator Holman: "The second question, if you would be so kind to answer. Does this mean that we can, by concurrent resolution, open up the legislative activities during the first fourteen days of the session? Does it not also follow that we could also by a concurrent resolution after the fourteen days, open the Senate Concurrent Resolution No. 2 up so that we could deal with redistricting?"

Senator Greive: "Of course. Nobody ever said we could not."

Senator Holman: "I wanted to make that as a matter of record because I think the court would be interested to know that."

MOTION

Senator Andersen: "I would move to amend Senator Greive's motion to make it 1:30 p.m. tomorrow."

Senator Greive: "I would wholeheartedly second the motion."

PARLIAMENTARY INQUIRY

Senator Stender: "Mr. President, if you some way had a pipeline you could let the makers of these motions know whether or not you have ruled it was in order. I thought we left you with the idea you were going to take the matter of the point of order under

advisement. We are now making motions on the pretext, I guess, that your ruling is already going to be that the matter is properly before us.”

REPLY BY THE PRESIDENT

The President: “The matter is properly before the Senate, Senator Stender. The question now is to make Senate Concurrent Resolution No. 5 a special order of business for 1:30 p.m. tomorrow instead of a special order of business for Saturday.”

PARLIAMENTARY INQUIRY

Senator Stender: “I thought we were talking about the unemployment bill. Which one of the bills are we talking about?”

REPLY BY THE PRESIDENT

The President: “Senator Stender, Senate Bill No. 73 is on second reading and will be on the second reading calendar tomorrow.”

The motion by Senator Greive, as amended by Senator Andersen carried. Senate Concurrent Resolution No. 5 was made a special order of business for Thursday, January 13, 1972.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 4, by Senators Bailey, Huntley, Odegaard, Clarke and Ridder (by Joint Committee on Education request):

Providing program relating to insuring of school districts.

Referred to Committee on Education.

SENATE JOINT RESOLUTION NO. 107, by Senators Holman and Clarke (by Judicial Council request):

Providing for a constitutional amendment rewriting Article IV, the judicial system.

Referred to Judiciary Committee.

MOTION

On motion of Senator Holman, Senator Clarke was added as an additional sponsor to Senate Joint Resolution No. 107.

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 5, by Representatives Jueling, Morrison, Moon, Haussler, North, Copeland, Bledsoe, Wolf, Shera, Hatfield, Kiskaddon, Bagnariol, Brown, Kraabel, Goldsworthy, Polk, Hoggins, King, Barden, Hansey, Amen, Smythe, Gilleland, Conway, Farr, Jones, Rabel, Chatalas, Costanti, Blair, Mentor, Curtis, Cunningham, Paris, Julin, Charnley, Douthwaite, Merrill, Van Dyk, Rosellini, Gallagher, Williams, Wojahn, Shipoch, Maxie, O'Brien, Grant, Bradley, Marsh, Backstrom, Randall, Litchman, Bauer, Bozarth, Kilbury, Lysen and McDermott (by Legislative Council request):

Amending and implementing joint rules of the House and Senate.

Referred to Committee on Rules and Joint Rules.

MOTION

At 12:40 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Thursday, January 13, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, January 13, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Francis and Gardner. On motion of Senator Fleming, Senator Francis was excused. On motion of Senator Keefe, Senator Gardner was excused.

The Color Guard, consisting of Pages Rick Dore, Color Bearer, and Janet Lenington, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

"O God, come as the fire of the spirit and burn until our hearts are filled with love for Thee; come as the spirit of truth and expand our minds until they encompass your majesty; come as the word of the spirit and quicken our wills that they may be freely given to serve Thee; come as the way, the truth and the life to lead us into Your peace and Your joy. Our Heavenly Father, guide the members of this Senate as they deliberate this day in the work committed into their hands and minds by the people of this state. Grant them an awareness of the trust they hold on behalf of us all, and give them a sound judgment in all that they do, that our common lives may be ordered in peace and justice for all people, 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.

MESSAGES FROM THE HOUSE

January 12, 1972.

Mr. President: The House has concurred in the Senate amendment to HOUSE CONCURRENT RESOLUTION NO. 3, and has passed the bill as amended by the Senate. MALCOLM McBEATH, Chief Clerk.

January 12, 1972.

Mr. President: The Speaker has signed HOUSE BILL NO. 12, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: HOUSE BILL NO. 12.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 74, by Senators Gissberg, Atwood, Dore and Holman:

An Act relating to inheritance taxes; and adding a new section to chapter 292, Laws of 1961 and to chapter 83.24 RCW.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 74.

SENATE BILL NO. 75, by Senators Gissberg, Holman and Clarke (by Judicial Council request):

An Act relating to affairs of decedents, and constituting part of the Uniform Probate Code; consolidating and revising aspects of the law relating to wills and intestacy and the administration and distribution of estates of decedents, ordering the powers and procedures of the court concerned with the affairs of decedents; providing for the validity and effect of certain nontestamentary transfers, contracts and deposits which relate to death and appear to have testamentary effect; making uniform the law with respect to decedents; amending section 11.80.055, chapter 145, Laws of 1965 and RCW 11.80.055; amending section 2409, Code of 1881 and RCW 26.16.030; amending section 30.20.010, chapter 33, Laws of 1955 and RCW 30.20.010; amending section 30.20.015, chapter 33, Laws of 1955 as last amended by section 5, chapter 133, Laws of 1967 and RCW 30.20.015; amending section 30.20.020, chapter 33, Laws of 1955 as amended by section 2, chapter 280, Laws of 1961 and RCW 30.20.020; amending section 32.12.010, chapter 13, Laws of 1955 as last amended by section 1, chapter 145, Laws of 1967 and RCW 32.12.010; amending section 32.12.020, chapter 13, Laws of 1955 as last amended by section 2, chapter 55, Laws of 1969 and RCW 32.12.020; amending section 32.12.030, chapter 13, Laws of 1955 as last amended by section 4, chapter 176, Laws of 1963 and RCW 32.12.030; amending section 46, chapter 235, Laws of 1945 as amended by section 6, chapter 246, Laws of 1963 and RCW 33.20.080; amending section 2, chapter 139, Laws of 1939 as amended by section 1, chapter 210, Laws of 1967 and RCW 49.48.120; amending section 10, chapter 173, Laws of 1933 as amended by section 9, chapter 131, Laws of 1943 and RCW 31.12.140; creating new sections; repealing section 11.16.050, chapter 145, Laws of 1965, section 4, chapter 168, Laws of 1967 and RCW 11.16.050; repealing section 11.16.060, chapter 145, Laws of 1965 and RCW 11.16.060; repealing section 11.16.070, chapter 145, Laws of 1965 and RCW 11.16.070; repealing section 11.16.082, chapter 145, Laws of 1965 and RCW 11.16.082; repealing section 11.16.083, chapter 145, Laws of 1965 and RCW 11.16.083; repealing section 11.20.010, chapter 145, Laws of 1965 and RCW 11.20.010; repealing section 11.20.020, chapter 145, Laws of 1965, section 1, chapter 126, Laws of 1969 ex. sess. and RCW 11.20.020; repealing section 11.20.030, chapter 145, Laws of 1965 and RCW 11.20.030; repealing section 11.20.040, chapter 145, Laws of 1965, section 5, chapter 168, Laws of 1967 and RCW 11.20.040; repealing section 11.20.050, chapter 145, Laws of 1965, section 17, chapter 168, Laws of 1967 and RCW 11.20.050; repealing section 11.20.060, chapter 145, Laws of 1965 and RCW 11.20.060; repealing section 11.20.070, chapter 145, Laws of 1965 and RCW 11.20.070; repealing section 11.20.080, chapter 145, Laws of 1965 and RCW 11.20.080; repealing section 11.20.090, chapter 145, Laws of 1965 and RCW 11.20.090; repealing section 11.20.100, chapter 145, Laws of 1965 and RCW 11.20.100; repealing section 11.24.010, chapter 145, Laws of 1965, section 6, chapter 168, Laws of 1967, section 1, chapter 7, Laws of 1971 and RCW 11.24.010; repealing section 11.24.020, chapter 145, Laws of 1965 and RCW 11.24.020; repealing section 11.24.030, chapter 145, Laws of 1965 and RCW 11.24.030; repealing section 11.24.040, chapter 145, Laws of 1965 and RCW 11.24.040; repealing section 11.24.050, chapter 145, Laws of 1965 and RCW 11.24.050; repealing section 11.28.010, chapter 145, Laws of 1965 and RCW 11.28.010; repealing section 11.28.020, chapter 145, Laws of 1965 and RCW 11.28.020; repealing section 11.28.030, chapter 145, Laws of 1965 and RCW 11.28.030; repealing section 11.28.040, chapter 145, Laws of 1965 and RCW 11.28.040; repealing section 11.28.050, chapter 145, Laws of 1965 and RCW 11.28.050; repealing section 11.28.060, chapter 145, Laws of 1965 and RCW 11.28.060; repealing section 11.28.070, chapter 145, Laws of 1965 and RCW 11.28.070; repealing section 11.28.090, chapter 145, Laws of 1965 and RCW 11.28.090; repealing section 11.28.100, chapter 145, Laws of 1965 and RCW 11.28.100; repealing section 11.28.110, chapter 145, Laws of 1965 and RCW 11.28.110; repealing section 11.28.120, chapter 145, Laws of 1965 and RCW 11.28.120; repealing section 11.28.130, chapter 145, Laws of 1965 and RCW 11.28.130; repealing section 11.28.140, chapter 145, Laws of 1965 and RCW 11.28.140; repealing section 11.28.150, chapter 145, Laws of 1965 and RCW 11.28.150; repealing section 11.28.160, chapter 145, Laws of 1965 and RCW 11.28.160; repealing section 11.28.170, chapter 145, Laws of 1965 and RCW 11.28.170; repealing section 11.28.180, chapter 145, Laws of 1965 and RCW 11.28.180; repealing section 11.28.190, chapter 145, Laws of 1965 and RCW 11.28.190; repealing

repealing section 11.76.210, chapter 145, Laws of 1965 and RCW 11.76.210; repealing section 11.76.220, chapter 145, Laws of 1965 and RCW 11.76.220; repealing section 11.76.230, chapter 145, Laws of 1965 and RCW 11.76.230; repealing section 11.76.240, chapter 145, Laws of 1965 and RCW 11.76.240; repealing section 11.76.243, chapter 145, Laws of 1965 and RCW 11.76.243; repealing section 11.76.245, chapter 145, Laws of 1965 and RCW 11.76.245; repealing section 11.76.247, chapter 145, Laws of 1965 and RCW 11.76.247; repealing section 11.76.250, chapter 145, Laws of 1965 and RCW 11.76.250; repealing section 11.84.010, chapter 145, Laws of 1965 and RCW 11.84.010; repealing section 11.84.020, chapter 145, Laws of 1965 and RCW 11.84.020; repealing section 11.84.030, chapter 145, Laws of 1965 and RCW 11.84.030; repealing section 11.84.040, chapter 145, Laws of 1965 and RCW 11.84.040; repealing section 11.84.050, chapter 145, Laws of 1965 and RCW 11.84.050; repealing section 11.84.060, chapter 145, Laws of 1965 and RCW 11.84.060; repealing section 11.84.070, chapter 145, Laws of 1965 and RCW 11.84.070; repealing section 11.84.080, chapter 145, Laws of 1965 and RCW 11.84.080; repealing section 11.84.090, chapter 145, Laws of 1965 and RCW 11.84.090; repealing section 11.84.100, chapter 145, Laws of 1965 and RCW 11.84.100; repealing section 11.84.110, chapter 145, Laws of 1965 and RCW 11.84.110; repealing section 11.84.120, chapter 145, Laws of 1965 and RCW 11.84.120; repealing section 11.84.130, chapter 145, Laws of 1965 and RCW 11.84.130; repealing section 11.84.900, chapter 145, Laws of 1965 and RCW 11.84.900; and declaring an effective date.

Referred to Judiciary Committee.

SENATE BILL NO. 76, by Senators Greive, Woodall and Francis (by Legislative Council request):

An Act relating to evidence; and adding a new section to chapter 4.44 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 77, by Senators Woodall, Francis and Twigg:

An Act relating to civil procedure; providing for allowances of attorneys' fees as costs in certain actions; and adding new sections to chapter 4.84 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 78, by Senators Atwood, Dore and Whetzel:

An Act relating to lawyers' code of ethics; and amending section 15, chapter 126, Laws of 1921 and RCW 2.48.230.

Referred to Judiciary Committee.

SENATE BILL NO. 79, by Senators Francis and Atwood:

An Act relating to domestic relations; providing an additional ground for divorce; and amending section 2, chapter 215, Laws of 1949 as amended by section 1, chapter 15, Laws of 1965 ex. sess. and RCW 26.08.020.

Referred to Judiciary Committee.

SENATE BILL NO. 80, by Senators Francis, Foley and Holman:

An Act relating to court appointed interpreters; and adding a new chapter to Title 2 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 81, by Senators Day, Peterson (Ted), Lewis, Knoblauch and Walgren (by Legislative Council request):

An Act relating to school districts; authorizing the establishment of nonprofit meal programs for feeding elderly persons in school lunchrooms and the extension of school food services therefor; amending section 28A.58.136, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.136; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

MOTION

On motion of Senator Day, Senator Walgren was permitted as an additional sponsor to Senate Bill No. 81.

SENATE BILL NO. 82, by Senators Gissberg, Clarke and Talley (by Department of Social and Health Services request):

An Act relating to institutions; adding new sections to chapter 72.68 RCW; and repealing section 72.68.030, chapter 28, Laws of 1959 and RCW 72.68.030.

Referred to Committee on Public Institutions.

SENATE BILL NO. 83, by Senators Peterson (Ted), Holman and Knoblauch (by Department of Social and Health Services request):

An Act relating to veterans' estates; and providing certain powers and duties to the secretary of the department of social and health services; and adding a new section to chapter 73.04 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 84, by Senators Peterson (Ted), Knoblauch and Francis (by Department of Social and Health Services request):

An Act relating to disabled veterans; and amending section 1, chapter 178, Laws of 1949 as last amended by section 1, chapter 193, Laws of 1971 ex. sess. and RCW 73.04.110.

Referred to Committee on Transportation.

SENATE BILL NO. 85, by Senators Francis, Holman and Knoblauch (by Department of Social and Health Services request):

An Act relating to motor vehicles; amending section 46.52.120, chapter 12, Laws of 1961 as amended by section 62, chapter 32, Laws of 1967 and RCW 46.52.120; and amending section 4, chapter 121, Laws of 1965 and RCW 46.20.031.

Referred to Committee on Transportation.

SENATE BILL NO. 86, by Senators Francis, Woodall and Twigg:

An Act relating to survival of actions and damages; and amending section 1, chapter 137, Laws of 1961 and RCW 4.20.046.

Referred to Judiciary Committee.

SENATE BILL NO. 87, by Senators Greive, Gardner and Murray:

An Act relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030; amending section 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440; adding a new section to chapter 15, Laws of 1961 and to chapter 82.08 RCW; adding a new chapter to Title 43 RCW; making supplemental appropriations; declaring an emergency; and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 88, by Senators Huntley, Henry, Washington and Donohue:

An Act relating to motor vehicle equipment; and amending section 30, chapter 154, Laws of 1963 and RCW 46.04.552.

Referred to Committee on Transportation.

MOTION

On motion of Senator Huntley, Senator Donohue was permitted as an additional sponsor to Senate Bill No. 88.

SENATE BILL NO. 89, by Senators Stortini, Washington and Fleming:

An Act relating to the state treasurer; making a change in the law relating to lost instruments; and amending section 43.08.066, chapter 8, Laws of 1965 as last amended by section 1, chapter 54, Laws of 1971 ex. sess. and RCW 43.08.066.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 90, by Senators Andersen, Day and Sandison:

An Act relating to fees of clerks of the superior courts; providing for allocating portions thereof for judicial salaries; amending section 36.18.020, chapter 4, Laws of 1963, as last amended by section 1, chapter 32, Laws of 1970 ex. sess. and RCW 36.18.020; and adding a new section to chapter 4, Laws of 1963 and to chapter 36.18 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 91, by Senators Holman, Elicker and Francis:

An Act relating to infants; and adding a new section to chapter 26.28 RCW.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 92, by Senators Greive, Gardner, Cooney, Keefe, Peterson (Ted), Elicker, Holman, Murray, Washington, Fleming and Talley: (by Legislative Council and executive request):

An Act relating to economic development; adding a new chapter to Title 43 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Manufacturing and Industrial Development.

There being no objection, additional sponsors were permitted on Senate Bill No. 92.

SENATE BILL NO. 93, by Senator Rasmussen:

An Act relating to property taxes; and adding a new section to chapter 15, Laws of 1961 and to chapter 84.36 RCW.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 108, by Senators Gissberg, Holman, Walgren and Elicker:

Amending the Constitution to allow an income tax.

Referred to Committee on Ways and Means—Revenue and Taxation.

There being no objection, additional sponsors were permitted on Senate Joint Resolution No. 108.

SENATE JOINT RESOLUTION NO. 109, by Senators Greive, Gardner, Elicker, Keefe, Peterson (Ted), Murray, Cooney, Washington and Talley (by Legislative Council and executive request):

Amending the Constitution to allow the state to lend its credit to encourage industrial expansion.

Referred to Committee on Manufacturing and Industrial Development.

MOTION

On motion of Senator Greive, additional sponsors were permitted on Senate Joint Resolution No. 109.

SENATE JOINT RESOLUTION NO. 110, by Senators Washington, Scott, Connor and Murray:

Amending the Constitution to provide revenue for certain transit systems.

Referred to Committee on Transportation.

There being no objection, additional sponsors were permitted on Senate Joint Resolution No. 110.

SENATE JOINT RESOLUTION NO. 111, by Senators Talley, Knoblauch and Canfield:

Providing for property tax exemption for disabled American veterans.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 112, by Senators Lewis, Bailey, Gissberg, Wilson and Odegaard (by Legislative Council request):

Amending the Constitution to limit the governor's veto power.
Referred to Committee on Constitution, Elections and Legislative Processes.

There being no objection, additional sponsors were permitted on Senate Joint Resolution No. 112.

SENATE CONCURRENT RESOLUTION NO. 6, by Senator Wilson:

Requesting study by the legislative council of the feasibility of bringing certain high school teachers to Olympia.

Referred to Committee on Education.

APPOINTMENT OF SPECIAL COMMITTEE

The President announced the presence within the bar of the Senate of members of the British Columbia Legislative Assembly and appointed a special committee consisting of Senators Bailey, Atwood, Greive, Andersen, Twigg, Dore and Henry to escort the honored guests to a place of honor upon the rostrum.

With leave of the Senate, business was suspended to permit David Barrett, leader of the opposition, to address the Senate.

The guests were escorted from the Senate Chamber.

MOTION

At 11.40 a.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

APPOINTMENT OF STANDING COMMITTEE MEMBERS

The President announced the appointment of the following committee changes:

Senator Frank Connor—Rules and Joint Rules (replacing Senator John L. Cooney).

Senator John L. Cooney—Chairman, Constitution, Elections and Legislative Processes.

Senator Joe Stortini—Chairman, Cities, Towns and Counties (replacing Senator Frank Connor).

Senator George Fleming—Chairman, Labor and Industrial Insurance (replacing Senator Joe Stortini).

Senator A. L. "Slim" Rasmussen—Chairman, Public Pensions and Social Security (replacing Senator George Fleming); Vice-Chairman, Cities, Towns and Counties; Education; Parks, Tourism, Capitol Grounds and Veterans' Affairs; Natural Resources, Fisheries and Game.

Senator George L. Sellar—Agriculture and Horticulture; Transportation; Commerce and Regulatory Agencies; Labor and Industrial Insurance.

MOTION

On motion of Senator Bailey, the appointments were confirmed.

Senators Greive, Stortini and Walgren 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 Francis and Gardner who had been previously excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

SPECIAL ORDER OF BUSINESS

SENATE CONCURRENT RESOLUTION NO. 5, by Senators Stortini, Greive and Dore:

Suspending Senate Concurrent Resolution No. 2 to permit final passage of Senate Bill No. 73.

The time having arrived, the Senate commenced consideration of Senate Concurrent Resolution No. 5.

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

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

Debate ensued.

Senators Greive, Stortini, Connor, Cooney, Rasmussen, Peterson (Lowell), Herr, Walgren, Durkan and Wilson demanded a roll call and the demand was sustained.

ROLL CALL

The Secretary called the roll on the final passage of Senate Concurrent Resolution No. 5 and the resolution failed by the following vote: Yeas, 27; nays, 20; excused, 2.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Gissberg, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—27.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Guess, Holman, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Whetzel, Woodall—20.

Excused: Senators Francis, Gardner—2.

SENATE CONCURRENT RESOLUTION NO. 5, having failed to receive the constitutional two-thirds majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Greive served notice that he would, at some future time, move that the Senate reconsider the vote by which Senate Concurrent Resolution No. 5 failed to pass the Senate.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate. At 2:05 p.m., on motion of Senator Greive, the Senate recessed until 2:15 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 2:15 p.m.

MOTION

At 2:17 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Friday, January 14, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, January 14, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Gardner, Greive, Holman, Newschwander and Woodall. On motion of Senator Keefe, Senators Gardner and Greive were excused. On motion of Senator Matson, Senators Holman, Newschwander and Woodall were excused.

The Color Guard, consisting of Pages Jeff Miller, Color Bearer, and Ramona Fontenot, presented the Colors. Reverend Charles Howard Perry, rector of St. John's Episcopal Church of Olympia, offered prayer as follows:

"Almighty God, the fountain of wisdom and the source of all truth, we thank You that another day has been added to our lives. By Your merciful goodness show us the way to wisdom and help us to use this day to do some good for someone. May we not forget that all good is done by some person, that evil is the result of a good man gone wrong. We are thankful that You have given us the ability to choose good over evil and that in Your Son Jesus we have a pattern for the godly living of a human life. If we are lazy, Our Father, prod us to remember that no day can be lived twice, an hour can be used but once, and that in the succession of hours and days we weave the tapestry of our own lives. Make us unsatisfied with easy compromises and simple answers to the complex problems of our time and give us the energy to seek the truth and when we find it, the courage to follow it wherever it leads, not counting the cost but remembering the joy in doing a hard job well. When this day is ended, O Lord, let us take our rest confident that we can face ourselves and our friends on the morrow and begin again our quest for wisdom, goodness and truth. All this we pray in the name of Jesus Christ our Lord. Amen."

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

PERSONAL PRIVILEGE

Senator Fleming: "Mr. President and fellow Senators, I would like to bring to your attention that tomorrow is the birthdate of one of our great Americans, Dr. Martin Luther

King. Normally in this situation I introduce a resolution. But I feel as though, in order to expedite the business of the Senate and not have a lot of long drawn-out presentations, I think that we should recognize this great man's accomplishments. I would like to thank this body for passing a bill last session to honor Martin Luther King's birthday as a school holiday. The bill fell short in the House. All the schools in Seattle and many of the parochial schools in western Washington are taking this day off to reflect back on the memories and the accomplishments of a man who dared to dream, a man who dared this nation to dream, and set in motion the realities of his dream. And I think it would be most fitting if my fellow Senators and the people in the gallery could stand and have one moment of silence in reflection on the accomplishments of this man to this nation."

The President: "There will be a moment of silence."

MESSAGES FROM THE HOUSE

January 13, 1972.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 3, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

January 13, 1972.

Mr. President: The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 2, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: HOUSE CONCURRENT RESOLUTION NO. 3.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 94, by Senators Odegaard, Bailey and Twigg:

An Act relating to noxious weed control; amending section 23, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.230; and amending section 5, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.050.

Referred to Committee on Agriculture and Horticulture.

SENATE BILL NO. 95, by Senators Walgren and Elicker:

An Act relating to the judicial council; adding additional members; and amending section 1, chapter 45, Laws of 1925 ex. sess. as last amended by section 1, chapter 40, Laws of 1971 and RCW 2.52.010.

Referred to Judiciary Committee.

SENATE BILL NO. 96, by Senators Day, Foley, Huntley and Talley:

An Act relating to state institutions; adding new sections to chapter 72.40 RCW; and creating a new section.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

MOTION

On motion of Senator Day, Senator Talley was permitted as an additional sponsor on Senate Bill No. 96.

SENATE BILL NO. 97, by Senators Atwood, Donohue and Fleming:

An Act relating to state government; designating a new name, department of emergency services, for the department of civil defense; and adding new sections to chapter 178, Laws of 1951 and to chapter 38.52 RCW.

Referred to Committee on State Government.

SENATE BILL NO. 98, by Senators Scott and Wilson (by Secretary of State request):
An Act relating to elections; and adding new sections to chapter 9, Laws of 1965 and to chapter 29.21 RCW.

Referred to Committee on Constitutions, Elections and Legislative Processes.

SENATE BILL NO. 99, by Senators Odegaard, Twigg and Day:

An Act relating to revenue and taxation; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030; and declaring an emergency and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 100, by Senators Henry, Huntley, Twigg and Walgren:

An Act relating to crimes and punishment; amending section 1, chapter 114, Laws of 1955 and RCW 9.45.240; adding a new section to chapter 9.26A RCW; defining crimes; and providing penalties.

Referred to Judiciary Committee.

There being no objections, additional sponsors were permitted on Senate Bill No. 100.

SENATE BILL NO. 101, by Senators Jolly, Sellar and Talley:

An Act relating to public utility districts; and amending section 3, chapter 124, Laws of 1955 as amended by section 3, chapter 220, Laws of 1971 ex. sess. and RCW 54.04.080.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 102, by Senators Jolly, Washington and Huntley:

An Act relating to mosquito control districts; and amending section 36.88.090, chapter 4, Laws of 1963 and RCW 36.88.090.

Referred to Committee on Agriculture and Horticulture.

SENATE BILL NO. 103, by Senators Guess and Day:

An Act relating to the distribution of moneys in the liquor revolving fund; and amending section 77, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 75, Laws of 1967 ex. sess. and RCW 66.08.180.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 104, by Senator Peterson (Lowell):

An Act relating to county government; providing for salaries for officials thereof; amending section 36.16.032, chapter 4, Laws of 1963 as last amended by section 1, chapter 77, Laws of 1967 ex. sess. and RCW 36.16.032; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 105, by Senator Twigg:

An Act relating to domestic relations; and amending section 11, chapter 215, Laws of 1949 and RCW 26.08.110.

Referred to Judiciary Committee.

SENATE BILL NO. 106, by Senators Holman, Canfield, Knoblauch, Odegaard and Lewis (by Property Tax Committee request):

An Act relating to revenue and taxation; and adding a new section to chapter 84.48 RCW.

Referred to Committee on Ways and Means—Revenue and Taxation.

MOTION

On motion of Senator Canfield, additional sponsors were permitted on Senate Bill No. 106.

SENATE BILL NO. 107, by Senators Holman, Canfield, Knoblauch and Odegaard (by Property Tax Committee request):

An Act relating to revenue and taxation; amending section 84.48.010, chapter 15, Laws of 1961 as amended by section 2, chapter 55, Laws of 1970 ex. sess. and RCW 84.48.010; amending section 3, chapter 55, Laws of 1970 ex. sess. and RCW 84.48.014; and adding a new section to chapter 84.48 RCW.

Referred to Committee on Ways and Means—Revenue and Taxation.

There being no objection, additional sponsors were permitted on Senate Bill No. 107.

SENATE BILL NO. 108, by Senators Donohue, Durkan and Talley:

An Act relating to revenue and taxation; adding a new chapter to chapter 15, Laws of 1961 and to Title 82 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 109, by Senators Holman and Atwood:

An Act relating to domestic relations; and amending section 8, chapter 215, Laws of 1949 and RCW 26.08.080.

Referred to Judiciary Committee.

SENATE BILL NO. 110, by Senators Rasmussen, Newschwander, Matson and Guess:

An Act relating to highways; directing construction of a Naches Pass tunnel; adding new sections to chapter 13, Laws of 1961 and to chapter 47.56 RCW; and declaring an emergency.

Referred to Committee on Transportation.

MOTION

On motion of Senator Guess, there being no objection, Senator Guess was permitted as an additional sponsor to Senate Bill No. 110.

SENATE BILL NO. 111, by Senators Clarke, Mardesich and Holman:

An Act relating to motor freight carriers; and adding new sections to chapter 81.80 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 112, by Senators Newschwander, Knoblauch, Day and Wilson:

An Act relating to air pollution control; and amending section 1, chapter 232, Laws of 1971 ex. sess. and RCW 70.94.650.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

MOTION

On motion of Senator Andersen, Senator Wilson was permitted as an additional sponsor to Senate Bill No. 112.

SENATE BILL NO. 113, by Senators Rasmussen and Day:

An Act relating to business and professions; establishing the Washington state board on hearing aid fitting; providing for licensing of hearing aid dealers and hearing aid consultants; providing for the regulation of the fitting and sale of hearing aids to the public; adding a new chapter to Title 18 RCW; and providing penalties.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 114, by Senators Stender, Keefe and Ridder:

An Act relating to public employees' labor relations; and adding new sections to chapter 41.56 RCW.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 115, by Senators Elicker, Knoblauch, Holman, Washington, Rasmussen, Peterson (Ted) and Murray (by executive and Secretary of State request):

An Act relating to officers, employees, and candidates for office of the state of Washington; amending section 13, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.130; amending section 2, chapter 150, Laws of 1965 ex. sess. as amended by section 106, chapter 81, Laws of 1971 and RCW 42.21.020; amending section 6, chapter 150, Laws of 1965 ex. sess. as amended by section 1, chapter 188, Laws of 1969 ex. sess. and RCW 42.21.060; amending section 8, chapter 150, Laws of 1965 ex. sess. and RCW 42.21.080; adding a new section to chapter 234, Laws of 1969 ex. sess. and to chapter 42.18 RCW; adding a new section to chapter 150, Laws of 1965 ex. sess. and to chapter 42.21 RCW; defining crimes; and providing penalties.

Referred to Committee on Constitution, Elections and Legislative Processes.

There being no objection, additional sponsors were permitted on Senate Bill No. 115.

SENATE BILL NO. 116, by Senators Elicker, Greive, Gardner, Andersen and Whetzel (by executive request):

An Act relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030; amending section 82.36.440, chapter 15, Laws of 1961 and RCW 82.36.440; adding a new section to chapter 15, Laws of 1961 and to chapter 82.08 RCW; declaring an emergency; and prescribing an effective date.

Referred to Committee on Manufacturing and Industrial Development.

There being no objection, additional sponsors were permitted on Senate Bill No. 116.

SENATE BILL NO. 117, by Senators Andersen, Greive, Gardner, Elicker, Herr, Whetzel, Ridder, Cooney, Keefe and Talley (by executive request):

An Act making supplemental appropriations; and declaring an emergency.

Referred to Committee on Manufacturing and Industrial Development.

There being no objection, additional sponsors were permitted on Senate Bill No. 117.

SENATE BILL NO. 118, by Senators Atwood, Gardner, Lewis, Greive, Elicker, Herr, Ridder, Metcalf, Cooney, Keefe, Murray, Connor and Talley (by executive request):

An Act relating to state and local government and the support thereof; authorizing the issuance and sale of state general obligation bonds to provide waste disposal facilities throughout the state; providing ways and means to pay said bonds; providing for submission of this act to a vote of the people; adding new sections to Title 43 RCW; making an appropriation; and creating new sections.

Referred to Committee on Manufacturing and Industrial Development.

There being no objection, additional sponsors were permitted on Senate Bill No. 118.

SENATE BILL NO. 119, by Senators Huntley, Holman, Gardner, Greive, Elicker, Ridder, Atwood, Cooney, Murray, Keefe and Connor (by executive request):

An Act relating to state and local government and the support thereof; authorizing the issuance and sale of state general obligation bonds to provide for needed water supply facilities throughout the state; providing ways and means to pay said bonds; providing for submission of this act to a vote of the people; adding new sections to Title 43 RCW; and creating a new section.

Referred to Committee on Manufacturing and Industrial Development.

There being no objection, additional sponsors were permitted on Senate Bill No. 119.

SENATE BILL NO. 120, by Senators Holman, Greive, Huntley, Gardner, Peterson (Ted), Herr, Murray, Ridder, Cooney, Keefe, Connor and Washington (by executive request):

An Act relating to state and local government and the support thereof; authorizing the issuance and sale of state general obligation bonds to provide for needed public transportation improvements throughout the state; providing ways and means to pay said

bonds; providing for submission of this act to a vote of the people; adding new sections to Title 43 RCW; and creating a new section.

Referred to Committee on Manufacturing and Industrial Development.

MOTION

On motion of Senator Washington, there being no objection, additional sponsors were permitted on Senate Bill No. 120.

SENATE BILL NO. 121, by Senators Lewis, Gardner, Elicker, Greive, Peterson (Ted), Ridder, Murray, Cooney, Keefe, Connor and Talley (by executive request):

An Act relating to state and local government and the support thereof; authorizing the issuance and sale of state general obligation bonds to provide for needed public park and recreation improvements throughout the state; providing ways and means to pay said bonds; providing for submission of this act to a vote of the people; adding new sections to Title 43 RCW; and creating a new section.

Referred to Committee on Manufacturing and Industrial Development.

There being no objection, additional sponsors were permitted on Senate Bill No. 121.

SENATE BILL NO. 122, by Senators Whetzel, Greive, Peterson (Ted), Gardner, Murray, Herr, Ridder, Cooney, Keefe, Connor, Talley and Dore (by executive request):

An Act relating to state and local government and the support thereof; authorizing the issuance and sale of state general obligation bonds to provide for needed social and health service facilities throughout the state; providing ways and means to pay said bonds; providing for submission of this act to a vote of the people; adding new sections to Title 43 RCW; and creating a new section.

Referred to Committee on Manufacturing and Industrial Development.

There being no objection, additional sponsors were permitted on Senate Bill No. 122.

SENATE BILL NO. 123, by Senators Holman, Canfield, Knoblauch and Odegaard (by Property Tax Committee request):

An Act relating to revenue and taxation; and amending section 10, chapter 146, Laws of 1967 ex. sess. as amended by section 16, chapter 288, Laws of 1971 ex. sess. and RCW 84.40.045.

Referred to Committee on Ways and Means—Revenue and Taxation.

There being no objection, additional sponsors were permitted on Senate Bill No. 123.

SENATE BILL NO. 124, by Senators Holman and Metcalf (by Secretary of State request):

An Act relating to elections; amending section 29.07.095, chapter 9, Laws of 1965 as amended by section 12, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.095; amending section 29.39.010, chapter 9, Laws of 1965 as amended by section 4, chapter 109, Laws of 1967 ex. sess. and RCW 29.39.010; amending section 29.39.030, chapter 9, Laws of 1965 as amended by section 5, chapter 109, Laws of 1967 ex. sess. and RCW 29.39.030; amending section 29.39.100, chapter 9, Laws of 1965 and RCW 29.39.100; amending section 29.39.110, chapter 9, Laws of 1965 and RCW 29.39.110; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 125, by Senators Canfield, Holman, Odegaard and Wilson (by Property Tax Committee request):

An Act relating to revenue and taxation; requiring annual application to obtain a property tax exemption; amending section 82.32.330, chapter 15, Laws of 1961 as last amended by section 1, chapter 104, Laws of 1969 ex. sess. and RCW 82.32.330; adding new sections to chapter 84.36 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 126, by Senators Holman, Canfield, Knoblauch and Odegaard (by Property Tax Committee request):

An Act relating to revenue and taxation; and amending section 11, chapter 288, Laws of 1971 ex. sess. and RCW 84.48.140.

Referred to Committee on Ways and Means—Revenue and Taxation.

There being no objection, additional sponsors were permitted on Senate Bill No. 126.

SENATE BILL NO. 127, by Senators Holman, Canfield, Knoblauch and Odegaard (by Property Tax Committee request):

An Act relating to revenue and taxation; amending section 4, chapter 288, Laws of 1971 ex. sess. and RCW 84.36.370; and amending section 84.69.020, chapter 15, Laws of 1961 as last amended by section 14, chapter 288, Laws of 1971 ex. sess. and RCW 84.69.020.

Referred to Committee on Ways and Means—Revenue and Taxation.

There being no objection, additional sponsors were permitted on Senate Bill No. 127.

SENATE JOINT MEMORIAL NO. 2, by Senators Lewis, Mardesich, Guess, Sellar, Metcalf, Newschwander, Gissberg, Rasmussen, Canfield and Jolly:

Requesting federal environmental protection agency to encourage its cooperation with the department of ecology and other state agencies.

MOTIONS

On motion of Senator Lewis, Senate Joint Memorial No. 2 was advanced to second reading and read the second time in full.

On motion of Senator Lewis, Senate Joint Memorial No. 2 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Debate ensued.

PARLIAMENTARY INQUIRY

Senator Ridder: "Mr. President, does this require a two-thirds majority?"

REPLY BY THE PRESIDENT

The President: "Yes, Senator Ridder. The memorial requires a two-thirds majority."

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 2 and the memorial passed the Senate by the following vote: Yeas, 34; nays, 6; absent or not voting, 4; excused, 5.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Foley, Gissberg, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Wilson—34.

Voting nay: Senators Dore, Elicker, Murray, Ridder, Washington, Whetzel—6.

Absent or not voting: Senators Fleming, Francis, Odegaard, Scott—4.

Excused: Senators Gardner, Greive, Holman, Newschwander, Woodall—5.

SENATE JOINT MEMORIAL NO. 2, having received the constitutional majority, was declared passed.

NOTICE TO THE PRESIDENT OF THE WASHINGTON STATE SENATE

Please take notice that at 12 o'clock noon, Monday, January 17, 1972 or as soon thereafter as the undersigned may be heard, he will move that the following resolution be adopted by the Senate:

“Be it resolved by the Senate in legislative session assembled, that the rules of the Senate of the First Extraordinary Session of the Forty-second Session be adopted as the temporary rules of this extraordinary session pending adoption of permanent rules.”

(signed) Senator Jonathan Whetzel.

MOTION

At 12:05 p.m., on motion of Senator Bailey, the Senate adjourned until 12:00 noon, Monday, January 17, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

EIGHTH DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Monday, January 17, 1972.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Andersen, Clarke, Dore, Durkan, Gissberg, Mardesich, Matson and Murray. On motion of Senator Newschwander, Senators Andersen, Clarke, Matson and Murray were excused. On motion of Senator Keefe, Senators Dore, Durkan, Gissberg and Mardesich were excused.

The Color Guard, consisting of Pages Ron Ainslie, Color Bearer, and Lisa Stauffacher, presented the Colors. Reverend George M. Mitchell, pastor of First Christian Church of Olympia, offered prayer as follows:

“Eternal God and loving Father, as this body of Senators begins their work for a new week, we would ask Thy blessing and guidance for each one of them. When they are honestly perplexed, give them wisdom to determine the real issues and to choose rightly between them. When they are pressured from every side, give them the courage to decide without prejudice. When they are confronted with difficult decisions, give them strength to act without delay. May each one here become aware of Your constant presence alongside them just now, and Your continuing concern for them in the decisive days ahead. Through Christ we make this prayer. Amen.”

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

INTRODUCTION AND FIRST READING

SENATE BILL NO. 128, by Senators Foley, Atwood and Sandison:

An Act relating to institutions of higher education; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.10 RCW; and declaring an emergency.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 129, by Senators Rasmussen, Peterson (Ted), Odegaard and Bailey:

An Act relating to the canal commission; adding new sections to chapter 123, Laws of 1965 ex. sess. and to chapter 91.12 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Ways and Means—Appropriations.

There being no objection, additional sponsors were permitted on Senate Bill No. 129.

SENATE BILL NO. 130, by Senators Francis, Elicker, Gardner and Holman:

An Act relating to alcoholic beverage control; amending sections 1, 3 and 4, chapter 126, Laws of 1895 as last amended by section 37, chapter 292, Laws of 1971 ex. sess. and RCW 26.28.080; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 15, Laws of 1971 ex. sess. and RCW 66.16.040; amending section 3, chapter 67, Laws of 1949 as last amended by section 4, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.180; amending section 6, chapter 67, Laws of 1949 as last amended by section 7, chapter 15, Laws of 1971 ex. sess. and RCW 66.20.210; amending section 2, chapter 70, Laws of 1955 and RCW 66.44.270; amending section 3, chapter 70, Laws of 1955 and RCW 66.44.280; amending section 4, chapter 70, Laws of 1955 as amended by section 1, chapter 49, Laws of 1965 and RCW 66.44.290; amending section 1, chapter 78, Laws of 1941 and RCW 66.44.300; amending section 36-A added to chapter 62, Laws of 1933 ex. sess., by section 1, chapter 245, Laws of 1943 and RCW 66.44.310; amending section 1, chapter 38, Laws of 1969 ex. sess. and RCW 66.44.340 adding a new section to chapter 66.44 RCW; repealing section 2, chapter 49, Laws of 1965 and RCW 66.44.291; and repealing section 1, chapter 250, Laws of 1969 ex. sess. and RCW 66.44.315.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 130.

SENATE BILL NO. 131, by Senators Whetzel, Andersen, Murray and Foley:

An Act relating to limited partnerships; amending section 25.08.020, chapter 15, Laws of 1955 and RCW 25.08.020; amending section 25.08.070, chapter 15, Laws of 1955 and RCW 25.08.070; amending section 25.08.090, chapter 15, Laws of 1955 and RCW 25.08.090; amending section 25.08.190, chapter 15, Laws of 1955 and RCW 25.08.190; and amending section 25.08.240, chapter 15, Laws of 1955 and RCW 25.08.240.

Referred to Judiciary Committee.

There being no objection, additional sponsors were permitted on Senate Bill No. 131.

SENATE BILL NO. 132, by Senators Fleming, Gissberg and Mardesich:

An Act relating to insurance; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.18 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 133, by Senators Fleming, Gissberg and Mardesich:

An Act relating to unfair practices of discrimination in insurance transactions; and adding a new section to chapter 37, Laws of 1957 and to chapter 49.60 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 134, by Senators Whetzel, Talley and Herr (by Legislative Council request):

An Act relating to boundary review boards; and adding new sections to chapter 189, Laws of 1967 and to chapter 36.93 RCW.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 135, by Senators Greive, Cooney and Metcalf:

An Act relating to short firearms; and amending section 8, chapter 172, Laws of 1935 and RCW 9.41.080.

Referred to Judiciary Committee.

SENATE BILL NO. 136, by Senators Atwood, Canfield, Day and Odegaard:

An Act relating to county government; providing for initiative and referendum; and adding a new chapter to Title 36 RCW.

Referred to Committee on Constitution, Elections and Legislative Processes.

MOTION

On motion of Senator Atwood, additional sponsors were permitted on Senate Bill No. 136.

SENATE BILL NO. 137, by Senators Francis and Holman:

An Act relating to civil procedure; and amending section 1, chapter 95, Laws of 1895 as last amended by section 1, chapter 159, Laws of 1963 and RCW 4.92.010.

Referred to Judiciary Committee.

SENATE BILL NO. 138, by Senators Fleming, Scott, Gissberg, Francis, Whetzel and Washington (by executive request):

An Act relating to intoxicating liquors and providing for the control and regulation thereof; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 70, Laws of 1971 and RCW 66.24.010; amending section 23-S-1 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 5, Laws of 1949 as amended by section 1, chapter 208, Laws of 1971 ex. sess. and RCW 66.24.400; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.24 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

MOTION

On motion of Senator Fleming, additional sponsors were permitted on Senate Bill No. 138.

SENATE BILL NO. 139, by Senators Washington and Huntley:

An Act relating to state government; creating a department of transportation and prescribing its general structure, personnel, powers, duties and functions; transferring to the jurisdiction of the department of transportation certain powers, duties and functions of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the canal commission, the department of motor vehicles, the traffic safety commission, the pilotage commission, and the urban arterial board; abolishing the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the canal commission, the department of motor vehicles, and the traffic safety commission; renaming Title 47 RCW "Public Highways and Transportation"; adding chapters 14.04, 43.59, 88.16 and 91.12 RCW to Title 47 RCW; amending section 4, chapter 165, Laws of 1947 as last amended by section 2, chapter 68, Laws of 1967 and RCW 14.04.040; amending section 1, chapter 11, Laws of 1971 and RCW 43.17.010; amending section 2, chapter 11, Laws of 1971 and RCW 43.17.020; amending section 1, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.010; amending section 4, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.040; amending section 8, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.070; amending section 47.01.030, chapter 13, Laws of 1961 as amended by section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030; amending section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050; amending section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060; amending section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070; amending section 47.01.080, chapter 13, Laws of 1961

and RCW 47.01.080; amending section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090; amending section 47.01.160, chapter 13, Laws of 1961 as amended by section 1, chapter 115, Laws of 1971 ex. sess. and RCW 47.01.160; amending section 47.01.220, chapter 13, Laws of 1961 and RCW 47.01.220; amending section 18, chapter 83, Laws of 1967 ex. sess. as amended by section 8, chapter 85, Laws of 1971 ex. sess. and RCW 47.26.120; amending section 47.56.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 180, Laws of 1969 ex. sess. and RCW 47.56.030; amending section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070; amending section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080; amending section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090; amending section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120; amending section 47.56.245, chapter 13, Laws of 1961 as amended by section 53, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.245; amending section 3, chapter 257, Laws of 1961 and RCW 47.56.254; amending section 47.60.060, chapter 13, Laws of 1961 as last amended by section 65, chapter 56, Laws of 1970 ex. sess. and RCW 47.60.060; amending section 1, chapter 18, Laws of 1935 as last amended by section 58, chapter 292, Laws of 1971 ex. sess. and RCW 88.16.010; amending section 2, chapter 18, Laws of 1935 as last amended by section 1, chapter 15, Laws of 1967 and RCW 88.16.020; amending section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050; adding a new section to chapter 14.04 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; adding a new section to chapter 43.59 RCW; adding new sections to Title 47 RCW; repealing section 3, chapter 165, Laws of 1947, section 1, chapter 68, Laws of 1967 and RCW 14.04.030; repealing section 3, chapter 147, Laws of 1967 ex. sess., section 1, chapter 105, Laws of 1969 ex. sess., section 7, chapter 85, Laws of 1971 ex. sess. and RCW 43.59.030; repealing section 6, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.050; repealing section 7, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.060; repealing section 9, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.080; repealing section 14, chapter 147, Laws of 1967 ex. sess., section 5, chapter 195, Laws of 1971 ex. sess. and RCW 43.59.130; repealing section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; repealing section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100; repealing section 47.01.110, chapter 13, Laws of 1961 and RCW 47.01.110; repealing section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120; repealing section 47.01.130, chapter 13, Laws of 1961, section 10, chapter 307, Laws of 1961 and RCW 47.01.130; repealing section 2, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.020; repealing section 3, chapter 123, Laws of 1965 ex. sess., section 1, chapter 36, Laws of 1967 and RCW 91.12.030; repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; and providing an effective date.

MOTION

Senator Washington moved that Senate Bill No. 139 be referred to the Committee on Transportation.

Debate ensued.

Senator Washington demanded a roll call and the demand was sustained by Senators Connor, Metcalf, Whetzel, Henry, Bailey, Fleming, Scott, Elicker and Ridder.

Senators Greive, 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. The Secretary called the roll on the Call of the Senate, all members being present except Senators Andersen, Clarke, Dore, Durkan, Gissberg, Mardesich, Matson and Murray who had previously been excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

ROLL CALL

The Secretary called the roll and the motion by Senator Washington failed by the following vote: Yeas, 19; nays, 22; excused, 8.

Voting yea: Senators Atwood, Bailey, Connor, Elicker, Fleming, Foley, Francis, Gardner, Greive, Holman, Huntley, Metcalf, Peterson (Ted), Ridder, Scott, Seller, Washington, Whetzel, Wilson—19.

Voting nay: Senators Canfield, Cooney, Day, Donohue, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Woodall—22.

Excused: Senators Andersen, Clarke, Dore, Durkan, Gissberg, Mardesich, Matson, Murray—8.

Senate Bill No. 139 was referred to the Committee on State Government.

SENATE BILL NO. 140, by Senators Fleming, Whetzel and Stortini (by Department of Commerce and Economic Development request):

An Act relating to contractor's bonds; and amending section 1, chapter 207, Laws of 1909 as last amended by section 2, chapter 70, Laws of 1967 and RCW 39.08.010.

Referred to Committee on State Government.

SENATE BILL NO. 141, by Senators Dore, Day, Connor and Stortini:

An Act relating to the establishment of the Washington commission for the blind; adding new sections to chapter 141, Laws of 1961 and to chapter 70.84 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

There being no objection, additional sponsors were permitted on Senate Bill No. 141.

SENATE BILL NO. 142, by Senators Lewis, Day, Stortini and Elicker (by Department of Labor and Industries request):

An Act relating to labor and industries; amending section 1, chapter 174, Laws of 1913 and RCW 49.12.010; amending section 2, chapter 174, Laws of 1913 and RCW 49.12.020; amending section 8, chapter 174, Laws of 1913 and RCW 49.12.060; amending section 43.22.280, chapter 8, Laws of 1965 and RCW 43.22.280; amending section 43.22.260, chapter 8, Laws of 1965 and RCW 43.22.260; amending section 43.22.270, chapter 8, Laws of 1965 and RCW 43.22.270; amending section 6, chapter 174, Laws of 1913 and RCW 49.12.040; amending section 7, chapter 174, Laws of 1913 and RCW 49.12.050; amending section 13, chapter 174, Laws of 1913 and RCW 49.12.110; amending section 17, chapter 174, Laws of 1913 and RCW 49.12.170; repealing section 3, chapter 174, Laws of 1913 and RCW 49.12.030; repealing section 9, chapter 174, Laws of 1913 and RCW 49.12.070; repealing section 10, chapter 174, Laws of 1913 and RCW 49.12.080; repealing section 11, chapter 174, Laws of 1913 and RCW 49.12.090; repealing section 12, chapter 174, Laws of 1913, section 1, chapter 192, Laws of 1943 and RCW 49.12.100; repealing section 14, chapter 174, Laws of 1913, section 1, chapter 195, Laws of 1949 and RCW 49.12.120; repealing section 19, chapter 174, Laws of 1913 and RCW 49.12.160; repealing section 1, chapter 68, Laws of 1915, section 1, chapter 29, Laws of 1917 and RCW 49.12.190; repealing section 1, page 104, Laws of 1890 and RCW 49.12.215; repealing section 2, page 104, Laws of 1890 and RCW 49.12.217; repealing section 2, chapter 37, Laws of 1911 and RCW 49.12.220; repealing section 3, chapter 37, Laws of 1911 and RCW 49.12.230; repealing section 1, chapter 84, Laws of 1951, section 1, chapter 41, Laws of 1965 and RCW 49.28.070; and adding new sections to chapter 49.12 RCW.

Referred to Committee on Labor and Industrial Insurance.

There being no objection, additional sponsors were permitted on Senate Bill No. 142.

SENATE BILL NO. 143, by Senators Stortini and Ridder:

An Act relating to education; and amending section 2, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.180; amending section 29.21.210, chapter 9, Laws of 1965 as amended by section 2, chapter 131, Laws of 1969 and RCW 29.21.210; amending section 29.21.230, chapter 9, Laws of 1965 as amended by section 3, chapter 131, Laws of 1969 and RCW 29.21.230; amending section 28A.57.312, chapter 223, Laws of 1969 ex. sess. as amended by section 8, chapter 131, Laws of 1969 and RCW 28A.57.312; amending section 28A.57.336, chapter 223, Laws of 1969 ex. sess. as amended by section 11, chapter 131,

Laws of 1969 and RCW 28A.57.336; adding new sections to chapter 28A.57 RCW; declaring an emergency; and making an effective date.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 144, by Senators Talley, Gissberg and Guess:

An Act relating to game fish licenses; and adding a new section to chapter 77.32 RCW.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 145, by Senators Twigg, Francis and Walgren:

An Act relating to mechanics and materialmen's liens; and amending section 1, chapter 45, Laws of 1909 as last amended by section 1, chapter 84, Laws of 1969 ex. sess. and RCW 60.04.020.

Referred to Judiciary Committee.

SENATE BILL NO. 146, by Senators Walgren, Twigg, Andersen and Odegaard (by executive and Municipal Committee request):

An Act relating to state government; creating a section for identification within the Washington state patrol; adding new sections to chapter 43.43 RCW; repealing section 3, chapter 27, Laws of 1967 ex. sess. and RCW 43.43.520; repealing section 8, chapter 63, Laws of 1970 ex. sess. and RCW 43.43.660; repealing section 43.89.020, chapter 8, Laws of 1965, section 3, chapter 60, Laws of 1965 ex. sess. and RCW 43.89.020; repealing sections 1 through 6, chapter 256, Laws of 1969 ex. sess. and RCW 72.50.120 through 72.50.170; and declaring an emergency.

Referred to Committee on State Government.

MOTION

On motion of Senator Walgren, Senator Odegaard was permitted as an additional sponsor to Senate Bill No. 146.

SENATE BILL NO. 147, by Senator Twigg:

An Act relating to the settlement of estates; and adding a new section to chapter 145, Laws of 1965 and to chapter 11.76 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 148, by Senators Donohue, Rasmussen, Wilson, Peterson (Lowell), Jolly, Odegaard, Walgren, Gissberg, Herr and Talley:

An Act relating to motor vehicle driver's licensing; and amending section 46.20.120, chapter 12, Laws of 1961 as last amended by section 4, chapter 167, Laws of 1967 and RCW 46.20.120.

Referred to Committee on Transportation.

There being no objection, additional sponsors were permitted on Senate Bill No. 148.

SENATE BILL NO. 149, by Senators Washington, Atwood and Knoblauch (by Washington State Historical Society request):

An Act relating to state government; creating a new chapter in Title 43 RCW; and making an appropriation.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

SENATE JOINT RESOLUTION NO. 113, by Senators Holman, Washington, Elicker, Peterson (Ted) and Talley (by executive request):

Amending the Constitution to guarantee funding for state employee pension fund.

Referred to Committee on Public Pensions and Social Security.

MOTIONS

On motion of Senator Holman, additional sponsors were permitted on Senate Joint Resolution No. 113.

At 12:25 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTION

At 1:30 p.m., on motion of Senator Greive, the Senate recessed until 3:00 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 3:00 p.m.

MOTION

At 3:05 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Tuesday, January 18, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SYNDER, Secretary of the Senate.

NINTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, January 18, 1972.

The Senate was called to order at 11:00 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 Pullman, Color Bearer, and Kim Hudlow, presented the Colors. Reverend George M. Mitchell, pastor of First Christian Church of Olympia, offered prayer as follows:

“Almighty and everlasting God, the Creator of life and our constant companion; we come to Thee in prayer in good times and in bad times, in times of adversity and in times of prosperity, in times of peace and in times of war, for we wish to acknowledge You as the Lord of all of life, not just a part of it. And so we would ask this day to continue to bless us as You have in the past; save us from the violence, discord and confusion of war and prejudice; save us from pride and arrogance and from every evil way. Endue with the spirit of wisdom these to whom, in Thy Name, we have entrusted the authority of government, that there may be justice and peace in our communities. In the time of prosperity, fill our hearts with thankfulness, and in the day of trouble, do not allow our trust in Thee to fail. In Jesus name we pray this. 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 Peterson (Ted): “I just took note, Mr. President, we here in the Senate honor our flag and I have down through the years appreciated the formalities that we go through, but on glancing up at the gallery I noticed that some people even had their hands in their pockets and stood there. Now they have done away with the prayer and the flag salute in the schools. We had it in school years ago and I think it is just a case of the individuals not knowing that we honor our flag when we open the Senate here. It might be that the President will have to suggest that everyone salute the flag from now on.”

REPORTS OF STANDING COMMITTEES

January 14, 1972.

SENATE BILL NO. 15, providing free tuition at certain institutions of education for children of citizens determined to be prisoners of war or missing in action in Southeast Asia (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

Recommendation: Do pass as amended.

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Henry, Jolly, Lewis, Mardesich, Murray, Rasmussen, Scott, Whetzel.

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

January 14, 1972.

SENATE BILL NO. 34, providing veterans with certain public employment preferences (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

Recommendation: Do pass.

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Henry, Jolly, Lewis, Mardesich, Murray, Rasmussen, Scott, Whetzel.

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

MESSAGE FROM THE HOUSE

January 17, 1972.

Mr. President: The House has passed ENGROSSED HOUSE JOINT MEMORIAL NO. 1, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 150, by Senators Odegaard, Bailey, Knoblauch, Andersen, Day, Rasmussen, Peterson (Ted), Talley and Washington:

An Act relating to outdoor music festivals; amending section 21, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.020; amending section 23, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.040; amending section 26, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.070; adding new sections to chapter 302, Laws of 1971 ex. sess. and to chapter 70.108 RCW; defining crimes; prescribing penalties; and declaring an emergency.

Referred to Committee on State Government.

There being no objection, additional sponsors were permitted on Senate Bill No. 150.

SENATE BILL NO. 151, by Senators Walgren and Twigg: (by Municipal Committee request):

An Act relating to outdoor music festivals; amending section 23, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.040; amending section 24, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.050; adding new sections to chapter 70.108 RCW; defining crimes; prescribing penalties; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 152, by Senators Walgren, Elicker, Peterson (Lowell) and Stender (by Legislative Transportation Committee request):

An Act relating to the Washington state ferry system; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 85, Laws of 1970 ex. sess. and RCW 82.36.020; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 4, chapter 85, Laws of 1970 ex. sess. and RCW 46.68.100; amending section 47.60.150, chapter 13, Laws of 1961 and RCW 47.60.150; amending section 47.60.290, chapter 13, Laws of 1961 and RCW 47.60.290; amending section 5, chapter 9, Laws of 1961 ex. sess. as amended by section 42, chapter 3, Laws of 1963 ex. sess. and RCW 47.60.440; adding new sections to chapter 47.60 RCW; repealing section 47.60.320, chapter 13, Laws of 1961 and RCW 47.60.320; declaring an emergency; and providing an effective date.

Referred to Committee on Transportation.

There being no objection, additional sponsors were permitted on Senate Bill No. 152.

SENATE BILL NO. 153, by Senators Walgren and Twigg (by Municipal Committee request):

An Act relating to the Washington state patrol; and amending section 43.43.020, chapter 8, Laws of 1965 and RCW 43.43.020.

Referred to Committee on State Government.

SENATE BILL NO. 154, by Senators Walgren and Twigg (by Municipal Committee request):

An Act relating to the state fire marshal; amending section .33.03, chapter 79, Laws of 1947 and RCW 48.48.030; amending section .33.06, chapter 79, Laws of 1947 and RCW 48.48.060; and amending section .33.08, chapter 79, Laws of 1947 and RCW 48.48.080.

Referred to Committee on State Government.

SENATE BILL NO. 155, by Senators Ridder, Holman and Rasmussen:

An Act relating to the Washington state teachers' retirement system; adding a new section to chapter 41.32 RCW; and making an appropriation.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 156, by Senator Rasmussen:

An Act relating to the law against discrimination, amending section 1, chapter 183, Laws of 1949 as last amended by section 1, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.010; amending section 12, chapter 183, Laws of 1949 as amended by section 2, chapter 37, Laws of 1957 and RCW 49.60.020; amending section 2, chapter 183, Laws of 1949 as last amended by section 2, chapter 167, Laws of 1969 ex. sess. and RCW 49.60.030; amending section 8, chapter 270, Laws of 1955 as last amended by section 1, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.120; amending section 9, chapter 270, Laws of 1955 as amended by section 2, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.130; amending section 9, chapter 37, Laws of 1957 as last amended by section 3, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.180; amending section 10, chapter 37, Laws of 1957 as last amended by section 4, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.190; and amending section 11, chapter 37, Laws of 1957 as last amended by section 5, chapter 81, Laws of 1971 ex. sess. and RCW 49.60.200.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 157, by Senator Twigg:

An Act relating to higher education; providing for a deferred increase in tuition and the payment thereof; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 82B.15 RCW.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 158, by Senators Ridder, Stender and Rasmussen:

An Act relating to state government; amending section 28B.50.160, chapter 223, Laws of 1969 ex. sess. as amended by section 54, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.160; amending section 28B.50.220, chapter 223, Laws of 1969 ex. sess. as amended by section 55, chapter 18, Laws of 1970 ex. sess. and RCW 28B.50.220; amending section 28A.10.010, chapter 223, Laws of 1969 ex. sess. as amended by section 52, chapter 18, Laws of 1970 ex. sess. and RCW 28A.10.010; amending section 28A.10.037, chapter 223, Laws of 1969 ex. sess. and RCW 28A.10.037; amending section 28A.10.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 53, chapter 18, Laws of 1970 ex. sess. and RCW 28A.10.080; amending section 6, chapter 18, Laws of 1970 ex. sess. and RCW 43.20A.060; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; creating new sections; and repealing sections 40, 42, and 43, chapter 18, Laws of 1970 ex. sess. and RCW 43.20.300, 43.20.310 and 43.20.320.

Referred to Committee on Public Institutions.

SENATE BILL NO. 159, by Senators Metcalf and Peterson (Ted):

An Act relating to the establishment of attendance districts by school district boards of directors; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and declaring an emergency.

Referred to Committee on Education.

SENATE BILL NO. 160, by Senators Rasmussen, Metcalf and Fleming:

An Act relating to lost and found property; amending section 3269, Code of 1881 and RCW 63.20.050; and adding a new section to chapter 63.20 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 161, by Senators Andersen, Newschwander and Henry:

An Act relating to pawn brokers and second-hand dealers; amending section 232, chapter 249, Laws of 1909 and RCW 19.60.050; amending section 233, chapter 249, Laws of 1909 as amended by section 29, chapter 292, Laws of 1971 ex. sess. and RCW

19.60.063; adding new sections to chapter 249, Laws of 1909 and chapter 19.60 RCW; creating a new section; and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 162, by Senators Woodall, Francis and Twigg:

An Act relating to the salaries of supreme court justices, court of appeals judges, superior court judges, and full time district court judges; and adding a new chapter to Title 2 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 163, by Senators Metcalf, Ridder and Huntley:

An Act relating to school districts serving residents of certain U.S. military reservations; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; and declaring an emergency.

Referred to Committee on Education.

SENATE BILL NO. 164, by Senator Ridder:

An Act relating to revenue and taxation and imposing a state net income tax; amending section 84.40.020, chapter 15, Laws of 1961 as amended by section 35, chapter 149, Laws of 1967 ex. sess. and RCW 84.40.020; amending section 84.40.210, chapter 15, Laws of 1961 as amended by section 1, chapter 168, Laws of 1961 and RCW 84.40.210; amending section 84.40.220, chapter 15, Laws of 1961 as amended by section 1, chapter 18, Laws of 1971 ex. sess. and RCW 84.40.220; amending section 84.44.060, chapter 15, Laws of 1961 and RCW 84.44.060; amending section 4, chapter 8, Laws of 1970 ex. sess. as last amended by section 24, chapter 299, Laws of 1971 ex. sess. and RCW 84.52.050; amending section 1, chapter 133, Laws of 1967 ex. sess. as last amended by section 25, chapter 299, Laws of 1971 ex. sess. and RCW 84.52.065; adding a new Title to the Revised Code of Washington; adding a new chapter to chapter 15, Laws of 1961 and to Title 82 RCW; adding a new section to chapter 15, Laws of 1961 and to chapter 84.36 RCW; creating new sections; repealing section 1, chapter 124, Laws of 1969 ex. sess. and RCW 84.36.300; repealing section 2, chapter 124, Laws of 1969 ex. sess. and RCW 84.36.310; repealing section 3, chapter 124, Laws of 1969 ex. sess. and RCW 84.36.320; repealing section 4, chapter 124, Laws of 1969 ex. sess. and RCW 84.36.330; repealing section 84.44.070, chapter 15, Laws of 1961 and RCW 84.44.070; repealing section 84.56.180, chapter 15, Laws of 1961, section 5, chapter 124, Laws of 1969 ex. sess. and RCW 84.56.180; repealing section 84.56.190, chapter 15, Laws of 1961 and RCW 84.56.190; and prescribing effective dates.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 165, by Senators Stender, Herr and Guess:

An Act relating to alcoholic beverages; amending section 3, chapter 62, Laws of 1933 ex. sess. as last amended by section 13, chapter 21, Laws of 1969 ex. sess. and RCW 66.04.010; amending section 5, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.020; amending section 4, chapter 6, Laws of 1961 ex. sess. as amended by section 1, chapter 239, Laws of 1963 and RCW 66.08.026; amending section 72, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 182, Laws of 1955 and RCW 66.08.028; amending section 79, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 62, Laws of 1971 and RCW 66.08.030; amending section 69, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 178, Laws of 1969 ex. sess. and RCW 66.08.050; amending section 49, chapter 62, Laws of 1933 ex. sess. and RCW 66.12.030; amending section 4, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 172, Laws of 1939 and RCW 66.16.010; amending section 7, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 15, Laws of 1971 ex. sess. and RCW 66.16.040; amending section 9, chapter 62, Laws of 1933 ex. sess. as amended by section 1, chapter 216, Laws of 1943 and RCW 66.16.060; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 70, Laws of 1971 and RCW 66.24.010; amending section 1, chapter 13, Laws of 1970 ex. sess. and RCW 66.24.160; amending section 25, chapter 62, Laws of 1933 ex. sess. as amended by section 4, chapter 21, Laws of 1969 ex. sess. and RCW 66.24.230; amending section 24, chapter 62, Laws of 1933 ex. sess. as

amended by section 30, chapter 173, Laws of 1965 and RCW 66.24.290; amending section 23-Q added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 6, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.360; amending section 23-R added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as amended by section 7, chapter 75, Laws of 1967 ex. sess. and RCW 66.24.370; amending section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.040; amending section 42, chapter 62, Laws of 1933 ex. sess. as last amended by section 8, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.050; amending section 26, chapter 62, Laws of 1933 ex. sess. and RCW 66.28.060; amending section 3, chapter 39, Laws of 1955 and RCW 66.32.010; amending section 88, chapter 62, Laws of 1933 ex. sess. and RCW 66.40.140; amending section 5, chapter 289, Laws of 1955 and RCW 66.44.150; amending section 6, chapter 289, Laws of 1955 and RCW 66.44.160; adding new sections to chapter 217, Laws of 1937 and to chapter 66.24 RCW; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.28 RCW; repealing section 67, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.070; repealing section 31, chapter 62, Laws of 1933 ex. sess. and RCW 66.08.090; repealing section 1, chapter 134, Laws of 1947 and RCW 66.08.160; repealing section 11, chapter 5, Laws of 1949 and RCW 66.08.220; repealing section 48, chapter 62, Laws of 1933 ex. sess. and RCW 66.12.020; repealing section 6, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.030; repealing section 8, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.050; repealing section 10, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.070; repealing section 11, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.080; repealing section 89, chapter 62, Laws of 1933 ex. sess. and RCW 66.16.090; repealing section 5, chapter 5, Laws of 1949 and RCW 66.24.440; creating new sections; and providing an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 166, by Senators Ridder, Metcalf, Stortini and Odegaard:

An Act relating to school districts; and amending section 3, chapter . . . (HB. . .), Laws of 1972 1st ex. sess. and RCW 28A.58.100.

Referred to Committee on Education.

There being no objection, additional sponsors were permitted on Senate Bill No. 166.

SENATE BILL NO. 167, by Senators Day, Peterson (Ted), Durkan, Odegaard, Mardesich, Metcalf, Stender, Peterson (Lowell), Francis, Stortini, Cooney, Fleming, Donohue, Rasmussen, Ridder, Bailey, Murray, Jolly, Keefe, Washington, Sandison, Knoblauch, Connor, Gardner, Woodall, Herr, Greive, Huntley, Holman, Lewis, Talley, Canfield and Henry:

An Act relating to health care services; adding a new section to chapter 48.44 RCW and declaring an emergency.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

There being no objection, additional sponsors were permitted on Senate Bill No. 167.

SENATE BILL NO. 168, by Senator Day (by Department of Social and Health Services request):

An Act relating to health facilities; amending section 10, chapter 117, Laws of 1951 as amended by section 6, chapter 160, Laws of 1953 and RCW 18.51.090; amending section 13, chapter 117, Laws of 1951 as amended by section 7, chapter 160, Laws of 1953 and RCW 18.51.120; amending section 12, chapter 267, Laws of 1955 and RCW 70.41.120; and amending section 15, chapter 267, Laws of 1955 and RCW 70.41.150.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 169, by Senators Lewis, Talley, Foley, Stender, Stortini and Elicker (by Department of Labor and Industries request):

An Act relating to safe and healthful working conditions for men and women; requiring the director of labor and industries to promulgate rules, regulations and standards

for safe and healthful working conditions in all workplaces subject to the legislative jurisdiction of the state of Washington; adding new sections to Title 49 RCW; repealing section 2, chapter 70, Laws of 1957 and RCW 49.16.010; repealing section 1, chapter 130, Laws of 1919 and RCW 49.16.020; repealing section 4, chapter 130, Laws of 1919 and RCW 49.16.030; repealing section 5, chapter 130, Laws of 1919 and RCW 49.16.040; repealing section 8, chapter 130, Laws of 1919 and RCW 49.16.050; repealing section 20, chapter 130, Laws of 1919 and RCW 49.16.060; repealing section 21, chapter 130, Laws of 1919 and RCW 49.16.070; repealing section 23, chapter 130, Laws of 1919 and RCW 49.16.080; repealing section 25, chapter 130, Laws of 1919, section 12, chapter 136, Laws of 1923 and RCW 49.16.090; repealing section 26, chapter 130, Laws of 1919 and RCW 49.16.100; repealing section 37, chapter 130, Laws of 1919 and RCW 49.16.110; repealing section 50, chapter 130, Laws of 1919, section 13, chapter 136, Laws of 1923 and RCW 49.16.120; repealing section 67, chapter 130, Laws of 1919 and RCW 49.16.130; repealing section 73, chapter 130, Laws of 1919 and RCW 49.16.150; repealing section 13, chapter 182, Laws of 1921, section 14, chapter 136, Laws of 1923, section 1, chapter 186, Laws of 1943 and RCW 49.16.151; repealing section 30, chapter 74, Laws of 1911 and RCW 49.16.160; repealing section 1, chapter 84, Laws of 1905, section 1, chapter 205, Laws of 1907, section 1, chapter 17, Laws of 1943, section 1, chapter 98, Laws of 1959 and RCW 49.20.010; repealing section 2, chapter 84, Laws of 1905, section 2, chapter 98, Laws of 1959, section 1, chapter 62, Laws of 1963 and RCW 49.20.020; repealing section 3, chapter 84, Laws of 1905 and RCW 49.20.030; repealing section 4, chapter 84, Laws of 1905, section 2, chapter 205, Laws of 1907, section 3, chapter 98, Laws of 1959 and RCW 49.20.040; repealing section 5, chapter 84, Laws of 1905, section 3, chapter 205, Laws of 1907, section 4, chapter 98, Laws of 1959 and RCW 49.20.050; repealing section 6, chapter 84, Laws of 1905, section 5, chapter 98, Laws of 1959 and RCW 49.20.060; repealing section 11, chapter 84, Laws of 1905, section 5, chapter 205, Laws of 1907, section 6, chapter 98, Laws of 1959 and RCW 49.20.110; providing penalties and procedures for enforcement, review and appeal; and defining crimes and punishments.

Referred to Committee on Labor and Industrial Insurance.

There being no objection, additional sponsors were permitted on Senate Bill No. 169.

SENATE BILL NO. 170, by Senator Metcalf:

An Act relating to open space; adding new sections to chapter 84.34 RCW; repealing section 2, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.020; repealing section 3, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.030; repealing section 4, chapter 87, Laws of 1970 ex. sess. and RCW 83.34.040; repealing section 5, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.050; repealing section 6, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.060; repealing section 7, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.070; repealing section 8, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.080; repealing section 9, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.090; repealing section 10, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.100; repealing section 11, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.110; repealing section 12, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.120; repealing section 13, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.130; and repealing section 14, chapter 87, Laws of 1970 ex. sess. and RCW 84.34.140.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 171, by Senator Metcalf:

An Act relating to pupil conduct, discipline, and rights in the common schools; amending section 28A.58.101, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 268, Laws of 1971 ex. sess. and RCW 28A.58.101; amending section 28A.87.140, chapter 223, Laws of 1969 ex. sess. as amended by section 61, chapter 199, Laws of 1969 ex. sess. and RCW 28A.87.140; repealing sections 28A.58.190, 28A.58.200, 28A.67.100 and 28A.87.120, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.190, 28A.58.200, 28A.67.100 and 28A.87.120; adding new sections to Title 28A RCW as a new chapter thereof; and providing penalties.

Referred to Committee on Education.

SENATE BILL NO. 172, by Senators Greive and Ridder:

An Act relating to motor vehicles; adding a new chapter to Title 46 RCW; adding a new section to chapter 169, Laws of 1963 and to chapter 46.29 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 173, by Senators Talley, Huntley and Day:

An Act relating to fire districts; amending section 25, chapter 34, Laws of 1939 as amended by section 7, chapter 254, Laws of 1947 and RCW 52.12.040; amending section 1, chapter 76, Laws of 1953 and RCW 52.12.110.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 174, by Senators Clarke and Lewis:

An Act relating to automobile insurance; creating a new chapter in Title 48 RCW; creating new sections; providing penalties; and declaring an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

MOTION

On motion of Senator Clarke, Senator Lewis was permitted as an additional sponsor on Senate Bill No. 174.

SENATE BILL NO. 175, by Senators Lewis, Atwood and Talley:

An Act relating to property taxes; amending section 84.36.140, chapter 15, Laws of 1961 and RCW 84.36.140; and declaring an emergency.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 176, by Senators Odegaard, Donohue, Jolly, Wilson, Peterson (Lowell), Durkan and Peterson (Ted):

An Act relating to the taxation of open space, agricultural and timber lands; and creating a new section.

Referred to Committee on Ways and Means—Revenue and Taxation.

There being no objection, additional sponsors were permitted on Senate Bill No. 176.

SENATE BILL NO. 177, by Senators Washington and Huntley:

An Act relating to education; amending section 28A.57.250, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.250; and declaring an emergency.

Referred to Committee on Education.

SENATE BILL NO. 178, by Senators Washington, Huntley and Henry:

An Act relating to state government; creating the department of mass transportation; prescribing its powers and duties; adding new sections to Title 47 RCW; creating a new section; and declaring an emergency.

Referred to Committee on State Government.

SENATE BILL NO. 179, by Senators Durkan, Atwood and Whetzel:

An Act relating to environmental quality; providing for construction of new facilities for the control of pollution; furthering the economic development of the state; amending section 5, chapter 65, Laws of 1955 as amended by section 1, chapter 131, Laws of 1967 and RCW 53.08.040; adding new sections to chapter 65, Laws of 1955 and to chapter 53.08 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 180, by Senators Metcalf, Henry and Twigg:

An Act relating to the attendance of students in the public schools; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

Referred to Committee on Education.

SENATE BILL NO. 181, by Senators Foley, Atwood and Sandison:

An Act relating to state building authority projects; authorizing transfer of funds between projects of the same institution; and adding a new section to chapter 162, Laws of 1967, and to chapter 43.75 RCW.

Referred to Committee on State Government.

SENATE BILL NO. 182, by Senators Walgren, Peterson (Ted) and Greive:

An Act relating to cities and towns; amending section 35.02.150, chapter 7, Laws of 1965 and RCW 35.02.150; amending section 35.13.015, chapter 7, Laws of 1965, as last amended by section 6, chapter 52, Laws of 1970 ex. sess. and RCW 35.13.015; amending section 35.13.020, chapter 7, Laws of 1965, as last amended by section 8, chapter 73, Laws of 1967 and RCW 35.13.020; amending section 35.13.040, chapter 7, Laws of 1965 and RCW 35.13.040; amending section 35.13.050, chapter 7, Laws of 1965 and RCW 35.13.050; amending section 35.13.060, chapter 7, Laws of 1965 and RCW 35.13.060; amending section 35.13.080, chapter 7, Laws of 1965, as last amended by section 10, chapter 73, Laws of 1967 and RCW 35.13.080; amending section 35.13.090, chapter 7, Laws of 1965, as last amended by section 11, chapter 73, Laws of 1967 and RCW 35.13.090; amending section 35.13.100, chapter 7, Laws of 1965, as last amended by section 12, chapter 73, Laws of 1967 and RCW 35.13.100; amending section 35.13.110, chapter 7, Laws of 1965, as last amended by section 13, chapter 73, Laws of 1967 and RCW 35.13.110; amending section 35.13.125, chapter 7, Laws of 1965, as last amended by section 1, chapter 69, Laws of 1971 and RCW 35.13.125; amending section 35.13.130, chapter 7, Laws of 1965, as last amended by section 2, chapter 69, Laws of 1971 and RCW 35.13.130; amending section 35.13.160, chapter 7, Laws of 1965, as amended by section 12, chapter 88, Laws of 1965 ex. sess. and RCW 35.13.160; amending section 35.13.171, chapter 7, Laws of 1965 and RCW 35.13.171; amending section 35.13.172, chapter 7, Laws of 1965 and RCW 35.13.172; amending section 35.13.173, chapter 7, Laws of 1965 and RCW 35.13.173; amending section 35.13.174, chapter 7, Laws of 1965 and RCW 35.13.174; amending section 35.13.175, chapter 7, Laws of 1965 and RCW 35.13.175; and adding a new section to chapter 35.13 RCW.

Referred to Committee on Cities, Towns and Counties.

SENATE JOINT MEMORIAL NO. 3, by Senators Metcalf and Peterson (Ted):

Petitioning Congress to propose a constitutional amendment prohibiting the bussing of pupils on the basis of their race, color, religion, or national origin.

Referred to Judiciary Committee.

SENATE JOINT RESOLUTION NO. 114, by Senator Walgren:

Amending the Constitution to provide that the state and public agencies thereof may purchase lands and buildings jointly.

Referred to Committee on State Government.

SENATE JOINT RESOLUTION NO. 115, by Senators Stender and Metcalf:

Providing for an income tax for school purposes and eliminating certain school excess levies.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 116, by Senator Ridder:

Amending the Constitution to authorize net income tax under certain tax reform conditions.

Referred to Committee on Ways and Means—Revenue and Taxation.

ENGROSSED HOUSE JOINT MEMORIAL NO. 1, by Representatives Pardini, Newhouse, Wolf, Bledsoe, Amen, Bozarth, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Garrett, Gilleland, Gladder, Goldsworthy, Hansey, Hatfield, Hoggins, Hubbard, Jones, Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Mentor, Morrison, North, Polk, Rabel, Richardson, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Swayze and Wanamaker.

Memorializing Congress and the President to take action to prevent renewal of the west coast dock strike.

MOTIONS

On motion of Senator Andersen, Engrossed House Joint Memorial No. 1 was advanced to second reading and read the second time in full.

On motion of Senator Andersen, Engrossed House Joint Memorial No. 1 was made a special order of business for Tuesday, January 25, 1972 at twelve o'clock noon.

MOTION

On motion of Senator Sandison, the following resolution was adopted:

SENATE RESOLUTION: 1972-7

By Senator Sandison:

WHEREAS, The Coast Guard cutter "WINONA" presently stationed at Port Angeles is about to be decommissioned; and

WHEREAS, The said cutter "WINONA" and other cutters of the same class have been based at Port Angeles or vicinity since 1914 and during the years have saved lives and property and have contributed to the advancement of shipping in Puget Sound and other waters of the state;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State Senate in extraordinary legislative session assembled, That the commander, officers and crew of the Coast Guard cutter "WINONA" be specially cited for their and their predecessors' great contribution to the welfare of the state of Washington, its citizens and all those who ply its salt waters; and

BE IT FURTHER RESOLVED, That a copy of this resolution suitably enrolled be presented by the Secretary of the Senate to the commander, officers and crew of the "WINONA", the Commandant of the 13th Coast Guard District, and the Secretary of the United States Department of Transportation.

MOTION

On motion of Senator Rasmussen, the following resolution was adopted:

SENATE RESOLUTION: 1972-8

By Senators Rasmussen and Bailey:

WHEREAS, The capitol grounds regularly entertain a steady stream of visitors from within and without the State; and

WHEREAS, The Legislative Building, as the center of interest on the capitol grounds, is the focal point of contact with the visiting public; and

WHEREAS, The Legislative Building and, for that matter no other capitol building, offers the visiting public the desirable services of an information bureau or presents the visiting public with so much as a stand exhibiting informational or promotional material respecting the State and its many advantages in the way of natural resources, scenic beauty, climatic conditions and general opportunity for gracious living; and

WHEREAS, The lack of a visitors' information bureau and of a central point for dissemination of informational and promotional material puts the State in an unfavorable contrast with other states of the union and, more importantly, seems out of context with the aims and purposes of large appropriations to and expenditures by the Department of Commerce for advertising and promotional purposes;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State Senate, That the Legislative Council investigate the desirability and feasibility of establishing and maintaining an information bureau and/or a facility for the dissemination of State informational and promotional literature in the Legislative Building;

BE IT FURTHER RESOLVED, That the Legislative Council make a report of its findings in the above mentioned regard to the 43rd Session of the Washington State Legislature.

MOTION

At 11:40 a.m., on motion of Senator Greive, the Senate recessed until 12:40 p.m.

NOON SESSION

The President called the Senate to order at 12:40 p.m.

MOTION

At 12:45 p.m., on motion of Senator Greive, the Senate recessed until 1:45 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:45 p.m.

Senators Greive, Talley 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.

MOTION

Senator Greive moved adoption of the following resolution:

SENATE RESOLUTION: 1972-10

By Committee on Rules and Joint Rules:

BE IT RESOLVED, That the rules of the first extraordinary session be adopted as the permanent rules of the second extraordinary session of the forty-second legislature with the following amendments:

On page 281 of the 1971 Legislative Manual amend Rule 28 to read as follows:

"SUSPENSION OF RULES

Rule 28. No standing rule or order of this senate shall be rescinded or changed without a majority vote of the members, and seven days' 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: *PROVIDED, FURTHER, That on a matter pertaining to legislative or congressional apportionment or reapportionment a rule or order may be temporarily suspended without notice by a vote of a majority 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."

On page 285 of the 1971 Legislative Manual amend Rule 46 to read as follows:

"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 *and the committee on rules and joint rules shall have the authority to directly refer any bill before them to any other standing committee.*

The senate may change the order of consideration of bills on the second or third reading calendar.

The calendar, except in emergent situations, as determined by the committee on rules and joint rules, shall be on the desks of the senators each morning and shall cover the bills for consideration on the next following day.

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.)

VOTING IN COMMITTEES

No vote in any standing committee shall be taken by secret ballot nor shall any committee have a policy of secrecy as to any vote on action taken in such committee.

OPEN MEETINGS OF STANDING COMMITTEES

[Meetings of all standing committees relative to pending bills, resolutions and memorials shall be open to the public, unless the chairman of the committee by a majority vote of the committee members present, orders an executive session: PROVIDED, That this provision shall not apply to the committee on rules and joint rules.

VOTE RECORD OF RULES COMMITTEE

A record of the votes of the committee on rules and joint rules on all bills, resolutions and memorials shall be kept and retained by the secretary of the senate until the end of the session. It shall be available for inspection by any interested person. (See also Rule 73.)]

During its consideration of or vote on any bill, resolution or memorial, the deliberations of any standing committee of the senate shall be open to the public: PROVIDED, HOWEVER, That in case of any disturbance or disorderly conduct at any such deliberations, the chairman shall order the sergeant at arms to suppress the same and/or may order the meeting closed to any person or persons creating such disturbance."

On page 297 of the 1971 Legislative Manual amend Rule 73 to read as follows:

“VOTE RECORD OF STANDING COMMITTEES

Rule 73. When a bill has been presented to a standing committee by its chairman, [other than rules and joint rules,] if a motion to report out fails for want of a majority favoring, one-third of the members of such committee may demand that the vote be recorded and filed with the secretary of the senate who shall preserve such record for a period of four years. (See also Rule 46.)”

PARLIAMENTARY INQUIRY

Senator Washington: “What would be the procedure? I have an amendment to rule 51 relating to committee of the whole. Now what would be the procedure if we adopt this resolution? Would not that close off any amendments? Perhaps I should offer this amendment at this time.”

REPLY BY THE PRESIDENT

The President: “The President respectfully suggests that if you have such a proposal, Senator Washington, that it should be offered as an amendment to this resolution.”

MOTION

Senator Washington moved adoption of the following amendment to Senate Resolution 1972-10:

On page 289 of the 1971 Legislative Manual, amend Rule 51 to read as follows:

“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.”

POINT OF INQUIRY

Senator Stender: “Would Senator Washington yield to a question? You are for the committee of the whole but you are not for it apparently, because if you are going to have roll call you may as well not have any committee of the whole as I see it. You just as well go second reading and do your amending and do your roll calling there. Would you explain that?”

Senator Washington: “In the committee of the whole the previous question cannot be called. It is like in an ordinary committee meeting. You can have full discussion on the floor and the motion to lay on the table is not a motion which can be made in the committee of the whole. It allows full discussion on the floor of the Senate. Now we do not know at what time we may need to utilize this measure, this parliamentary procedure. It has been in parliamentary law for many many years and as I understand it, there are many states which use the committee of the whole but, do not prevent the roll call from being taken.

“I think the House went too far in completely doing away with it. I think we can do what the House intended to do, which was to allow a roll call vote to be taken on amendments to the appropriations bill. That is, really was the main thrust in the House. They wanted the votes on amendments made to the appropriations bill to be recorded. They killed the whole committee of the whole. I do not think we need to go that far. If you adopt this rule you could have a roll call vote on amendments on the appropriations bill, which is not the way we do it now.”

POINT OF INQUIRY

Senator Canfield: “Would Senator Washington yield to a question? I wanted to be sure, Senator Washington, that I understand your idea for taking a vote in this committee. Now

would that be a vote upon final passage or would it be on any and all portions of a proposed appropriation bill? Would it be on every possible amendment that could be dreamed up? You could have this committee of the whole going on for ninety days. And I do not object too much in having a vote on a final passage of a measure before the body, but to have a vote and maybe a Call of the Senate on every possible change of wording or amendment or figure seems to me to be not feasible. I would like to have your restatement of that."

Senator Washington: "There is no question about it, if this rule is adopted, you would have the right to have recorded votes on amendments to the appropriations bill as you do on any other bill that comes before this legislature. Any member can ask for a roll call on any amendment and if he gets the support from the required number, a roll call would be ordered. It would mean that if someone were presenting a group of amendments, they could demand a roll call on each one. I would like to point out that is not an unheard of or undreamed of situation. The great majority of legislatures have found that they can handle their appropriations bills without actually allowing a roll call to be taken on each item. The House is going to have to, at the end of this session, if we have an appropriations bill, they are going to be voting on it over there without any committee of the whole. I would like the Senate to stay in the forefront of opening matters to the public. I would hate to see us lag behind the House in this particular matter."

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Washington yield to a question? Senator Washington, I gather you are not opposed to the deliberation in a committee of the whole here in the Senate chamber."

Senator Washington: "No, I am not. I think it is a worthwhile maneuver. It is a worthwhile parliamentary procedure, and I think the House made a mistake in completely doing away with the committee of the whole."

Senator Rasmussen: "After the deliberations are completed in the committee of the whole, we customarily refer the bills to be sent back to the Senate with the recommendation do pass or do not pass and the President Pro Tempore, Senator Henry, then hands the gavel back to the Lieutenant Governor and we proceed in the normal fashion. At that time, anybody that has any other amendment to offer or is not satisfied with the actions of the committee of the whole, they may then offer their amendments again to the bill as reported."

Senator Washington: "No, they cannot."

Senator Rasmussen: "And you want to get a roll call on the amendments in the committee of the whole?"

Senator Washington: "I do not necessarily want to but I think it is a right that every member of the Senate should have on these various points."

MOTION

Senator Dore moved that the amendment proposed by Senator Washington to Senate Resolution 1972-10 be laid upon the table.

Senator Washington demanded a roll call and the demand was sustained by Senators Metcalf, Holman, Peterson (Ted), Elicker, Whetzel, Fleming, Scott, Greive and Connor.

ROLL CALL

The Secretary called the roll and the motion by Senator Dore failed by the following vote: Yeas, 17; nays, 32.

Voting yea: Senators Andersen, Atwood, Canfield, Dore, Gissberg, Guess, Henry, Lewis, Mardesich, Matson, Metcalf, Peterson (Ted), Rasmussen, Scott, Stender, Twigg, Woodall—17.

Voting nay: Senators Bailey, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Greive, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Murray, Newschwander, Odegaard, Peterson (Lowell), Ridder, Sandison, Sellar, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—32.

Senators Washington, Greive and Bailey demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment as proposed by Senator Washington to Senate Resolution 1972-10.

The motion by Senator Washington carried and the amendment was adopted.

MOTION

Senator Whetzel moved adoption of the following amendment to Senate Resolution 1972-10:

On pages 273 and 274, 1971 Rules, amend lines 1 through 11 of Rule 2 as follows:

"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, and 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 *such conference, special or joint* committee or committees, such committee or committees shall be forthwith elected by the senate.

In appointing the committee members to the hereinafter named standing committees, the president shall name members in the same ratio as the membership of the respective parties in the senate. Committee members will be selected by each party's caucus. The majority party caucus will select all committee chairmen. The president shall be considered as one of his party's members on the rules and joint rules committee and shall serve as chairman of the rules and joint rules committee. Interim committee membership will be selected by the respective party caucuses in the same ratio as the membership of the respective parties in the senate, unless otherwise provided by law."

Senator Holman demanded a roll call on the amendment as proposed by Senator Whetzel and the demand was sustained by Senators Clarke, Matson, Elicker, Cooney, Day, Bailey, Rasmussen, Connor and Herr.

ROLL CALL

The Secretary called the roll and the amendment was not adopted by the following vote: Yeas, 17; nays, 32.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Holman, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Whetzel—17.

Voting nay: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Odegard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—32.

MOTION

Senator Greive moved adoption of Senate Resolution 1972-10, as amended.

POINT OF INQUIRY

Senator Gissberg: "I just have a question of Senator Greive with respect to that change you are making on the first page. The underlined material at the bottom of the page reads, 'In the committee rules and joint rules you have the authority to directly refer any bill before them to any other standing committee.' Does that contemplate that the Rules Committee would do that in there without the bill coming back out through here?"

Senator Greive: "Correct, yes."

Senator Gissberg: "So that if a bill came out of Senator Washington's committee, for instance, and I could prevail upon the Rules Committee to send that bill to my committee,

that I would not have to stand up on the floor to do it? If I could prevail upon the members on Rules and if I could persuade them of the logic of it, then Senator Washington's bill could thereby pass around the back door and get to my committee without coming out on the floor?"

Senator Greive: "That is correct. May I give you the rationale for it? The problem Rules had is last year we found ourselves time after time having bills that we were forced to refer to other committees. And we found a great reaction from some of the people who were most unhappy. They did not want that bill to come to them. Committee chairmen, if you please, who felt that maybe that bill should not be in their committee. We were putting them on the spot. They did not want to consider it. On other occasions we found people who were clamoring at the door, saying that a bill that appropriated money should not be put back in Ways and Means and it should be bypassed. And we played the game of bypassing committees.

"You understand, under Rule 46 here, you could stop any bill at any time or take it from any committee if you so desired. It would seem to us the only intelligent way to handle this situation is to be sure that the bills are carefully and completely considered. There is nothing secret. There is not going to be any intention or any ability, under any circumstances, to hide anything. Everybody is going to know. But it means then that we do not play this fast game. One of the big problems and the things that Rules has stood for in the past, on the good side, and I think I stand here as one of the biggest enemies of Rules that has ever hit the legislature—for twenty-five years I have hardly ever voted in favor of it, in fact even when I was a member I used to vote frequently to take it away from Rules. My theory was that Rules should not serve the function of a final resting place or a screening committee. I do not think it was ever intended by that. I think it grew up to be that.

"On the other hand, then the other answer is then who should take the responsibility. You know the day of the jelly spine is gone and we, the committees now have to stand up and take their medicine. You cannot say, we are opening up the Rules Committee and then you hold the bill. So it is going to be necessary that we give it to the proper committee. If it has been channeled to the wrong committee or the friendly committee, then they are going to have to stand up and vote against it. And I appreciate it, it is going to be very tough on some committee chairmen and some committee members because they will not want that bill. They will say, 'Gosh, you are giving me something controversial'. But if they are going to open the thing up, then I think they have to take the responsibility. Otherwise we are going to have a lot of terrible legislation passing."

POINT OF INQUIRY

Senator Dore: "Will Senator Greive yield to a question? Under this new provision, Senator, is there any limitation how many times they can rerefer a bill? I can see how the Rules Committee might use this as an instrument never to come to grips with the explosive issues of the session by merely referring it to another committee. They never have to make a vote on the merit. Now that is my first question.

"My second question, how is this compatible with the one-man one-vote rule which I think you helped pioneer in 1965? Do the rest of us become second class citizens out here? We have no participation in the decision to determine where the bill goes. And you and I know from experience here where a bill goes or does not go determines whether it is going to pass or not pass. The third question, is there any protection against the Rules Committee continually playing games and never coming to grips with putting the bill out on the calendar?"

Senator Greive: "We finally heard from the greatest advocate of open meetings you ever saw, but does not want the responsibility. Most of the committee bills that are going to be referred are entitled to be referred to Appropriations. I think that is precisely where they are going and that is where the shoe is going to pinch. But you cannot have it two ways. You have got to have some other device to take its place. Otherwise we are going to have bedlam. If you want a screening committee, fine. You are entitled to a screening committee. You have been given the power to screen. If you do not want a screening committee, and I have always felt we should not, there would be no big secret about it. It would go there. It is going to be reported out. Now, I would suspect that if a bill is referred more than once to a

committee, there is going to be a lot of public outcry. After all, none of these are going to be secret. Somebody is going to be sitting there and they are going to be able to note that it is done there. It is going to be in the paper. There are going to be a lot of other people there. I do not think you have to worry very much about bills being referred too often. I just think that we have to be realistic. We will not come in here as an organized group attempting to refer a bill to a friendly committee. We are going to have to find that we are going to have to distribute and we are going to have to consider everything.”

MOTION

Senator Gissberg moved adoption of the following amendment to the amendment, Senate Resolution 1972-10:

Amend the amendment to Rule 46 as follows:

Add the following sentence to the first paragraph under “Rules Committee Daily Calendar”. *“Such referral shall be reported back to the senate on the next day’s business.”*

POINT OF INQUIRY

Senator Rasmussen: “May I ask either Senator Atwood or Senator Greive, whichever one prefers to answer the question, is it contemplated that when the Rules Committee rerefers the bill to another committee, that it would come out on the daily calendar with the bill number?”

Senator Greive: “We do now with this amendment, yes.”

Senator Rasmussen: “Well this amendment does not spell it out that it would be on the daily calendar and I am wondering how it would show up, like we have the status sheet. Would it show up rereferred by the Rules Committee to a more appropriate committee in the estimation of the Rules?”

Senator Atwood: “We can do it that way. If you have a better way, the Secretary of the Senate might have a better suggestion for giving the notice but if you want a section on the daily calendar to say ‘Bills Rereferred by Rules Committee’ and put it right on our daily calendar. It will show up on the computer anyway I think.”

The motion by Senator Gissberg carried and the amendment to the amendment, Senate Resolution 1972-10, was adopted.

POINT OF INQUIRY

Senator Dore: “I would like to ask Senator Atwood a question if I could. From your remarks you have just given, even though the limitation to a bill does not refer to those with a fiscal impact, is it the intent of the proposer of this rule it would only apply to bills with a fiscal impact?”

Senator Atwood: “No, it would apply to any other bills, like a lot of Nat’s bills have judicial impact and the lawyers never see them. We had the whole traffic code in there.”

Senator Dore: “I understood—maybe I misunderstood you—but the purpose of this rule was to allow the Rules Committee to rerefer bills primarily that had a fiscal impact. Now you tell me it is unlimited. It is to all bills.”

Senator Atwood: “It is unlimited, Senator, by its terms. But in my opinion its primary use is for fiscal impact bills.”

Senator Dore: “Would you support an amendment that would limit the bills to fiscal. . . .”

Senator Atwood: “No, I stood on Judiciary too. I would like to see some of Nat’s lawyers’ bills.”

Senator Dore: “The other question is, if I could ask Senator Atwood a question, what are the mechanics of how it works? Say that it goes out of the Ways and Means Committee into Rules and Rules then refers it perhaps to Institutions Committee. It reports out again, back into Rules, then Rules refers it to Labor Committee. Is there any limitation on Rules, that they cannot get rid of the hot bills and just keep referring until the session runs out? Do you want that power and is that in the interests of achieving one-man one-vote and the interest of reform as the so-called proposers of these bills?”

Senator Atwood: "Well everything is public, Senator. I imagine if the Rules Committee got to playing games like you suggest, there would be severe criticism and the bills might even be pulled away from whatever committee had it. That is not contemplated. I am sure with the openness of the meeting and the sharp eye of the press they would pick up any of these bills that the Rules Committee was playing games with."

MOTION

Senator Bailey moved adoption of the following amendment to the amendment, Senate Resolution 1972-10:

"BE IT RESOLVED, That the Permanent Rules of the Senate be amended to read as follows:

"Rule No. 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 9
- 2. Cities, Towns and Counties [16] 15
- 3. Commerce and Regulatory Agencies 20
- 4. Constitution, Elections and Legislative Processes. [15] 14
 - Committee on Redistricting [15] 14
- 5. Education 12
- 6. Higher Education and Libraries 15
- 7. Judiciary 13
- 8. Labor and Industrial Insurance [7] 8
- 9. Manufacturing and Industrial Development 7
- 10. Medicine, Dentistry and Health Care, Air and Water Pollution . . . [11] 10
- 11. Natural Resources, Fisheries and Game [10] 11
- 12. Parks, Tourism, Capitol Grounds and Veterans' Affairs 11
- 13. Public Institutions 9
- 14. Public Pensions and Social Security 7
- 15. Rules and Joint Rules 16
- 16. State Government [11] 10
- 17. Transportation 26
- 18. Ways and Means 38
 - Committee on Appropriations 21
 - Committee on Revenue and Taxation 16
 - Committee on Claims and Auditing 7"

The motion by Senator Bailey carried and the amendment to Senate Resolution 1972-10 was adopted.

The motion by Senator Greive carried, Senate Resolution 1972-10, as amended, was adopted.

SECOND READING

ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 5, by Representatives Jueling, Morrison, Moon, Haussler, North, Copeland, Bledsoe, Wolf, Shera, Hatfield, Kiskaddon, Bagnariol, Brown, Kraabel, Goldsworthy, Polk, Hoggins, King, Barden, Hansey, Amen, Smythe, Gilleland, Conway, Farr, Jones, Rabel, Chatalas, Costanti, Blair, Mentor, Curtis, Cunningham, Paris, Julin, Charnley, Douthwaite, Merrill, Van Dyk, Rosellini, Gallagher, Williams, Wojahn, Shipoch, Maxie, O'Brien, Grant, Bradley, Marsh, Backstrom, Randall, Litchman, Bauer, Bozarth, Kilbury, Lysen and McDermott (by Legislative Council request):

Amending and implementing Joint Rules of the House and Senate.
The resolution was read the second time in full.

MOTION

On motion of Senator Greive, the following amendments by the Committee on Rules and Joint Rules were adopted in toto:

On page 1, line 6, after "Rule" and before "adopted" strike "35" and insert "[35] 27"

On page 1, line 7, after "of" strike "the time for prefilng measures in and for" and insert "[the time for prefilng measures in and for]"

On page 1, line 11, after "disagreement" and before "shall" insert "*including new proposed items within the scope and object of the title of the bill in conference*"

On page 1, line 16, after "disagreement" and before "in" insert "*or new items approved by one house*"

On page 1, line 21, after "have" and before "hours" strike "twenty-four" and insert "thirty-six"

On page 1, line 22, after "receipt" and before "to" insert "*in the house originating the conference request*"

On page 1, line 23, after "the" and before "hour" strike "twenty-four" and insert "thirty-six"

On page 1, line 24, after "elapsed" and before the period insert "*except that with respect to budget and appropriations and revenue and tax measures, the required interval shall be twenty-four hours: PROVIDED FURTHER, That irrespective of any other rule herein or any rule of either the senate or the house of representatives, the foregoing provisions relating to thirty-six and twenty-four hour intervals will not be suspended unless the legislature shall otherwise direct by a two-thirds vote of all the members elected to each house. Simultaneously with receipt of the report a copy of said report shall be placed upon the desk of each member of the legislature*"

On page 2, beginning on line 15, strike all of Rule 35. Renumber Rule 36 to read "Rule 35".

MOTIONS

Senator Metcalf moved adoption of the following amendment by Senators Metcalf and Peterson (Ted):

On page 2, line 26, after "of any" strike "standing" and insert "caucus or"

Senator Mardesich moved adoption of the following amendment to the amendment by Senators Metcalf and Peterson (Ted):

In the amendment proposed by Senators Metcalf and Peterson (Ted), reinsert the word "standing".

Senator Ridder moved that the amendment by Senators Metcalf and Peterson (Ted) and the amendment to the amendment by Senator Mardesich be laid upon the table.

POINT OF ORDER

Senator Mardesich: "I raise a point of order and ask for a division of the question."

RULING BY THE PRESIDENT

The President: "That is what the President planned, Senator."

The amendment by Senator Mardesich to the amendment by Senators Metcalf and Peterson (Ted) was laid upon the table on a rising vote.

The President declared the question before the Senate to be the motion by Senator Ridder to lay upon the table the amendment proposed by Senators Metcalf and Peterson (Ted).

Senator Metcalf demanded a roll call and the demand was sustained by Senators

Greive, Peterson (Ted), Newschwander, Matson, Ridder, Dore, Connor, Herr and Peterson (Lowell).

ROLL CALL

The Secretary called the roll and the amendment was laid upon the table by the following vote: Yeas, 33; nays, 16.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Foley, Francis, Gissberg, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Matson, Murray, Odegaard, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson—33.

Voting nay: Senators Clarke, Dore, Fleming, Gardner, Greive, Guess, Lewis, Mardesich, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sellar, Stender, Woodall—16.

MOTIONS

On motion of Senator Greive, the following amendment by the Committee on Rules and Joint Rules was adopted:

On page 2, line 27, after “public” and before the period insert “in accordance with the rules of each house”

Senator Whetzel moved adoption of the following amendment:

On page 2 following line 27, insert the following:

“NEW RULE. Rule 37. A member or members of the senate may join in sponsoring a house bill, resolution or memorial endorsed by a house member as the principal sponsor. A member or members of the house of representatives may join in sponsoring a senate bill, resolution, or memorial endorsed by a senator as the principal sponsor.”

POINT OF ORDER

Senator Bailey: “Mr. President, I raise the point of order that Senator Whetzel is returning the same language, the same effect of the bill that we struck out by adopting the previous amendment that strikes that New Rule 35 which came from the House in joint sponsorship.”

REMARKS BY SENATOR WHETZEL

Senator Whetzel: “I invite Senator Bailey’s attention to the language of my amendment and the language of Rule 35 that was stricken. They are not at all the same. Since I was aware of the particular rule that he and Senator Greive were about to bring up against me, I prepared this in the proper manner so that we could have an opportunity to discuss this matter that was stricken without any discussion earlier.”

RULING BY THE PRESIDENT

The President: “The President in ruling upon the point of order presented by Senator Bailey finds that whereas there is some difference in the terminology, Senator Whetzel’s amendment is basically identical with the provisions of the stricken Rule 35, and therefore the President must rule that the point presented by Senator Bailey is well taken.”

The amendment proposed by Senator Whetzel was ruled out of order.

MOTION

On motion of Senator Greive, the rules were suspended, Engrossed House Concurrent Resolution No. 5, 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.

Senators Talley, Greive and Knoblauch demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the adoption of Engrossed House Concurrent Resolution No. 5, as amended by the Senate.

Engrossed House Concurrent Resolution No. 5, as amended by the Senate, having received the constitutional majority, was adopted.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Mardesich gave notice that he would, on the next succeeding business day, move for reconsideration of the vote by which Engrossed House Concurrent Resolution No. 5, as amended by the Senate, was adopted.

MOTION

Senator Greive moved that Senate Rule 58 be suspended for one day.

POINT OF INQUIRY

Senator Bailey: "Mr. President, a point of inquiry. Senator Greive, do you mean that we can continue to introduce bills until midnight or do you mean that we have that additional time to produce the bills that we have already taken to the bill drafting room?"

Senator Greive: "The way the resolution was put, we could continue to introduce them but I do not think that is the question. I do not think anybody is even worrying about that. That might be an occasional bill. Basically, it is because the bills are down there and we cannot put them into the works by means of the computer."

REMARKS BY SENATOR ATWOOD

Senator Atwood: "Under our Senate rules which we have, we have until five o'clock and they cannot possibly manage those bills they now have. That is the purpose of the waiving of that, Senator. The introduction of bills still cuts off under concurrent resolution, but they have a fantastic jam up in the computers, and our rules say—they cannot even get them in the hopper down there."

REPLY BY THE PRESIDENT

The President: "Senator Bailey, Senator Atwood is essentially correct. This will merely provide the proper mechanics to handle the bills that have already been introduced. The introduction of the bills will be concluded at five o'clock this evening."

The motion by Senator Greive carried. Senate Rule 58 was suspended for one day.

There being no objection, the Senate dispensed with the Call of the Senate.

Senator Ridder was given permission for use of the Senate Chamber on Monday, January 24, 1972 for a meeting of Appropriations and Public Pension Commission.

Senator Dore was given permission for use of the Senate Chamber immediately following adjournment today to hold a public hearing on the budget for nursing homes.

MOTION

At 4:10 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Wednesday, January 19, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, January 19, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Whetzel. On motion of Senator Matson, Senator Whetzel was excused.

The Color Guard, consisting of Pages Bill Netling, Color Bearer, and Cindy Gasperitti, presented the Colors. Reverend George M. Mitchell, pastor of First Christian Church of Olympia, offered prayer as follows:

“Eternal God, whose power has given order to our universe and whose love sustains our world; we thank You for Your unceasing watchfulness over us and Your constant presence with us wherever we are. Just now we pray for our nation, for our state, and for these leaders gathered here. Give them the highest wisdom, and the utmost unselfishness. May the welfare of humanity be above political preferment or individual self-seeking. Banish from each of us the greed, false pride and shameful prejudice which make a mockery of our boastings of democracy. Create within our lives a sense of our need of Thee in whom we claim to trust. Amen.”

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

REPORT OF STANDING COMMITTEE

January 18, 1972.

SENATE BILL NO. 62, providing for pension plans and tax deferred annuities for qualified public employees (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Day, Elicker, Gissberg, Jolly, Lewis, Newschwander.

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

MESSAGE FROM THE HOUSE

January 19, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 13, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

REMARKS BY THE PRESIDENT

The President: “Gentlemen of the Senate, the President should like to respectfully request that the members consider the introduction and first reading, take a short period of time and study the list of the introduction of the first reading of bills which lists are presently being distributed. Take a short time to study the list and if there are any errors, corrections, or misdirections, please bring them to the attention of the President; and after whatever changes are made, handle the matter with one motion. There will be a short supplemental list that will be available in just a moment.”

MOTION

At 11:10 a.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTIONS

On motion of Senator Matson, Senator Lewis was excused.
On motion of Senator Greive, Senator Greive was excused.

MOTION

On motion of Senator Bailey, all bills, memorials and resolutions are to be referred as indicated on the introduction sheet. One hour following adjournment will be allowed for the addition of sponsors with the consent of the prime sponsor of the bill, memorial or resolution.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 183, by Senators Guess, Rasmussen and Day:

An Act relating to first class cities; amending section 35.22.280, chapter 7, Laws of 1965 as last amended by section 1, chapter 16, Laws of 1971 ex. sess. and RCW 35.22.280; and declaring an emergency.

Referred to Judiciary Committee.

SENATE BILL NO. 184, by Senators Lewis, Washington and Foley:

An Act relating to payroll deductions for certificated employees of school districts; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW.

Referred to Committee on Education.

SENATE BILL NO. 185, by Senators Greive, Stender, Fleming, Ridder, Herr, Cooney and Rasmussen:

An Act relating to labor relations and practices; and enacting a "Washington State Labor Relations Act".

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 186, by Senator Greive:

An Act relating to cities and towns; adding a new section to chapter 35.22 RCW; and declaring an emergency.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 187, by Senators Murray and Knoblauch (by Department of Motor Vehicle request):

An Act relating to businesses and professions; amending section 21, chapter 266, Laws of 1971 ex. sess. and RCW 43.24.085.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 188, by Senator Holman (by Department of Social and Health Services request):

An Act relating to the criminally insane; creating a new chapter in Title 10 RCW; creating new sections; and repealing section 262, page 239, Laws of 1873, section 1, chapter 30, Laws of 1907 and RCW 10.76.010; repealing section 2, chapter 30, Laws of 1907 and RCW 10.76.020; repealing section 3, chapter 30, Laws of 1907 and RCW 10.76.030; repealing section 126, page 121, Laws of 1854, section 262, page 239, Laws of 1873,

section 1101, Code of 1881, section 79, chapter 28, Laws of 1891, section 4, chapter 30, Laws of 1907 and RCW 10.76.040; repealing section 5, chapter 30, Laws of 1907, section 49, chapter 81, Laws of 1971 and RCW 10.76.050; repealing section 8, chapter 30, Laws of 1907, section 1, chapter 48, Laws of 1957, section 1, chapter 9, Laws of 1965 ex. sess., section 50, chapter 81, Laws of 1971 and RCW 10.76.060; repealing section 6, chapter 30, Laws of 1907, section 2, chapter 48, Laws of 1957, section 2, chapter 9, Laws of 1965 ex. sess., section 51, chapter 81, Laws of 1971 and RCW 10.76.070; and repealing section 7, chapter 30, Laws of 1907, section 52, chapter 81, Laws of 1971 and RCW 10.76.080.

Referred to Committee on Public Institutions.

SENATE BILL NO. 189, by Senators Foley, Atwood and Sandison:

An Act relating to revenue bonds of institutions of higher education; amending section 28B.10.310, chapter 223, Laws of 1969 ex. sess. as last amended by section 22, chapter 56, Laws of 1970 ex. sess. and RCW 28B.10.310; and amending section 28B.30.730, chapter 223, Laws of 1969 ex. sess. as last amended by section 28, chapter 56, Laws of 1970 ex. sess. and RCW 28B.30.730.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 190, by Senators Greive and Cooney:

An Act relating to redistricting and reapportionment; amending section 8, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.008; adding new sections to chapter 29.68 RCW; repealing section 7, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.004; repealing section 1, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.012; repealing section 2, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.022; repealing section 3, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.031; repealing section 4, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.041; repealing section 29.68.050, chapter 9, Laws of 1965 and RCW 29.68.050; repealing section 5, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.063; and repealing section 6, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.067.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 191, by Senators Greive and Cooney:

An Act relating to redistricting and reapportionment; amending section 8, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.008; adding new sections to chapter 29.68 RCW; repealing section 7, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.004; repealing section 1, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.012; repealing section 2, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.022; repealing section 3, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.031; repealing section 4, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.041; repealing section 29.68.050, chapter 9, Laws of 1965 and RCW 29.68.050; repealing section 5, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.063; and repealing section 6, chapter 152, Laws of 1965 ex. sess. and RCW 29.68.067.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 192, by Senators Sandison, Holman and Wilson:

An Act relating to the community college capital projects account; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; and declaring an emergency.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 193, by Senators Greive and Cooney:

An Act relating to the legislature; providing for reapportionment and redistricting; and creating a new section.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 194, by Senators Greive and Cooney:

An Act relating to the legislature; providing for reapportionment and redistricting; and creating a new section.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 195, by Senators Greive and Cooney:

An Act relating to the legislature; providing for reapportionment and redistricting; and creating a new section.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 196, by Senators Greive and Cooney:

An Act relating to redistricting and reapportionment; and creating a new section.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 197, by Senators Ridder and Metcalf (by Superintendent of Public Instruction request):

An Act relating to adult education.

Referred to Committee on Education.

SENATE BILL NO. 198, by Senator Washington:

An Act relating to education.

Referred to Committee on Education.

SENATE BILL NO. 199, by Senator Peterson (Lowell):

An Act relating to game and game fish.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 200, by Senator Peterson (Lowell):

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 201, by Senator Peterson (Lowell):

An Act relating to game and game fish.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 202, by Senator Peterson (Lowell):

An Act relating to food fish and shellfish.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 203, by Senator Odegaard:

An Act relating to education.

Referred to Committee on Education.

SENATE BILL NO. 204, by Senators Ridder and Metcalf (by Superintendent of Public Instruction request):

An Act relating to education.

Referred to Committee on Education.

SENATE BILL NO. 205, by Senators Ridder and Metcalf (by Superintendent of Public Instruction request):

An Act relating to education.

Referred to Committee on Education.

SENATE BILL NO. 206, by Senators Durkan, Peterson (Ted), Bailey and Knoblauch:

An Act relating to the Washington state teachers' retirement system.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 207, by Senator Lewis:

An Act relating to the revenue and taxation of timber and forest lands.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 208, by Senator Fleming:

An Act relating to assistance from the public for those in need thereof.

Referred to Committee on Public Institutions.

SENATE BILL NO. 209, by Senators Greive, Durkan and Guess:

An Act relating to reforestation taxation.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 210, by Senators Stortini and Newschwander:

An Act relating to housing and unfit dwellings.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 211, by Senators Ridder and Keefe:

An Act relating to education; and enacting the Parent Reimbursement Act for Nonpublic Education.

Referred to Committee on Education.

SENATE BILL NO. 212, by Senators Cooney and Greive:

An Act relating to the legislature; providing for reapportionment and redistricting; and creating a new section.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 213, by Senators Greive, Bailey and Cooney:

An Act relating to redistricting and reapportionment; and creating a new section.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 214, by Senator Sandison:

An Act relating to cities and towns.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 215, by Senators Greive, Bailey and Cooney:

An Act relating to redistricting and reapportionment; and creating a new section.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 216, by Senators Sandison, Bailey and Odegaard:

An Act relating to recreation trails.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 217, by Senator Lewis:

An Act relating to the revenue and taxation of timber and forest lands.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 218, by Senators Sandison and Elicker:

An Act relating to sport fisheries preserves.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 219, by Senators Elicker and Francis:

An Act relating to motor vehicles.

Referred to Judiciary Committee.

SENATE BILL NO. 220, by Senators Sandison and Fleming:

An Act relating to dentistry; and adding a new section to chapter 18.32 RCW.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 221, by Senator Sandison:

An Act relating to food fish and shellfish; and making an appropriation.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 222, by Senator Rasmussen:

An Act relating to certain public employees; amending section 3, chapter -- (HB No. 82), Laws of 1972 1st ex. sess. and RCW 28A.58.100; and adding a new section to chapter 43.03 RCW.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 223, by Senator Holman (by Public Employees' Collective Bargaining Committee request):

An Act relating to public employees' collective bargaining; amending section 2, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.020; amending section 11, chapter 108, Laws of 1967 ex. sess. and RCW 41.56.110; and adding new sections to chapter 41.56 RCW.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 224, by Senator Washington:

An Act relating to ambulance service; creating a new chapter in Title 18 RCW; creating new sections; repealing section 1, chapter 65, Laws of 1945 and RCW 70.54.060; providing penalties; and providing an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 225, by Senator Mardesich:

An Act relating to small loan companies; amending section 3, chapter 208, Laws of 1941 as amended by section 2, chapter 212, Laws of 1959 and RCW 31.08.030; amending section 4, chapter 208, Laws of 1941 and RCW 31.08.050; amending section 6, chapter 208, Laws of 1941 and RCW 31.08.070; amending section 7, chapter 208, Laws of 1941 and RCW 31.08.080; amending section 8, chapter 208, Laws of 1941 and RCW 31.08.090; and amending section 23, chapter 208, Laws of 1941 as amended by section 81, chapter 81, Laws of 1971 and RCW 31.08.260.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 226, by Senator Francis:

An Act relating to disability insurance; amending section 21, chapter 229, Laws of 1951 and RCW 48.20.202; and amending section 22, chapter 229, Laws of 1951 and RCW 48.20.212.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 227, by Senators Dore, Peterson (Ted) and Holman:

An Act relating to property appraisers; creating a new chapter in Title 19 RCW; providing an effective date; and prescribing penalties.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 228, by Senator Lewis:

An Act relating to pensions, annuity and retirement plans for employees of Washington State University.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 229, by Senator Gissberg:

An Act relating to banks; adding a new section to chapter 30.04 RCW; and establishing an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 230, by Senators Durkan and Woodall:

An Act relating to alien employment; adding new sections to chapter 39.20 RCW; and prescribing penalties.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 231, by Senators Mardesich and Greive:

An Act relating to governmental institutions and providing penalties.

Referred to Committee on State Government.

SENATE BILL NO. 232, by Senators Durkan and Stender:

An Act relating to labor relations in health care activities; and adding a new chapter to Title 49 RCW.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 233, by Senator Dore:

An Act relating to motor vehicle repairs; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 234, by Senators Dore, Connor and Stortini:

An Act relating to furloughs for prisoners; amending section 3, chapter 58, Laws of 1971 ex. sess. and RCW 72.66.020; and declaring an emergency.

Referred to Committee on Public Institutions.

SENATE BILL NO. 235, by Senator Mardesich:

An Act relating to state parks and recreation; adding a new section to chapter 43.51 RCW; and making an appropriation.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 236, by Senators Scott, Francis, Elicker, Murray and Gardner (by executive request):

An Act relating to state government; creating a department of transportation and prescribing its general structure, personnel, powers, duties, and functions; transferring to the jurisdiction of the department of transportation and/or the secretary of transportation certain powers, duties, and functions of the department of highways, the highway commission, the toll bridge authority, the aeronautics commission, the department of motor vehicles, the state traffic safety commission, the canal commission, and the urban arterial board; transferring to the jurisdiction of the secretary of transportation certain powers, duties, and functions of certain state officials, boards, and commissions; providing the procedure for the aforesaid transfers; saving certain rights; abolishing certain state agencies and offices; renaming Title 47 RCW and adding certain code chapters thereto; amending section 47.01.050, chapter 13, Laws of 1961 and RCW 47.01.050; amending section 47.01.060, chapter 13, Laws of 1961 and RCW 47.01.060; amending section 47.01.070, chapter 13, Laws of 1961 and RCW 47.01.070; amending section 22, chapter 83, Laws of 1967 ex. sess. as amended by section 1, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.160; amending section 47.56.030, chapter 13, Laws of 1961 as last amended by section 3, chapter 180, Laws of 1969 ex. sess. and RCW 47.56.030; amending section 47.56.070, chapter 13, Laws of 1961 and RCW 47.56.070; amending section 47.56.080, chapter 13, Laws of 1961 and RCW 47.56.080; amending section 47.56.090, chapter 13, Laws of 1961 and RCW 47.56.090; amending section 47.56.120, chapter 13, Laws of 1961 and RCW 47.56.120; amending section 47.56.245, chapter 13, Laws of 1961 as amended by section 53, chapter 170, Laws of 1965 ex. sess. and RCW 47.56.245; amending section 47.56.250, chapter 13, Laws of 1961 and RCW 47.56.250; amending section 3, chapter 257, Laws of 1961 and RCW 47.56.254; amending section 4, chapter 165, Laws of 1947 as last amended by section 2, chapter 68, Laws of 1967 and RCW 14.04.040; amending section 5, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.050; amending section 3, chapter 147, Laws of 1967 ex. sess. as last amended by section 7, chapter 85, Laws of 1971 ex. sess. and RCW 43.59.030; amending section 9, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.080; amending section 1, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.010; amending section 8, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.070; amending section 14, chapter 147, Laws of 1967 ex. sess. as amended by section 5, chapter 195, Laws of 1971 ex. sess. and RCW 43.59.130; amending section 20, chapter 83, Laws of 1967 ex. sess. as amended by section 3, chapter 171, Laws of 1969 ex. sess. and RCW 47.26.140; amending section 1, chapter 11, Laws of 1971 and RCW 43.17.010; amending section 2, chapter 11, Laws of 1971 and RCW 43.17.020; adding new sections to Title 46 RCW; adding new sections to chapter 13, Laws of 1961 and to chapter 47.01 RCW; adding new sections to Title 47 RCW; adding a new section to chapter 14.04 RCW; adding new sections

to chapter 43.59 RCW; adding a new section to chapter 1, Laws of 1961 and to chapter 41.06 RCW; creating new sections; repealing section 3, chapter 165, Laws of 1947, section 1, chapter 68, Laws of 1967 and RCW 14.04.030; repealing section 7, chapter 147, Laws of 1967 ex. sess. and RCW 43.59.040; repealing section 1, chapter 156, Laws of 1965 and RCW 46.01.010; repealing section 2, chapter 156, Laws of 1965 and RCW 46.01.020; repealing section 9, chapter 156, Laws of 1965 and RCW 46.01.090; repealing section 47.01.010, chapter 13, Laws of 1961 and RCW 47.01.010; repealing section 47.01.030, chapter 13, Laws of 1961, section 1, chapter 1, Laws of 1965 ex. sess. and RCW 47.01.030; repealing section 47.01.080, chapter 13, Laws of 1961 and RCW 47.01.080; repealing section 47.01.090, chapter 13, Laws of 1961 and RCW 47.01.090; repealing section 47.01.100, chapter 13, Laws of 1961 and RCW 47.01.100; repealing section 47.01.110, chapter 13, Laws of 1961 and RCW 47.01.110; repealing section 47.01.120, chapter 13, Laws of 1961 and RCW 47.01.120; repealing section 47.01.130, chapter 13, Laws of 1961, section 10, chapter 307, Laws of 1961 and RCW 47.01.130; repealing section 47.01.160, chapter 13, Laws of 1961, section 29, chapter 170, Laws of 1965 ex. sess., section 1, chapter 115, Laws of 1971 ex. sess. and RCW 47.01.160; repealing section 2, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.020; repealing section 3, chapter 123, Laws of 1965 ex. sess., section 1, chapter 36, Laws of 1967 and RCW 91.12.030; repealing section 4, chapter 123, Laws of 1965 ex. sess. and RCW 91.12.040; and providing an effective date.

Referred to Committee on State Government.

SENATE BILL NO. 237, by Senator Mardesich:

An Act relating to banks and trust companies; and adding new sections to chapter 33, Laws of 1955 and to chapter 30.44 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 238, by Senators Greive and Cooney:

An Act relating to redistricting and reapportionment; adding new sections to chapter 44.07 RCW; repealing section 1, chapter 6, Laws of 1965 and RCW 44.07.005; repealing section 2, chapter 6, Laws of 1965 and RCW 44.07.010; repealing section 3, chapter 6, Laws of 1965 and RCW 44.07.020; repealing section 4, chapter 6, Laws of 1965 and RCW 44.07.030; repealing section 5, chapter 6, Laws of 1965 and RCW 44.07.040; repealing section 6, chapter 6, Laws of 1965 and RCW 44.07.050; repealing section 7, chapter 6, Laws of 1965 and RCW 44.07.060; repealing section 8, chapter 6, Laws of 1965 and RCW 44.07.070; repealing section 9, chapter 6, Laws of 1965 and RCW 44.07.080; repealing section 10, chapter 6, Laws of 1965 and RCW 44.07.090; repealing section 11, chapter 6, Laws of 1965 and RCW 44.07.100; repealing section 12, chapter 6, Laws of 1965 and RCW 44.07.110; repealing section 13, chapter 6, Laws of 1965 and RCW 44.07.120; repealing section 14, chapter 6, Laws of 1965 and RCW 44.07.130; repealing section 15, chapter 6, Laws of 1965 and RCW 44.07.140; repealing section 16, chapter 6, Laws of 1965 and RCW 44.07.150; repealing section 17, chapter 6, Laws of 1965 and RCW 44.07.160; repealing section 18, chapter 6, Laws of 1965 and RCW 44.07.170; repealing section 19, chapter 6, Laws of 1965 and RCW 44.07.180; repealing section 20, chapter 6, Laws of 1965 and RCW 44.07.190; repealing section 21, chapter 6, Laws of 1965 and RCW 44.07.200; repealing section 22, chapter 6, Laws of 1965 and RCW 44.07.210; repealing section 23, chapter 6, Laws of 1965 and RCW 44.07.220; repealing section 24, chapter 6, Laws of 1965 and RCW 44.07.230; repealing section 25, chapter 6, Laws of 1965 and RCW 44.07.240; repealing section 26, chapter 6, Laws of 1965 and RCW 44.07.250; repealing section 27, chapter 6, Laws of 1965 and RCW 44.07.260; repealing section 28, chapter 6, Laws of 1965 and RCW 44.07.270; repealing section 29, chapter 6, Laws of 1965 and RCW 44.07.280; repealing section 30, chapter 6, Laws of 1965 and RCW 44.07.290; repealing section 31, chapter 6, Laws of 1965 and RCW 44.07.300; repealing section 32, chapter 6, Laws of 1965 and RCW 44.07.310; repealing section 33, chapter 6, Laws of 1965 and RCW 44.07.320; repealing section 34, chapter 6, Laws of 1965 and RCW 44.07.330; repealing section 35, chapter 6, Laws of 1965 and RCW 44.07.340; repealing section 36, chapter 6, Laws of 1965 and RCW 44.07.350; repealing section 37, chapter 6, Laws of 1965 and RCW 44.07.360; repealing section 38, chapter 6, Laws of 1965 and RCW 44.07.370; repealing section 39, chapter 6, Laws of 1965 and RCW 44.07.380; repealing section 40, chapter 6, Laws of 1965 and RCW

44.07.390; repealing section 41, chapter 6, Laws of 1965 and RCW 44.07.400; repealing section 42, chapter 6, Laws of 1965 and RCW 44.07.410; repealing section 43, chapter 6, Laws of 1965 and RCW 44.07.420; repealing section 44, chapter 6, Laws of 1965 and RCW 44.07.430; repealing section 45, chapter 6, Laws of 1965 and RCW 44.07.440; repealing section 46, chapter 6, Laws of 1965 and RCW 44.07.450; repealing section 47, chapter 6, Laws of 1965 and RCW 44.07.460; repealing section 48, chapter 6, Laws of 1965 and RCW 44.07.470; repealing section 49, chapter 6, Laws of 1965 and RCW 44.07.480; repealing section 50, chapter 6, Laws of 1965 and RCW 44.07.490; repealing section 51, chapter 6, Laws of 1965 and RCW 44.07.500; repealing section 52, chapter 6, Laws of 1965 and RCW 44.07.510; repealing section 53, chapter 6, Laws of 1965 and RCW 44.07.520; repealing section 54, chapter 6, Laws of 1965 and RCW 44.07.530; repealing section 55, chapter 6, Laws of 1965 and RCW 44.07.540; repealing section 56, chapter 6, Laws of 1965 and RCW 44.07.550; and repealing section 58, chapter 6, Laws of 1965 and RCW 44.07.910.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 239, by Senator Francis:

An Act relating to tenure in community colleges; amending section 33, chapter 283, Laws of 1969 ex. sess. as amended by section 3, chapter 5, Laws of 1970 ex. sess. and RCW 28B.50.851; and amending section 45, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.869.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 240, by Senators Atwood, Huntley, Holman, Sandison, Stortini, Wilson, Guess and Foley (by Joint Committee on Higher Education request):

An Act relating to institutions of higher education; amending section 2, chapter 273, Laws of 1971 ex. sess. and RCW 28B.15.012; amending section 3, chapter 273, Laws of 1971 ex. sess. and RCW 28B.15.013; and declaring an emergency.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 241, by Senators Gissberg, Andersen and Mardesich:

An Act relating to mutual savings banks; and amending section 12, chapter 55, Laws of 1969 and RCW 32.08.210.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 242, by Senators Rasmussen and Knoblauch:

An Act relating to property taxation; amending section 84.08.030, chapter 15, Laws of 1961 as amended by section 30, chapter 149, Laws of 1967 ex. sess. and RCW 84.08.030; and amending section 84.48.010, chapter 15, Laws of 1961 as amended by section 2, chapter 55, Laws of 1970 ex. sess. and RCW 84.48.010.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 243, by Senator Mardesich:

An Act relating to cities and towns; adding new sections to chapter 35.21 RCW; and declaring an emergency.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 244, by Senator Mardesich:

An Act relating to presidential primaries; adding a new chapter to chapter 9, Laws of 1965 and to Title 29 RCW; creating a new chapter; and declaring an emergency.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 245, by Senator Mardesich:

An Act relating to small loan companies; amending section 13, chapter 208, Laws of 1941 as last amended by section 5, chapter 212, Laws of 1959 and RCW 31.08.160; amending section 10, chapter 212, Laws of 1959 and RCW 31.08.173; amending section 15, chapter 208, Laws of 1941 as amended by section 7, chapter 212, Laws of 1959 and RCW

31.08.180; amending section 17, chapter 208, Laws of 1941 as last amended by section 1, chapter 180, Laws of 1967 and RCW 31.08.200.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 246, by Senator Durkan:

An Act relating to industrial insurance; amending section 51.08.030, chapter 23, Laws of 1961, as amended by section 1, chapter 77, Laws of 1969 ex. sess. and RCW 51.08.030.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 247, by Senators Gardner, Murray and Mardesich:

An Act relating to a state-wide effective employment program; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Manufacturing and Industrial Development.

SENATE BILL NO. 248, by Senators Walgren and Twigg (by Municipal Committee request):

An Act relating to controlled substances; amending section 69.50.304, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.304; amending section 69.50.401, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.401; amending section 69.50.408, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.408; amending section 69.50.505, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.505; repealing section 22, chapter 38, Laws of 1963, section 3, chapter 71, Laws of 1967 and RCW 69.40.064; and repealing section 2, chapter 33, Laws of 1970 ex. sess. and RCW 69.40.065.

Referred to Judiciary Committee.

SENATE BILL NO. 249, by Senator Mardesich:

An Act relating to alcoholic beverage control; providing for employment of persons under twenty-one years of age; and adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.44 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 250, by Senators Lewis and Dore:

An Act relating to employment agencies; amending section 4, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.040; amending section 5, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.050; amending section 9, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.090; amending section 11, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.110; amending section 14, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.140; amending section 17, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.170; amending section 20, chapter 228, Laws of 1969 ex. sess. and RCW 19.31.200; and adding a new section to chapter 19.31 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 251, by Senator Guess:

An Act relating to railroads; providing for appointment of the secretary of state as attorney in certain cases; and adding a new section to chapter 14, Laws of 1961 and to chapter 81.36 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 252, by Senator Gardner:

An Act relating to service programs for members of the work force displaced by technological changes or external economic forces; making an appropriation; and declaring an emergency.

Referred to Committee on Manufacturing and Industrial Development.

SENATE BILL NO. 253, by Senator Gissberg:

An Act relating to the state bar act; and amending section 5, chapter 94, Laws of 1933 and RCW 2.48.030.

Referred to Judiciary Committee.

SENATE BILL NO. 254, by Senators Mardesich and Lewis:

An Act relating to credit unions; amending section 2, chapter 23, Laws of 1957 and RCW 31.12.010; amending section 3, chapter 23, Laws of 1957 as amended by section 2, chapter 180, Laws of 1967 and RCW 31.12.020; amending section 4, chapter 173, Laws of 1933 as amended by section 4, chapter 131, Laws of 1943 and RCW 31.12.080; amending section 14, chapter 173, Laws of 1933 as last amended by section 6, chapter 180, Laws of 1967 and RCW 31.12.180; amending section 15, chapter 173, Laws of 1933 as last amended by section 3, chapter 65, Laws of 1969 and RCW 31.12.190; amending section 17, chapter 173, Laws of 1933 as last amended by section 6, chapter 23, Laws of 1957 and RCW 31.12.210; amending section 18, chapter 173, Laws of 1933 as last amended by section 5, chapter 65, Laws of 1969 and RCW 31.12.220; amending section 21, chapter 173, Laws of 1933 as last amended by section 6, chapter 65, Laws of 1969 and RCW 31.12.240; amending section 8, chapter 23, Laws of 1957 as last amended by section 7, chapter 65, Laws of 1969 and RCW 31.12.245; amending section 20, chapter 173, Laws of 1933 as last amended by section 8, chapter 65, Laws of 1969 and RCW 31.12.260; amending section 11, chapter 23, Laws of 1957 as last amended by section 9, chapter 65, Laws of 1969 and RCW 31.12.270; amending section 12, chapter 23, Laws of 1957 as last amended by section 10, chapter 65, Laws of 1969 and RCW 31.12.280; amending section 13, chapter 23, Laws of 1957 as last amended by section 13, chapter 180, Laws of 1967 and RCW 31.12.290; amending section 26, chapter 173, Laws of 1933 as last amended by section 5, chapter 213, Laws of 1947 and RCW 31.12.320; amending section 32, chapter 173, Laws of 1933 as amended by section 24, chapter 131, Laws of 1943 and RCW 31.12.370; and adding new sections to chapter 31.12 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 255, by Senators Greive and Cooney:

An Act relating to redistricting and reapportionment; adding new sections to chapter 44.07 RCW; repealing section 1, chapter 6, Laws of 1965 and RCW 44.07.005; repealing section 2, chapter 6, Laws of 1965 and RCW 44.07.010; repealing section 3, chapter 6, Laws of 1965 and RCW 44.07.020; repealing section 4, chapter 6, Laws of 1965 and RCW 44.07.030; repealing section 5, chapter 6, Laws of 1965 and RCW 44.07.040; repealing section 6, chapter 6, Laws of 1965 and RCW 44.07.050; repealing section 7, chapter 6, Laws of 1965 and RCW 44.07.060; repealing section 8, chapter 6, Laws of 1965 and RCW 44.07.070; repealing section 9, chapter 6, Laws of 1965 and RCW 44.07.080; repealing section 10, chapter 6, Laws of 1965 and RCW 44.07.090; repealing section 11, chapter 6, Laws of 1965 and RCW 44.07.100; repealing section 12, chapter 6, Laws of 1965 and RCW 44.07.110; repealing section 13, chapter 6, Laws of 1965 and RCW 44.07.120; repealing section 14, chapter 6, Laws of 1965 and RCW 44.07.130; repealing section 15, chapter 6, Laws of 1965 and RCW 44.07.140; repealing section 16, chapter 6, Laws of 1965 and RCW 44.07.150; repealing section 17, chapter 6, Laws of 1965 and RCW 44.07.160; repealing section 18, chapter 6, Laws of 1965 and RCW 44.07.170; repealing section 19, chapter 6, Laws of 1965 and RCW 44.07.180; repealing section 20, chapter 6, Laws of 1965 and RCW 44.07.190; repealing section 21, chapter 6, Laws of 1965 and RCW 44.07.200; repealing section 22, chapter 6, Laws of 1965 and RCW 44.07.210; repealing section 23, chapter 6, Laws of 1965 and RCW 44.07.220; repealing section 24, chapter 6, Laws of 1965 and RCW 44.07.230; repealing section 25, chapter 6, Laws of 1965 and RCW 44.07.240; repealing section 26, chapter 6, Laws of 1965 and RCW 44.07.250; repealing section 27, chapter 6, Laws of 1965 and RCW 44.07.260; repealing section 28, chapter 6, Laws of 1965 and RCW 44.07.270; repealing section 29, chapter 6, Laws of 1965 and RCW 44.07.280; repealing section 30, chapter 6, Laws of 1965 and RCW 44.07.290; repealing section 31, chapter 6, Laws of 1965 and RCW 44.07.300; repealing section 32, chapter 6, Laws of 1965 and RCW 44.07.310; repealing section 33, chapter 6, Laws of 1965 and RCW 44.07.320; repealing section 34, chapter 6, Laws of 1965 and RCW 44.07.330; repealing section 35, chapter 6, Laws of 1965 and RCW 44.07.340; repealing section 36, chapter 6, Laws of 1965 and RCW 44.07.350; repealing section 37, chapter 6, Laws of 1965 and RCW 44.07.360; repealing section 38, chapter 6, Laws of 1965 and RCW 44.07.370; repealing section 39, chapter 6, Laws of 1965 and RCW 44.07.380; repealing section 40, chapter 6, Laws of 1965 and RCW 44.07.390; repealing section 41, chapter 6, Laws of 1965 and RCW 44.07.400; repealing

section 42, chapter 6, Laws of 1965 and RCW 44.07.410; repealing section 43, chapter 6, Laws of 1965 and RCW 44.07.420; repealing section 44, chapter 6, Laws of 1965 and RCW 44.07.430; repealing section 45, chapter 6, Laws of 1965 and RCW 44.07.440; repealing section 46, chapter 6, Laws of 1965 and RCW 44.07.450; repealing section 47, chapter 6, Laws of 1965 and RCW 44.07.460; repealing section 48, chapter 6, Laws of 1965 and RCW 44.07.470; repealing section 49, chapter 6, Laws of 1965 and RCW 44.07.480; repealing section 50, chapter 6, Laws of 1965 and RCW 44.07.490; repealing section 51, chapter 6, Laws of 1965 and RCW 44.07.500; repealing section 52, chapter 6, Laws of 1965 and RCW 44.07.510; repealing section 53, chapter 6, Laws of 1965 and RCW 44.07.520; repealing section 54, chapter 6, Laws of 1965 and RCW 44.07.530; repealing section 55, chapter 6, Laws of 1965 and RCW 44.07.540; repealing section 56, chapter 6, Laws of 1965 and RCW 44.07.550; and repealing section 58, chapter 6, Laws of 1965 and RCW 44.07.910.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 256, by Senator Francis:

An Act relating to actions by parents for death of or injury to their children; amending section 9, page 4, Laws of 1869 as last amended by section 1, chapter 81, Laws of 1967 ex. sess. and RCW 4.24.010; and adding a new section to chapter 4.24 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 257, by Senator Gardner:

An Act relating to correctional facilities; and adding a new section to chapter 72.01 RCW.

Referred to Committee on Public Institutions.

SENATE BILL NO. 258, by Senator Francis:

An Act relating to public health and safety; creating new sections; defining crimes; and prescribing penalties.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 259, by Senator Francis:

An Act relating to teacher's retirement; and amending section 48, chapter 80, Laws of 1947 as last amended by section 2, chapter 35, Laws of 1970 ex. sess. and RCW 41.32.480.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 260, by Senators Holman, Gardner and Gissberg:

An Act relating to estates of absentees; amending section 11.80.010, chapter 145, Laws of 1965 and RCW 11.80.010; and adding new sections to chapter 11.80 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 261, by Senators Mardesich, Peterson (Ted) and Durkan:

An Act relating to the regulation of businesses; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 262, by Senators Gissberg, Holman and Huntley:

An Act relating to labor relations; providing for the regulation of labor relations between hospitals and employees thereof; and adding a new chapter to Title 49 RCW.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 263, by Senator Gissberg:

An Act relating to park and recreation districts; amending section 36.69.010, chapter 4, Laws of 1963 as last amended by section 1, chapter 26, Laws of 1969 and RCW 36.69.010; amending section 36.69.130, chapter 4, Laws of 1963 as last amended by section 4, chapter 26, Laws of 1969 and RCW 36.69.130; and adding new sections to chapter 4, Laws of 1963 and to chapter 36.69 RCW.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 264, by Senators Dore, Peterson (Ted), Stortini, Knoblauch, Connor and Odegaard:

An Act relating to revaluation of property; creating new sections; and declaring an emergency.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 265, by Senator Francis:

An Act relating to elections; and amending section 29.07.010, chapter 9, Laws of 1965, as amended by section 4, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.010.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 266, by Senator Mardesich:

An Act relating to business and occupation taxes; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 5, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.260; amending section 82.04.240, chapter 15, Laws of 1961 as last amended by section 3, chapter 281, Laws of 1971 ex. sess. and RCW 82.04.240; and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 267, by Senators Francis, Holman and Scott:

An Act relating to noise control; adding a new chapter to Title 70 RCW; creating a new section; and providing penalties.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 268, by Senators Knoblauch, Rasmussen and Canfield:

An Act relating to agriculture and marketing; and amending section 15.38.020, chapter 11, Laws of 1961 and RCW 15.38.020.

Referred to Committee on Agriculture and Horticulture.

SENATE BILL NO. 269, by Senators Murray and Whetzel:

An Act relating to the regulation of the sale of recreational lands; creating a new chapter in Title 58 RCW; and prescribing penalties.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 270, by Senators Henry, Donohue and Guess:

An Act relating to self-propelled vehicles; amending section 4, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.040; amending section 8, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.080; and amending section 16, chapter 29, Laws of 1971, ex. sess. and RCW 46.10.160.

Referred to Committee on Transportation.

SENATE BILL NO. 271, by Senator Mardesich:

An Act relating to public depositories; amending section 1, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.010; amending section 11, chapter 193, Laws of 1969 and RCW 39.58.110; and amending section 13, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.130.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 272, by Senators Gissberg and Metcalf:

An Act relating to intergovernmental disposition of property; and amending section 1, chapter 133, Laws of 1953 and RCW 39.33.010.

Referred to Committee on State Government.

SENATE BILL NO. 273, by Senator Ridder:

An Act relating to pesticide control; and amending section 3, chapter 190, Laws of 1971 ex. sess. and RCW 15.58.030.

Referred to Committee on Agriculture and Horticulture.

SENATE BILL NO. 274, by Senators Scott, Bailey, Holman, Murray, Washington, Wilson and Sellar (by executive request):

An Act relating to the regulation and reporting of campaign contributions and expenditures; establishing an elections commission; adding a new chapter to Title 29 RCW; creating new sections; repealing section 29.18.140, chapter 9, Laws of 1965, section 9, chapter 150, Laws of 1965 ex. sess. and RCW 29.18.140; repealing section 29.85.270, chapter 9, Laws of 1965 and RCW 29.85.270; prescribing penalties; and providing an effective date.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 275, by Senators Bailey, Andersen, Huntley and Dore (by Joint Board of Legislative Ethics request):

An Act relating to legislative lobbying; providing for the registration and regulation of lobbyists; amending section 3, chapter 150, Laws of 1967 ex. sess. and RCW 44.60.030; amending section 1, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.010; amending section 2, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.020; amending section 3, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.030; amending section 4, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.040; amending section 6, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.060; adding new sections to chapter 131, Laws of 1967 ex. sess. and to chapter 44.64 RCW; repealing section 5, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.050; and providing civil remedies.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 276, by Senators Walgren and Andersen (by Board of Prison Terms and Paroles request):

An Act relating to crimes and punishments; adding a new section to chapter 9.95 RCW; and repealing section 6, chapter 133, Laws of 1955 and RCW 9.95.050.

Referred to Judiciary Committee.

SENATE BILL NO. 277, by Senators Durkan, Talley and Peterson (Ted):

An Act relating to the Washington state employees' retirement system; and adding new sections to chapter 41.40 RCW.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 278, by Senators Walgren, Andersen and Odegaard (by Board of Prison Terms and Paroles request):

An Act relating to crimes and punishments; amending section 13, chapter 133, Laws of 1955 as last amended by section 2, chapter 98, Laws of 1969 and RCW 9.95.120; and adding a new section to chapter 9.95 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 279, by Senators Talley and Stender:

An Act relating to industrial insurance; amending section 51.16.140, chapter 23, Laws of 1961 as last amended by section 77, chapter 289, Laws of 1971 ex. sess. and RCW 51.16.140; amending section 51.28.055, chapter 23, Laws of 1961 and RCW 51.28.055; amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 8, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.060; amending section 17, chapter 289, Laws of 1971 and RCW 51.32.073; and amending section 51.32.110; chapter 23, Laws of 1961 as amended by section 13, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.110.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 280, by Senators Walgren and Twigg (by Municipal Committee request):

An Act relating to the crime of arson; adding new sections to chapter 9.09 RCW; repealing section 40, page 82, Laws of 1854, section 44, page 189, Laws of 1873, section 823, Code of 1881, section 40, page 77, Laws of 1886, section 1, chapter 87, Laws of 1895, section 320, chapter 249, Laws of 1909, section 1, chapter 11, Laws of 1963 and RCW 9.09.010; repealing section 40, page 82, Laws of 1854, section 44, page 189, Laws of 1873,

section 823, Code of 1881, section 40, page 77, Laws of 1886, section 1, chapter 87, Laws of 1895, section 321, chapter 249, Laws of 1909, section 1, chapter 265, Laws of 1927, section 2, chapter 11, Laws of 1963, section 1, chapter 17, Laws of 1965 ex. sess. and RCW 9.09.020; repealing section 322, chapter 249, Laws of 1909 and RCW 9.09.030; repealing section 323, chapter 249, Laws of 1909 and RCW 9.09.040; repealing section 324, chapter 249, Laws of 1909 and RCW 9.09.050; and repealing section 6, chapter 87, Laws of 1895, section 325, chapter 249, Laws of 1909 and RCW 9.09.060.

Referred to Judiciary Committee.

SENATE BILL NO. 281, by Senators Washington, Metcalf, Connor and Dore (by Joint Committee on Governmental Cooperation request):

An Act relating to the Washington public employees' retirement system; and amending section 8, chapter 155, Laws of 1965 as amended by section 3, chapter 128, Laws of 1969 and RCW 41.40.071.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 282, by Senator Odegaard:

An Act relating to generating facilities; and amending section 35.21.425, chapter 7, Laws of 1965 and RCW 35.21.425.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 283, by Senators Holman, Greive and Metcalf (by Joint Committee on Governmental Cooperation request):

An Act relating to the investment of permanent state funds; and amending section 1, chapter 104, Laws of 1965 ex. sess. as amended by section 1, chapter 2, Laws of 1967 ex. sess. and RCW 43.84.011.

Referred to Committee on State Government.

SENATE BILL NO. 284, by Senators Dore, Washington, Metcalf and Connor (by Joint Committee on Governmental Cooperation request):

An Act relating to the investment of accident, medical aid, and reserve funds; amending section 51.44.100, chapter 23, Laws of 1961 as last amended by section 1, chapter 41, Laws of 1961 ex. sess. and RCW 51.44.100; and creating a new section.

Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 285, by Senator Mardesich:

An Act relating to unemployment compensation; adding new sections to chapter 35, Laws of 1945 and to Title 50 RCW as a new chapter therein; and establishing an effective date.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 286, by Senators Day, Peterson (Lowell), Durkan, Donohue, Gissberg, Fleming, Keefe, Mardesich, Connor, Odegaard, Francis, Cooney, Herr, Jolly, Greive, Twigg, Metcalf, Elicker, Sellar and Guess:

An Act relating to the retail sales and use taxes; amending section 81.04.050, chapter 15, Laws of 1961 as last amended by section 3, chapter 299, Laws of 1971 ex. sess. and RCW 82.04.050; and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 287, by Senators Holman and Clarke:

An Act relating to garbage collection; and amending section 3, chapter 295, Laws of 1961 and RCW 81.77.020.

Referred to Committee on Education.

SENATE BILL NO. 288, by Senator Mardesich:

An Act relating to securities regulation; amending section 21, chapter 282, Laws of 1959 and RCW 21.20.210; amending section 27, chapter 282, Laws of 1959 as last amended by section 3, chapter 17, Laws of 1965 and RCW 21.20.270; amending section 37, chapter

282, Laws of 1959 and RCW 21.20.370; amending section 55, chapter 282, Laws of 1959 and RCW 21.20.550; amending section 56, chapter 282, Laws of 1959 and RCW 21.20.560; amending section 59, chapter 282, Laws of 1959 and RCW 21.20.590; adding new sections to chapter 21.20 RCW; and imposing penalties.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 289, by Senators Wilson, Murray and Washington:

An Act relating to open public meetings; and amending section 11, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.110.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 290, by Senator Whetzel:

An Act relating to investment of trust funds; adding a new section to chapter 33, Laws of 1955 and to chapter 30.24 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 291, by Senator Gissberg:

An Act relating to crimes and punishments and prescribing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 292, by Senators Francis, Clarke and Odegaard (by Department of Social and Health Services request):

An Act relating to mental illness and inebriacy; adding new sections to chapter 25, Laws of 1959 and to chapter 71.02 RCW; repealing section 71.02.010, chapter 25, Laws of 1959 and RCW 71.02.010; repealing section 71.02.090, chapter 25, Laws of 1959 and RCW 71.02.090; repealing section 71.02.100, chapter 25, Laws of 1959 and RCW 71.02.100; repealing section 71.02.110, chapter 25, Laws of 1959 and RCW 71.02.110; repealing section 71.02.120, chapter 25, Laws of 1959, section 9, chapter 196, Laws of 1959 and RCW 71.02.120; repealing section 71.02.130, chapter 25, Laws of 1959, section 10, chapter 196, Laws of 1959 and RCW 71.02.130; repealing section 71.02.140, chapter 25, Laws of 1959 and RCW 71.02.140; repealing section 71.02.150, chapter 25, Laws of 1959 and RCW 71.02.150; repealing section 71.02.160, chapter 25, Laws of 1959 and RCW 71.02.160; repealing section 71.02.170, chapter 25, Laws of 1959 and RCW 71.02.170; repealing section 71.02.180, chapter 25, Laws of 1959 and RCW 71.02.180; repealing section 71.02.190, chapter 25, Laws of 1959 and RCW 71.02.190; repealing section 71.02.200, chapter 25, Laws of 1959 and RCW 71.02.200; repealing section 71.02.210, chapter 25, Laws of 1959 and RCW 71.02.210; repealing section 71.02.220, chapter 25, Laws of 1959 and RCW 71.02.220; repealing section 71.02.240, chapter 25, Laws of 1959 and RCW 71.02.240; repealing section 71.02.250, chapter 25, Laws of 1959, section 1, chapter 51, Laws of 1959 and RCW 71.02.250; repealing section 2, chapter 51, Laws of 1959 and RCW 71.02.255; and repealing section 71.02.260, chapter 25, Laws of 1959 and RCW 71.02.260.

Referred to Judiciary Committee.

SENATE BILL NO. 293, by Senators Ridder and Stortini:

An Act relating to revenue and taxation; amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 288, Laws of 1971 ex. sess. and RCW 84.56.020; adding new sections to chapter 4, Laws of 1963 and to chapter 36.40 RCW; and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 294, by Senators Ridder, Peterson (Ted) and Stortini:

An Act relating to collection of taxes; and amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 288, Laws of 1971 ex. sess. and RCW 84.56.020.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 295, by Senators Day, Peterson (Lowell), Holman and Washington:

An Act relating to motor vehicle insurance; requiring no-fault insurance as a condition precedent to use of streets, roads, and highways; adding a new chapter to Title 46 RCW; amending section 3, chapter 156, Laws of 1965 and RCW 46.01.030; amending section 4, chapter 156, Laws of 1965 and RCW 46.01.040; amending section 4, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.031; amending section 21, chapter 121, Laws of 1965 as last amended by section 2, chapter 1, Laws of 1969; repealing section .22.02, chapter 79, Laws of 1947 and RCW 48.22.020; repealing section 27, chapter 150, Laws of 1967 and RCW 48.22.030; repealing section 3, chapter 3, Laws of 1967 ex. sess. and RCW 48.22.040; repealing section 19, chapter 169, Laws of 1963 and RCW 46.29.010; repealing section 2, chapter 169, Laws of 1963 and RCW 46.29.020; repealing section 3, chapter 169, Laws of 1963 and RCW 46.29.030; repealing section 4, chapter 169, Laws of 1963 and RCW 46.29.040; repealing section 5, chapter 169, Laws of 1963, section 1, chapter 174, Laws of 1967, section 1, chapter 40, Laws of 1969 and RCW 46.29.050; repealing section 6, chapter 169, Laws of 1963, section 2, chapter 22, Laws of 1971 ex. sess. and RCW 46.29.060; repealing section 7, chapter 169, Laws of 1963 and RCW 46.29.070; repealing section 8, chapter 169, Laws of 1963, section 1, chapter 124, Laws of 1965 and RCW 46.29.080; repealing section 9, chapter 169, Laws of 1963, section 1, chapter 3, Laws of 1969 ex. sess. and RCW 46.29.090; repealing section 10, chapter 169, Laws of 1963 and RCW 46.29.100; repealing section 11, chapter 169, Laws of 1963, section 37, chapter 32, Laws of 1967 and RCW 46.29.110; repealing section 12, chapter 169, Laws of 1963, section 2, chapter 124, Laws of 1965 and RCW 46.29.120; repealing section 13, chapter 169, Laws of 1963 and RCW 46.29.130; repealing section 14, chapter 169, Laws of 1963 and RCW 46.29.140; repealing section 15, chapter 169, Laws of 1963 and RCW 46.29.150; repealing section 16, chapter 169, Laws of 1963 and RCW 46.29.160; repealing section 17, chapter 169, Laws of 1963 and RCW 46.29.170; repealing section 18, chapter 169, Laws of 1963, section 38, chapter 32, Laws of 1967 and RCW 46.29.180; repealing section 19, chapter 169, Laws of 1963, section 3, chapter 124, Laws of 1965 and RCW 46.29.190; repealing section 20, chapter 169, Laws of 1963, section 4, chapter 124, Laws of 1965, section 1, chapter 61, Laws of 1967 and RCW 46.29.200; repealing section 21, chapter 169, Laws of 1963 and RCW 46.29.210; repealing section 22, chapter 169, Laws of 1963 and RCW 46.29.220; repealing section 23, chapter 169, Laws of 1963 and RCW 46.29.230; repealing section 24, chapter 169, Laws of 1963 and RCW 46.29.240; repealing section 25, chapter 169, Laws of 1963 and RCW 46.29.250; repealing section 26, chapter 169, Laws of 1963, section 2, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.260; repealing section 27, chapter 169, Laws of 1963 and RCW 46.29.270; repealing section 28, chapter 169, Laws of 1963 and RCW 46.29.280; repealing section 29, chapter 169, Laws of 1963, section 5, chapter 124, Laws of 1965 and RCW 46.29.290; repealing section 30, chapter 169, Laws of 1963, section 39, chapter 32, Laws of 1967 and RCW 46.29.300; repealing section 31, chapter 169, Laws of 1963, section 1, chapter 44, Laws of 1969 ex. sess. and RCW 46.29.310; repealing section 32, chapter 169, Laws of 1963, section 2, chapter 44, Laws of 1969 ex. sess. and RCW 46.29.320; repealing section 33, chapter 169, Laws of 1963, section 40, chapter 32, Laws of 1967, section 3, chapter 44, Laws of 1969 ex. sess. and RCW 46.29.330; repealing section 34, chapter 169, Laws of 1963 and RCW 46.29.340; repealing section 35, chapter 169, Laws of 1963, section 41, chapter 32, Laws of 1967 and RCW 46.29.350; repealing section 36, chapter 169, Laws of 1963, section 42, chapter 32, Laws of 1967 and RCW 46.29.360; repealing section 37, chapter 169, Laws of 1963, section 43, chapter 32, Laws of 1967 and RCW 46.29.370; repealing section 38, chapter 169, Laws of 1963 and RCW 46.29.380; repealing section 39, chapter 169, Laws of 1963, section 3, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.390; repealing section 40, chapter 169, Laws of 1963, section 44, chapter 32, Laws of 1967 and RCW 46.29.400; repealing section 41, chapter 169, Laws of 1963, section 45, chapter 32, Laws of 1967 and RCW 46.29.410; repealing section 42, chapter 169, Laws of 1963 and RCW 46.29.420; repealing section 43, chapter 169, Laws of 1963, section 46, chapter 32, Laws of 1967 and RCW 46.29.430; repealing section 44, chapter 169, Laws of 1963, section 6, chapter 124, Laws of 1965, section 47, chapter 32, Laws of 1967 and RCW 46.29.440; repealing section 45, chapter 169, Laws of 1963 and RCW 46.29.450; repealing section 46, chapter 169, Laws of 1963 and RCW 46.29.460; repealing section 47, chapter 169, Laws of 1963 and RCW 46.29.470; repealing section 48, chapter 169, Laws of 1963 and RCW 46.29.480; repealing section 49, chapter 169, Laws of

1963, section 4, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.490; repealing section 50, chapter 169, Laws of 1963 and RCW 46.29.500; repealing section 51, chapter 169, Laws of 1963 and RCW 46.29.510; repealing section 52, chapter 169, Laws of 1963 and RCW 46.29.520; repealing section 53, chapter 169, Laws of 1963 and RCW 46.29.530; repealing section 54, chapter 169, Laws of 1963 and RCW 46.29.540; repealing section 55, chapter 169, Laws of 1963, section 5, chapter 3, Laws of 1967 ex. sess. and RCW 46.29.550; repealing section 56, chapter 169, Laws of 1963 and RCW 46.29.560; repealing section 57, chapter 169, Laws of 1963 and RCW 46.29.570; repealing section 58, chapter 169, Laws of 1963 and RCW 46.29.580; repealing section 59, chapter 169, Laws of 1963 and RCW 46.29.590; repealing section 60, chapter 169, Laws of 1963 and RCW 46.29.600; repealing section 61, chapter 169, Laws of 1963 and RCW 46.29.610; repealing section 62, chapter 169, Laws of 1963 and RCW 46.29.620; repealing section 21, chapter 281, Laws of 1969 ex. sess. and RCW 46.29.625; repealing section 63, chapter 169, Laws of 1963 and RCW 46.29.630; repealing section 64, chapter 169, Laws of 1963 and RCW 46.29.640; repealing section 67, chapter 169, Laws of 1963 and RCW 46.29.900; repealing section 68, chapter 169, Laws of 1963 and RCW 46.29.910; repealing section 69, chapter 169, Laws of 1963 and RCW 46.29.920; making an appropriation; and providing an effective date.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 296, by Senators Odegaard, Clarke and Talley (by Department of Social and Health Services request):

An Act relating to correctional institutions and vocational education; and adding a new chapter to Title 72 RCW.

Referred to Committee on Public Institutions.

SENATE BILL NO. 297, by Senators Odegaard, Lewis and Day (by Department of Personnel request):

An Act relating to insurance and health care programs for state employees and officials; amending section 5, chapter 59, Laws of 1969 as amended by section 11, chapter 39, Laws of 1970 ex. sess. and RCW 41.04.230; amending section 1, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.010; amending section 2, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.020; amending section 3, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.030; amending section 4, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.040; amending section 5, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.050; amending section 6, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.060; amending section 7, chapter 39, Laws of 1970 ex. sess. and RCW 41.05.070; amending section 9, chapter 39, Laws of 1970 ex. sess. and RCW 41.06.370; and amending section 24.06, chapter 79, Laws of 1947 as last amended by section 21, chapter 195, Laws of 1963 and RCW 48.24.060.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 298, by Senators Ridder, Keefe and Peterson (Ted) (by Department of Social and Health Services request):

An Act relating to alcoholism; and adding new sections to chapter 70.96 RCW.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 299, by Senators Matson, Woodall and Donohue:

An Act relating to legislative review of agency rules and regulations; and amending section 1, chapter 186, Laws of 1963 and RCW 34.04.160.

Referred to Committee on State Government.

SENATE BILL NO. 300, by Senators Talley and Peterson (Lowell):

An Act relating to predatory animals; adding new sections to chapter 36, Laws of 1955 and to chapter 77.24 RCW; and establishing an effective date.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 301, by Senators Ridder, Connor, Peterson (Ted) and Guess:

An Act relating to alcoholism; and adding a new section to chapter 70.96 RCW.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 302, by Senator Talley:

An Act relating to highways; adding a new section to chapter 145, Laws of 1967 ex. sess. and to chapter 47.38 RCW; and making an appropriation.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 303, by Senator Peterson (Lowell):

An Act relating to state highways; and amending section 2, chapter 85, Laws of 1967 ex. sess. as last amended by section 29, chapter 73, Laws of 1971 ex. sess. and RCW 47.39.020.

Referred to Committee on Transportation.

SENATE BILL NO. 304, by Senators Woodall, Keefe and Canfield:

An Act relating to drivers' licenses; and amending section 11, chapter 121, Laws of 1965 ex. sess. as amended by section 6, chapter 99, Laws of 1969 and RCW 46.20.161.

Referred to Committee on Transportation.

SENATE BILL NO. 305, by Senators Woodall, Gissberg and Twigg:

An Act relating to local government; and creating a new section.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 306, by Senator Rasmussen:

An Act relating to the compensation of victims of crimes; enacting a crime victims compensation act; and adding a new chapter to Title 7 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 307, by Senators Canfield and Jolly:

An Act relating to the listing of property taxes; and amending section 84.40.160, chapter 15, Laws of 1961 and RCW 84.40.160.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 308, by Senator Gardner:

An Act relating to domestic relations; and adding a new section to chapter 26.08 RCW.

Referred to Judiciary Committee.

SENATE BILL NO. 309, by Senator Gardner:

An Act relating to collection of taxes; and amending section 84.56.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 288, Laws of 1971 ex. sess. and RCW 84.56.020.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 310, by Senator Francis:

An Act relating to secured transactions; and amending section 9-501, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-501.

Referred to Judiciary Committee.

SENATE BILL NO. 311, by Senator Talley:

An Act relating to public employees' retirement system; and amending section 19, chapter 274, Laws of 1947 as last amended by section 7, chapter 271, Laws of 1971 ex. sess. and RCW 41.40.180.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 312, by Senators Walgren, Andersen and Odegaard (by Board of Prison Terms and Paroles request):

An Act relating to crimes and punishments; and amending section 9, chapter 133, Laws of 1955 as amended by section 1, chapter 106, Laws of 1961 and RCW 9.95.080.

Referred to Judiciary Committee.

SENATE BILL NO. 313, by Senator Mardesich:

An Act relating to public depositaries; amending section 11, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.110; amending section 12, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.120; and adding new sections to chapter 93, Laws of 1969 ex. sess. and to chapter 39.58 RCW.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 314, by Senators Fleming, Francis, Ridder and Durkan:

An Act relating to the lease and rental of property; enacting the Residential Landlord-Tenant Act of 1972; amending section 9, chapter 96, Laws of 1891 as amended by section 2, chapter 123, Laws of 1927 and RCW 59.12.080; amending section 11, chapter 96, Laws of 1891 as last amended by section 4, chapter 123, Laws of 1927 and RCW 59.12.100; amending section 14, chapter 96, Laws of 1891 and RCW 59.12.121; amending section 18, chapter 96, Laws of 1891 and RCW 59.12.170; amending section 22, chapter 96, Laws of 1891 as amended by section 128, chapter 81, Laws of 1971 and RCW 59.12.200; adding new sections to chapter 96, Laws of 1891 and to chapter 59.12 RCW; creating a new chapter in Title 59 RCW; creating new sections; repealing section 1, chapter 188, Laws of 1941 and RCW 59.08.010; repealing section 2, chapter 188, Laws of 1941 and RCW 59.08.020; repealing section 3, chapter 188, Laws of 1941 and RCW 59.08.030; repealing section 4, chapter 188, Laws of 1941 and RCW 59.08.040; repealing section 5, chapter 188, Laws of 1941 and RCW 59.08.050; repealing section 6, chapter 188, Laws of 1941 and RCW 59.08.060; repealing section 7, chapter 188, Laws of 1941 and RCW 59.08.070; repealing section 8, chapter 188, Laws of 1941 and RCW 59.08.080; repealing section 9, chapter 188, Laws of 1941, section 7, chapter 304, Laws of 1961 and RCW 59.08.090; repealing section 10, chapter 188, Laws of 1941 and RCW 59.08.100; repealing section 10, chapter 96, Laws of 1891, section 3, chapter 123, Laws of 1927 and RCW 59.12.090; and providing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 315, by Senator Washington:

An Act relating to highways; providing for the distribution of highway construction funds, to be derived from additional excise taxes on motor vehicle fuels and the sale of limited obligation bonds as authorized herein, to the state, counties, and cities; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 85, Laws of 1970 ex. sess. and RCW 82.36.020; amending section 82.36.100, chapter 15, Laws of 1961 as last amended by section 3, chapter 83, Laws of 1967 ex. sess. and RCW 82.36.100; amending section 82.40.020, chapter 15, Laws of 1961 as last amended by section 6, chapter 83, Laws of 1967 ex. sess. and RCW 82.40.020; amending section 45, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.420; amending section 3, chapter 22, Laws of 1963 ex. sess. as amended by section 4, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.030; amending section 29, chapter 83, Laws of 1967 ex. sess. as last amended by section 2, chapter 291, Laws of 1971 ex. sess. and RCW 47.26.170; and amending section 28, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.220.

Referred to Committee on Transportation.

SENATE BILL NO. 316, by Senator Washington:

An Act relating to highways; providing for the assessment of the incremental value of property adjacent to highway interchanges, adding a new chapter to Title 47 RCW.

Referred to Committee on Transportation.

SENATE BILL NO. 317, by Senator Washington:

An Act relating to financing public transportation facilities.

Referred to Committee on Transportation.

SENATE BILL NO. 318, by Senator Washington:

An Act relating to public contracts for transportation facilities and equipment.

Referred to Committee on Transportation.

SENATE BILL NO. 319, by Senator Washington:

An Act relating to public bidding.

Referred to Committee on State Government.

SENATE BILL NO. 320, by Senator Washington:

An Act relating to providing financial assistance for the establishment of improved transportation.

Referred to Committee on Transportation.

SENATE BILL NO. 321, by Senator Washington:

An Act relating to the establishment of special corporations.

Referred to Committee on Manufacturing and Industrial Development.

SENATE BILL NO. 322, by Senator Walgren.

An Act relating to revenue and taxation.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 323, by Senator Walgren:

An Act relating to public employees' retirement and pensions.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 324, by Senator Cooney:

An Act relating to redistricting and reapportionment.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 325, by Senators Gissberg and Huntley:

An Act relating to crimes.

Referred to Judiciary Committee.

SENATE BILL NO. 326, by Senator Talley:

An Act relating to industrial insurance.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 327, by Senators Ridder, Metcalf, Odegaard, Gardner, Peterson (Ted) and Guess (by Superintendent of Public Instruction request):

An Act relating to vocational education.

Referred to Committee on Education.

SENATE BILL NO. 328, by Senators Walgren and Fleming:

An Act relating to local improvement districts.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 329, by Senator Day (by Department of Social and Health Services request):

An Act relating to fire and safety of health facilities.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 330, by Senators Peterson (Lowell), Peterson (Ted), Sandison, Talley and Metcalf (by Fisheries, Game and Game Fish Committee request):

An Act relating to food fish and shellfish; conserving salmon resources.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 331, by Senators Durkan and Herr:

An Act relating to alcoholic beverage control.
Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 332, by Senators Atwood, Foley, Holman and Sandison:
An Act relating to higher education.
Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 333, by Senators Sandison and Holman:
An Act relating to higher education.
Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 334, by Senator Holman:
An Act relating to trusts.
Referred to Judiciary Committee.

SENATE BILL NO. 335, by Senators Washington and Huntley:
An Act relating to noise control.
Referred to Committee on Medicine, Dentistry and Health Care, Air and Water
Pollution.

SENATE BILL NO. 336, by Senators Peterson (Lowell), Ridder and Odegaard:
An Act relating to education.
Referred to Committee on Education.

SENATE BILL NO. 337, by Senator Fleming:
An Act relating to industrial insurance.
Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 338, by Senator Washington:
An Act relating to taxation; providing tax exemptions and credits to encourage
industrial dispersion and diversification; and adding new sections to Title 82 RCW.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 339, by Senator Odegaard (by Superintendent of Public
Instruction request):
An Act relating to adult education.
Referred to Committee on Education.

SENATE BILL NO. 340, by Senators Odegaard, Canfield and Ridder (by
Superintendent of Public Instruction request):
An Act relating to vocational education.
Referred to Committee on Education.

SENATE BILL NO. 341, by Senators Dore and Odegaard:
An Act relating to state government.
Referred to Committee on State Government.

SENATE BILL NO. 342, by Senators Ridder and Stortini:
An Act relating to the reporting of campaign contributions.
Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 343, by Senator Ridder:
An Act relating to revenue and taxation.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 344, by Senators Ridder, Peterson (Ted), Dore and Scott:
An Act relating to nursing home records.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 345, by Senator Walgren:
An Act relating to state government.
Referred to Committee on State Government.

SENATE BILL NO. 346, by Senators Mardesich and Peterson (Lowell):
An Act relating to alcoholic beverages.
Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 347, by Senators Mardesich and Peterson (Lowell):
An Act relating to alcoholic beverages.
Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 348, by Senators Talley and Herr:
An Act relating to sewer districts.
Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 349, by Senators Ridder, Scott and Fleming:
An Act relating to the state board of investments.
Referred to Committee on State Government.

SENATE BILL NO. 350, by Senator Huntley:
An Act relating to budgets of school districts.
Referred to Committee on Education.

SENATE BILL NO. 351, by Senator Talley:
An Act relating to food fish and shellfish; and authorizing drift rights in the Columbia river.
Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 352, by Senator Odegaard:
An Act relating to the guardianship of mentally retarded persons.
Referred to Judiciary Committee.

SENATE BILL NO. 353, by Senator Washington:
An Act relating to public lands.
Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 354, by Senator Fleming:
An Act relating to labor.
Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 355, by Senators Huntley and Washington:
An Act relating to distribution of motor vehicle fuel taxes to counties.
Referred to Committee on Transportation.

SENATE BILL NO. 356, by Senator Mardesich:
An Act relating to utilities.
Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 357, by Senator Mardesich:
An Act relating to banking.
Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 358, by Senator Mardesich:
An Act relating to banking.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 359, by Senator Walgren:

An Act relating to revenue and taxation; and providing for open meetings of the state board of tax appeals.

Referred to Committee on State Government.

SENATE BILL NO. 360, by Senator Walgren:

An Act relating to revenue and taxation.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 361, by Senators Gissberg, Knoblauch, Ridder and Scott (by executive request):

An Act relating to consumer protection.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 362, by Senator Atwood:

An Act relating to the state patrol.

Referred to Committee on State Government.

SENATE BILL NO. 363, by Senator Fleming:

An Act relating to citizens incorporating for the humane treatment of animals.

Referred to Judiciary Committee.

SENATE BILL NO. 364, by Senator Talley:

An Act relating to public utility districts.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 365, by Senator Ridder:

An Act relating to revenue and taxation.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 366, by Senator Washington:

An Act relating to transportation facilities.

Referred to Committee on Transportation.

SENATE BILL NO. 367, by Senator Washington:

An Act relating to education and the financing thereof.

Referred to Committee on Education.

SENATE BILL NO. 368, by Senator Peterson (Lowell):

An Act relating to air pollution.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 369, by Senator Washington:

An Act relating to the financing of transportation facilities.

Referred to Committee on Transportation.

SENATE BILL NO. 370, by Senators Ridder and Stortini:

An Act relating to employment agencies.

Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 371, by Senator Gissberg:

An Act relating to family law.

Referred to Judiciary Committee.

SENATE BILL NO. 372, by Senator Talley:
An Act relating to county road millage.
Referred to Committee on Transportation.

SENATE BILL NO. 373, by Senator Rasmussen:
An Act relating to the county services act.
Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 374, by Senators Odegaard, Ridder, Canfield, Stortini and Guess:
An Act relating to the state plan for vocational education.
Referred to Committee on Education.

SENATE BILL NO. 375, by Senator Fleming:
An Act relating to public assistance.
Referred to Committee on Public Institutions.

SENATE BILL NO. 376, by Senator Francis:
An Act relating to community college districts.
Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 377, by Senators Day, Gardner, Keefe, Peterson (Lowell) and
Twigg:
An Act relating to the special fuel tax.
Referred to Committee on Transportation.

SENATE BILL NO. 378, by Senator Peterson (Ted):
An Act relating to consumer warranties.
Referred to Judiciary Committee.

SENATE BILL NO. 379, by Senator Fleming:
An Act relating to labor.
Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 380, by Senator Talley:
An Act relating to food fish and shellfish.
Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 381, by Senator Talley:
An Act relating to food fish and shellfish.
Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 382, by Senators Henry, Atwood and Guess:
An Act relating to the valuation of forest land for the purposes of property taxation.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 383, by Senators Henry and Lewis:
An Act relating to public utilities.
Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 384, by Senators Knoblauch, Stortini and Peterson (Ted):
An Act relating to veterans' benefits.
Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 385, by Senators Gardner and Holman:
An Act relating to state institutions.
Referred to Committee on Public Institutions.

SENATE BILL NO. 386, by Senator Walgren:
An Act relating to crimes and penalties.
Referred to Judiciary Committee.

SENATE BILL NO. 387, by Senator Mardesich:
An Act relating to insurance.
Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 388, by Senator Mardesich:
An Act relating to insurance.
Referred to Committee on Commerce and Regulatory Agencies.

SENATE BILL NO. 389, by Senator Francis:
An Act relating to wages and hours.
Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 390, by Senators Francis and Gardner:
An Act relating to the environment of the state; adding new sections to chapter
43.63A RCW; and declaring an emergency.
Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 391, by Senator Francis:
An Act relating to fees at state institutions of higher education.
Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 392, by Senators Gardner and Day:
An Act relating to public education and colleges.
Referred to Committee on Higher Education and Libraries.

SENATE BILL NO. 393, by Senator Fleming:
An Act relating to industrial insurance.
Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 394, by Senator Francis:
An Act relating to voting.
Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 395, by Senator Washington:
An Act relating to transportation.
Referred to Committee on Transportation.

SENATE BILL NO. 396, by Senators Donohue, Durkan and Wilson:
An Act relating to the valuation and taxation of farm and agricultural land; adding a
new section to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW; and creating
new sections.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 397, by Senators Donohue, Durkan and Wilson:
An Act relating to open space lands; and amending chapter 84.34 RCW.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 398, by Senator Knoblauch:
An Act relating to local government, including cities, towns, counties and other local
subdivisions.
Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 399, by Senator Peterson (Lowell):
An Act relating to food fish and shellfish.
Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 400, by Senator Walgren:
An Act relating to state government.
Referred to Committee on State Government.

SENATE BILL NO. 401, by Senator Peterson (Lowell):
An Act relating to food fish and shellfish.
Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 402, by Senator Peterson (Lowell):
An Act relating to food fish and shellfish.
Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 403, by Senators Dore and Mardesich:
An Act relating to patronage and security transactions.
Referred to Judiciary Committee.

SENATE BILL NO. 404, by Senators Knoblauch and Stender:
An Act relating to sewer payments.
Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 405, by Senator Washington:
An Act relating to state government and providing for the dispersion and
diversification of industry.
Referred to Committee on Manufacturing and Industrial Development.

SENATE BILL NO. 406, by Senator Washington:
An Act relating to transportation.
Referred to Committee on Transportation.

SENATE BILL NO. 407, by Senator Connor:
An Act relating to education.
Referred to Committee on Education.

SENATE BILL NO. 408, by Senator Bailey:
An Act relating to veterans.
Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

SENATE BILL NO. 409, by Senators Donohue, Peterson (Lowell) and Odegaard:
An Act relating to revenue and taxation.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 410, by Senator Bailey:
An Act eliminating preliminary budgets for school districts.
Referred to Committee on Education.

SENATE BILL NO. 411, by Senator Greive:
An Act relating to business and professions.
Referred to Committee on Medicine, Dentistry and Health Care, Air and Water
Pollution.

SENATE BILL NO. 412, by Senator Bailey:
An Act relating to public lands.
Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 413, by Senators Donohue, Peterson (Lowell) and Odegaard:
An Act relating to revenue and taxation.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 414, by Senator Francis:

An Act relating to school district employee benefits; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and declaring an emergency.
Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 415, by Senators Matson, Sellar, Canfield and Woodall:

An Act relating to labor relations and practices; enacting the Washington State Agricultural Labor Relations Act; adding a new chapter to Title 49 RCW; prescribing penalties; making an appropriation; and declaring an emergency.
Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 416, by Senators Guess, Cooney, Twigg, Keefe and Day:

An Act relating to state route no. 2; and amending section 2, chapter 51, Laws of 1970 ex. sess. and RCW 47.71.005.
Referred to Committee on Transportation.

SENATE BILL NO. 417, by Senator Gissberg:

An Act relating to probate; amending section 11.52.016, chapter 145, Laws of 1965 and RCW 11.52.016; amending section 11.52.024, chapter 145, Laws of 1965 and RCW 11.52.024; and declaring an emergency.
Referred to Judiciary Committee.

SENATE BILL NO. 418, by Senator Atwood:

An Act relating to disability of state patrol officers; amending section 43.43.040, chapter 8, Laws of 1965 and RCW 43.43.040.
Referred to Committee on State Government.

SENATE BILL NO. 419, by Senator Washington:

An Act relating to the state payroll; establishing a unified system of payroll accounting; and adding new sections to chapter 42.16 RCW.
Referred to Committee on State Government.

SENATE BILL NO. 420, by Senators Bailey and Ridder:

An Act relating to public employment; amending section 16, chapter 14, Laws of 1963 ex. sess. as last amended by section 13, chapter 35, Laws of 1970 ex. sess. and RCW 41.32.497; and amending section 26, chapter 80, Laws of 1947 as last amended by section 1, chapter 271, Laws of 1971 ex. sess. and RCW 41.32.260.
Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 421, by Senators Dore, Holman, Twigg and Murray:

An Act relating to the judicial retirement system; amending section 3, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.030; amending section 4, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.040; amending section 9, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.090; and amending section 22, chapter 267, Laws of 1971 ex. sess. and RCW 2.10.220.

Referred to Committee on Public Pensions and Social Security.

SENATE BILL NO. 422, by Senator Holman:

An Act relating to revenue and taxation.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 423, by Senator Metcalf:

An Act relating to interlocal cooperation; and amending section 4, chapter 239, Laws of 1967 and RCW 29.34.030.
Referred to Judiciary Committee.

SENATE BILL NO. 424, by Senator Metcalf:

An Act relating to education; amending section 28A.04.120, chapter 223, Laws of

1969 ex. sess. as last amended by section 1, chapter 215, Laws of 1971 ex. sess. and RCW 28A.04.120; amending section 28A.04.130, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 54, Laws of 1971 and RCW 28A.04.130; and declaring an emergency.

Referred to Committee on Education.

SENATE BILL NO. 425, by Senator Guess:

An Act relating to the business and occupation tax.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 426, by Senator Stortini (by Public Employees' Collective Bargaining Committee request):

An Act relating to collective bargaining; and amending section 14, chapter 250, Laws of 1971 ex. sess. and RCW 42.30.140.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 427, by Senators Peterson (Lowell) and Lewis:

An Act relating to lands; adding new sections to chapter 79 RCW; and making an appropriation.

Referred to Committee on Natural Resources, Fisheries and Game.

SENATE BILL NO. 428, by Senator Rasmussen:

An Act relating to employment.

Referred to Committee on State Government.

SENATE BILL NO. 429, by Senator Knoblauch:

An Act relating to local government, including cities, towns, counties and other local subdivisions.

Referred to Committee on Cities, Towns and Counties.

SENATE BILL NO. 430, by Senator Matson:

An Act relating to snowmobiles.

Referred to Committee on Transportation.

SENATE BILL NO. 431, by Senators Stender and Peterson (Ted):

An Act relating to elections; providing for a candidate campaign account; creating new sections; and providing for a referendum to the people.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE BILL NO. 432, by Senators Durkan, Connor, Peterson (Ted) and Donohue:

An Act relating to revenue and taxation; providing for notice of certain exemptions from real property taxes and claims; adding a new section to chapter 84.36 RCW; and declaring an emergency.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 433, by Senators Dore and Peterson (Ted):

An Act relating to retail sales and use taxes; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 281, Laws of 1971 ex. sess. and RCW 82.08.020; amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 281, Laws of 1971 ex. sess. and RCW 82.12.020; amending section 4, chapter 94, Laws of 1970 ex. sess. and RCW 82.14.030; amending section 2, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.045; adding a new section to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and declaring an emergency and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 434, by Senators Durkan and Washington:

An Act authorizing the conduct of predischarge of education programs for military personnel.

Referred to Committee on Education.

SENATE BILL NO. 435, by Senators Lewis and Durkan:

An Act relating to insurance and health care programs for certain employees of institutions of higher education.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

SENATE BILL NO. 436, by Senator Durkan:

An Act relating to revenue and taxation; creating a new section; and prescribing an effective date.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 437, by Senator Durkan:

An Act relating to industrial insurance.

Referred to Committee on Labor and Industrial Insurance.

SENATE BILL NO. 438, by Senators Lewis, Rasmussen, Walgren, Knoblauch and Durkan:

An Act relating to public employment.

Referred to Committee on State Government.

SENATE BILL NO. 439, by Senators Lewis, Mardesich and Twigg:

An Act relating to the judiciary.

Referred to Judiciary Committee.

SENATE BILL NO. 440, by Senator Bailey (by Department of Personnel request):

An Act placing the setting of certain official salaries within jurisdiction of the state committee on salaries.

Referred to Committee on State Government.

SENATE BILL NO. 441, by Senators Sandison and Walgren:

An Act relating to superior courts; amending section 6, chapter 125, Laws of 1951 as last amended by section 3, chapter 83, Laws of 1971 ex. sess. and RCW 2.08.064.

Referred to Judiciary Committee.

SENATE BILL NO. 442, by Senator Washington:

An Act extending sales taxes to services.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE BILL NO. 443, by Senator Odegaard:

An Act relating to motor vehicles; adding a new section to chapter 46.61 RCW; and providing penalties.

Referred to Judiciary Committee.

SENATE BILL NO. 444, by Senators Dore, Holman and Gissberg:

An Act relating to group legal and contract legal services.

Referred to Judiciary Committee.

SENATE JOINT MEMORIAL NO. 4, by Senator Fleming:

Seeking federal welfare program changes beneficial to the needy in this state without putting exorbitant extra costs on state.

Referred to Committee on Public Institutions.

SENATE JOINT MEMORIAL NO. 5, by Senators Metcalf and Murray:
Memorializing Congress to limit age for federal judges and to limit terms of U.S. senators and representatives to 12 years.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT MEMORIAL NO. 6, by Senator Metcalf:
Petitioning Congress to propose a constitutional amendment to clarify the relationship between law enforcement authorities and alleged law violators.

Referred to Judiciary Committee.

SENATE JOINT RESOLUTION NO. 117, by Senator Francis:
Repealing 18th amendment to state Constitution.

Referred to Committee on Transportation.

SENATE JOINT RESOLUTION NO. 118, by Senator Francis:
Amending the Constitution to allow initiatives to amend the Constitution.
Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 119, by Senators Murray, Ridder, Holman, Whetzel, Scott, Metcalf, Elicker and Washington:

Amending the Constitution to provide tax revision.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 120, by Senator Francis:
Amending the Constitution to abolish arbitrary periods of residency as requirements for voting.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 121, by Senator Scott:
Proposing a constitutional amendment to allow redistricting by a commission.
Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 122, by Senator Holman:
Revising the tax structure of the state.
Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 123, by Senators Dore, Peterson (Ted), Stortini, Knoblauch, Donohue, Durkan, Gissberg, Ridder, Mardesich, Odegaard and Metcalf:

Amending Constitution to authorize certain reductions in property taxes.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 124, by Senators Elicker and Holman:
Authorizing legislature to make separate classes of real property for purposes of taxation and to provide varying rates based upon income of taxpayer.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE JOINT RESOLUTION NO. 125, by Senators Gissberg, Twigg and Day:
Amending the Constitution to limit the governor to two terms in his lifetime.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 126, by Senator Rasmussen:
Amending the Constitution of the state of Washington relating to vacancies in the legislature.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 127, by Senator Francis:
Amending the Constitution, permitting a commission to redistrict.
Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 128, by Senator Francis:

Amending the Constitution to allow the legislature to convene itself or extend its session.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 129, by Senators Metcalf, Francis and Murray:

Providing for retirement of judges and limiting years governor and legislators may hold office.

Referred to Committee on Constitution, Elections and Legislative Processes.

SENATE JOINT RESOLUTION NO. 130, by Senators Washington, Whetzel and Murray:

Authorizing the state and its taxing districts to finance public improvements and area renewal projects from the increased property taxes thereon.

Referred to Committee on Ways and Means—Revenue and Taxation.

SENATE CONCURRENT RESOLUTION NO. 7, by Senator Francis:

Declaring December 10th to be Human Rights Day.

Referred to Judiciary Committee.

SENATE CONCURRENT RESOLUTION NO. 8, by Senator Francis:

Directing a legislative council study of a legislative liaison office in Washington, D.C.

Referred to Committee on State Government.

SENATE CONCURRENT RESOLUTION NO. 9, by Senators Wilson, Greive and Andersen:

Directing the development of printing style for free conference reports.

Referred to Committee on State Government.

There being no objection, the rules were suspended and additional sponsors were permitted on the following Senate Bills Nos. 185, 206, 236, 240, 264, 274, 275, 281, 284, 286, 295, 314, 327, 330, 332, 344, 361, 374, 377, 415, 416, 421, 432 and 438; Senate Joint Resolutions Nos. 119 and 123.

HOUSE CONCURRENT RESOLUTION NO. 13, by Representatives Wolf, Chatalas, Grant, Copeland, Sawyer and O'Brien:

Inviting national conference of state legislative leaders to hold its 1973 convention in Seattle.

MOTIONS

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 13 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 13 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

MOTION

On motion of Senator Mardesich, motion for reconsideration on Engrossed House Concurrent Resolution No. 5, as amended by the Senate, was ordered held for Thursday, January 20, 1972.

Permission was granted Senators Donohue and Peterson (Lowell) for use of the Senate Chamber for public hearings this evening and Tuesday, January 25, 1972, respectively.

MOTION

At 1:55 p.m., on motion of Senator Bailey, the Senate adjourned until 11:00 a.m., Thursday, January 20, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

ELEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, January 20, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Stender. On motion of Senator Matson, Senator Stender was excused.

The Color Guard, consisting of Pages Jeff Strong, Color Bearer, and Sharon Dowers, presented the Colors. Doctor Henry S. Rahn, pastor of First Baptist Church of Olympia, offered prayer as follows:

"Eternal God our Father, Thou has taught us that as we acknowledge Thee in all our ways, Thou wilt direct our paths. We come to Thee, seeking Thy counsel and guidance. Through the years Thou hast been our help, be our strength now. Hitherto Thou hast led us, give direction to our deliberations through this day. Endow each of us with a right understanding of the issues before us. Help us to work with a pure purpose and a steady determination to seek Thy will and the good of all the people. And may we have the joy of achievement as we work with the materials of the day. For 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.

REPORT OF STANDING COMMITTEE

January 18, 1972.

SENATE BILL NO. 56, permitting six member juries (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Foley, Francis, Holman, Twigg, Walgren, Woodall.

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

MOTION

Senator Mardesich moved adoption of the following resolution:

SENATE RESOLUTION: 1972-9

By Senators Mardesich, Rasmussen, Gissberg, Metcalf and Durkan:

WHEREAS, The newspaper accounts of the tentative closure of the Weyerhaeuser, Simpson-Lee and Scott mill facilities indicate the possibility that the consideration of the question of such closures might have been avoided had the various State agencies concerned with the industry been more cooperative within the permissible legal limits; and

WHEREAS, The threatened closures present the possibility of a catastrophic blow to the economy of an already over-burdened locality in the State; and

WHEREAS, In this period of economic distress, every effort should be made by all responsible citizens and officials to the end that such distress be as quickly as possible alleviated and, in the immediate future, be as widely as possible anticipated and avoided; NOW, THEREFORE, BE IT RESOLVED, By the Washington State Senate, That the Senate Manufacturing and Industrial Development Committee investigate all aspects of the problem and all problems presented in the current difficulties concerning the maintenance and operation of the mill facilities at Everett; and

BE IT FURTHER RESOLVED, That the said Senate Manufacturing and Industrial Development Committee make its report of findings to the second extraordinary session of the forty-second Washington State Legislature;

BE IT FURTHER RESOLVED, That a copy of this resolution duly enrolled be presented to the Governor, the Director of the Department of Ecology, the Director of the Department of Fisheries, the Director of the Department of Commerce and Economic Development, the Administrator of the Department of Natural Resources, the Secretary of the Department of Social and Health Services and the Environmental Protection Agency of the Federal Government.

MOTION

On motion of Senator Andersen, the following amendment was adopted:

Strike lines 1 through 5, and on line 6, after "closures" insert "of the Weyerhaeuser, Simpson-Lee and Scott mill facilities;"

The motion by Senator Mardesich carried and the resolution, as amended, was adopted.

MOTION

On motion of Senator Peterson (Ted), the following resolution was adopted:

SENATE RESOLUTION: 1972-11

By Senators Connor, Peterson (Ted) and Dore:

WHEREAS, Dominic Pietro Giovanni Paduano, known to his many friends as "P.G.", plans to retire from his office with the Teamsters Union; and

WHEREAS, P.G. is very well known throughout the state of Washington, not only because of the dedicated service which he has rendered to the Teamsters throughout the past twenty-five years, but also, because he is a gourmet cook with an enviable reputation for excellence; and

WHEREAS, P.G. has provided many thousands of persons from all walks of life with delectable Italian dinners; and

WHEREAS, His unmatched personality has made countless numbers of persons happy and his guidance and advice as a labor official has been a valuable inspiration to many members of the Teamsters Union; and

WHEREAS, The members of the Senate of the state of Washington do recognize the many and varied contributions which P.G. has made, and are fully aware of the value of these contributions; and

WHEREAS, The Senate wishes to express to P.G. its commendation and to acclaim that he is truly a distinguished citizen, whose charming personality, friendly good humor,

and generous spirit have resulted in remarkable contributions to the well-being, comfort and enjoyment of his fellow men;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, that the Senate does hereby commend P.G. Paduano as a distinguished citizen and congratulate him on his forthcoming retirement; and

BE IT FURTHER RESOLVED, That the President of the Senate personally present a copy of this resolution to Dominic Pietro Giovanni Paduano on Thursday, January 20, 1972.

MOTION

At 11:20 a.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Friday, January 21, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWELFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, January 21, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Atwood, Gardner and Lewis. On motion of Senator Matson, Senators Atwood and Lewis were excused. On motion of Senator Knoblauch, Senator Gardner was excused.

The Color Guard, consisting of Pages Wade Thorlacius, Color Bearer, and Marilyn Peterson, presented the Colors. Reverend Paul McCann, pastor of United Churches of Olympia, offered prayer as follows:

"We accept the gift of this day gladly, O God, and we acknowledge that we have received it at Your hands, that in You we live and move and have our being. We face the challenges and opportunities of our day's work with the prayer that You will, by Your Spirit channel our best convictions and thoughts into a productive process that achieves healthy concern. Help us together to use the time we are given today as a tool to aid in the building of a better society. We take up our work, admitting our need for Your guidance, and confirming again our willingness to accept it when received. Amen."

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

REPORTS OF STANDING COMMITTEES

January 21, 1972.

SENATE BILL NO. 50, correcting the savings clause in the embalming examination statute (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Holman, Keefe, Newschwander, Odegaard, Woodall.

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

January 21, 1972.

SENATE BILL NO. 91, permitting minors to obtain contraceptive devices under certain conditions (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Holman, Newschwander, Odegaard, Woodall.

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

January 21, 1972.

SENATE BILL NO. 102, allowing mosquito control districts to give notice of hearings under assessment rolls by publication only (reported by Committee on Agriculture and Horticulture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Canfield, Day, Donohue, Huntley, Knoblauch, Sellar, Wilson.

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

MESSAGES FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

George William Koss, M.D., appointed September 10, 1970, for a term ending December 31, 1974, succeeding Emmett Watson as a member of the Washington State Aeronautics Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mrs. Frances Haddon Morgan, appointed September 1, 1971, for a term ending June 30, 1975, succeeding Merle D. Adlum as a member of the Washington State Canal Commission.

Sincerely,
DANIEL J. EVANS
Governor.

PERSONAL PRIVILEGE

Senator Durkan: "Mr. President and members of the Senate, many of you will remember how hard Senator Morgan fought for the funding of Olympic Center, to the point of near exhaustion on the floor of the Senate. I think it is only fitting today, Senator Morgan, and you will be glad to know that the Governor in his supplemental budget has recommended funding for Olympic Center for the many things that she has fought for. I think it is wonderful for her and for the children in that area."

Former Senator Frances Haddon Morgan was introduced to the members of the Senate and visitors in the gallery.

The gubernatorial appointment was referred to Committee on State Government.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: Mr. George Duecy, appointed May 7, 1971, for a term ending April 3, 1975, succeeding himself as a member of the State Board for Community College Education.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: Mr. Goodwin Chase, appointed July 23, 1971, for a term ending June 30, 1973, succeeding himself as a member of the Council on Higher Education.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: Mr. Carlton Lewis, appointed July 23, 1971, for a term ending April 30, 1977, succeeding John Mosier as a member of the Council on Higher Education.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation: Mr. Walter B. Williams, appointed July 23, 1971, for a term ending April 30, 1977, succeeding Harry Prior as a member of the Council on Higher Education.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Richard Albrecht, appointed September 8, 1970, for a term ending June 30, 1975, succeeding Mineo Katagiri as a member of the Council on Higher Education.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. John B. Troup, appointed July 1, 1971, for a term ending July 1, 1977, succeeding himself as a member of the Higher Education Personnel Board.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mrs. Joel S. (Lorna) Ream, appointed October 15, 1971, for a term ending July 1, 1972, succeeding George W. Zahn as a member of the Washington State Highway Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Transportation.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. A. H. "Ike" Parker, appointed October 15, 1971, for a term ending July 1, 1977, succeeding Robert L. Mikalson as a member of the Washington State Highway Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Transportation.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Robert Earley, appointed January 15, 1971, for a term ending January 14, 1977, succeeding himself as a member of the Washington State Horse Racing Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Commerce and Regulatory Agencies.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. James Furman, appointed June 2, 1971, for a term ending June 9, 1975, succeeding himself as a member of the Western Interstate Commission for Higher Education.

Sincerely,

DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Dr. Glenn Terrell, appointed June 2, 1971, for a term ending June 9, 1975, succeeding himself as a member of the Western Interstate Commission for Higher Education.

Sincerely,

DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

The Honorable Ted Peterson, appointed July 9, 1971, for a term ending June 12, 1975, succeeding Dwight S. Hawley as a member of the Pacific Marine Fisheries Commission.

Sincerely,

DANIEL J. EVANS
Governor.

Referred to Committee on Natural Resources, Fisheries and Game.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. Harold E. Lokken, appointed June 12, 1971, for a term ending June 12, 1975, succeeding himself as a member of the Pacific Marine Fisheries Commission.

Sincerely,

DANIEL J. EVANS
Governor.

Referred to Committee on Natural Resources, Fisheries and Game.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. James G. McCurdy, appointed March 20, 1967, for a term ending December 31,

1974, succeeding Ted R. McTighe as a member of the Washington State Parks and Recreation Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Jack D. Mullin, appointed July 13, 1971, for a term ending January 4, 1977, succeeding Robert H. Putman as a member of the Washington State Personnel Board.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Dr. Oswald H. Greager, appointed October 19, 1970, for a term ending at the pleasure of the Governor as Chairman of the Washington State Thermal Power Plant Site Evaluation Council.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Manufacturing and Industrial Development.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Robert W. Winston, Jr., appointed July 1, 1971, for a term ending March 16, 1976, succeeding Millard B. Hodges as a member of the Board of Trustees of Western Washington State College.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Paul B. Hanson, appointed August 20, 1971, for a term ending March 16, 1978, succeeding Burton A. Kingsbury as a member of the Board of Trustees of Western Washington State College.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Frederick B. Rosmond, appointed May 28, 1971, for a term ending April 3, 1976,
succeeding Boyd Rupp as a member of the Board of Trustees of Community College District
No. 1 (Peninsula).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. John D. Woodward, appointed May 28, 1971, for a term ending April 3, 1976,
succeeding Edward S. Bordsen as a member of the Board of Trustees of Community College
District No. 5 (Everett-Edmonds).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Arthur Siegal, appointed April 3, 1970, for a term ending April 3, 1975,
succeeding himself as a member of the Board of Trustees of Community College District No.
6 (Seattle).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. George A. French, appointed September 20, 1971, for a term ending April 3,
1976, succeeding James Sullivan as a member of the Board of Trustees of Community
College District No. 6 (Seattle).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Roy S. Peterson, appointed June 10, 1971, for a term ending April 3, 1976,

succeeding himself as a member of the Board of Trustees of Community College District No. 8 (Bellevue).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Donald M. Matheson, appointed June 8, 1971, for a term ending April 3, 1975, succeeding John L. Aram as a member of the Board of Trustees of Community College District No. 11 (Fort Steilacoom).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Warren S. Miller, appointed June 8, 1971, for a term ending April 3, 1976, succeeding Gordon S. Gaspard as a member of the Board of Trustees of Community College District No. 11 (Fort Steilacoom).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. George Warren, appointed June 1, 1971, for a term ending April 3, 1976, succeeding himself as a member of the Board of Trustees of Community College District No. 12 (Centralia).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Melvin G. Hammer, appointed November 18, 1971, for a term ending April 3, 1974, succeeding Dr. Joseph Beall as a member of the Board of Trustees of Community College District No. 15 (Wenatchee Valley).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Paul Rickman, appointed May 11, 1971, for a term ending April 3, 1976,
succeeding himself as a member of the Board of Trustees of Community College District No.
16 (Yakima Valley).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. David P. Roberts, appointed August 24, 1971, for a term ending April 3, 1972,
succeeding Eldon Reiley as a member of the Board of Trustees of Community College
District No. 17 (Spokane).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Bryant Smick, appointed June 10, 1971, for a term ending April 3, 1976,
succeeding himself as a member of the Board of Trustees of Community College District No.
17 (Spokane).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Steven J. Huntington, appointed June 1, 1971, for a term ending April 3, 1974,
succeeding Arden Archer as a member of the Board of Trustees of Community College
District No. 20 (Walla Walla).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Robert O'Neill Springer, appointed July 9, 1971, for a term ending April 3, 1976,

succeeding John Binns as a member of the Board of Trustees of Community College District No. 22 (Tacoma).

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Higher Education and Libraries.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

The Honorable Ed Harris, appointed June 8, 1971 for a term ending January 1, 1973, succeeding Robert D. Timm as a member of the Washington State Utilities and Transportation Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on Commerce and Regulatory Agencies.

MESSAGE FROM THE HOUSE

January 20, 1972.

Mr. President: The House has passed HOUSE JOINT MEMORIAL NO. 4, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE JOINT MEMORIAL NO. 4, by Representatives Berentson, Costanti, Hansey, Farr, Van Dyk, Bauer, Wanamaker, Mentor, Jones and Polk:

Memorializing the President and Congress to commemorate the peaceful settlement of the dispute over the San Juan Islands.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

MOTION

Senator Greive moved that the Senate adjourn until 11:00 a.m., Saturday, January 22, 1972.

POINT OF INQUIRY

Senator Woodall: "Would Senator Greive yield? Referring to the Sunday meeting—I am being very serious in this—will it be a meeting of any consequence or is it just so we can say we are doing it too because the House did? No one else works on Sunday and I have nothing against it if we have something to do. But if it is just a show like the House puts on where you meet and call the roll and pass a resolution commending motherhood and then go home, I think it is kind of a phony thing. We talk about being open now and aboveboard. If we have anything to meet on of substance on Sunday I am for it. But if we are just going to go through the motions then I am against it."

Senator Greive: "Speaking not only for myself but for Senator Bailey and Senator Cooney, who are negotiating on our side, we hope it would be the most momentous day of the session. We are meeting tonight again at five o'clock with the Republican negotiators from the House. We have been pursuing them to reach an agreement. We know we have a cutoff date and we do not think anybody can afford to go home when this thing is pending and we intend to keep the Senate in session anytime of the day or night if we think we can reach an agreement. Obviously I cannot tell you we are going to agree at that time because maybe we do not. But we are at least hopeful."

PERSONAL PRIVILEGE

Senator Andersen: "We have just had placed on our desks, over the signature of Joe Davis, the President of the Washington State Labor Council, a letter dated January 21, 1972, which I believe is in violation of the rules that require the person distributing this sort of thing or authorizing it to be distributed be named on the document. In addition, Mr. Davis states, and I quote: 'My sources reported to me that Republican leadership intended to stall on redistricting until the fortieth day of this special session, rather than work with integrity toward a solution of the problem within the fourteen day deadline to which they had agreed.' Senator Greive, just so the record is clear, has just this minute thrown the truth in the face of that complete distortion of fact. As you all know. There have been negotiations going on steadily here with the leadership, I thought of both the Democratic leadership and the Republican leadership in the House and the Senate and good faith negotiations. And this sort of thing is offensive to me and to a number of other people here who have been active in these negotiations. So just so the record shows it, Mr. Davis said one thing, put on our desks a few minutes ago. Senator Greive says directly the opposite within minutes after the first document was placed on our desks."

REMARKS BY SENATOR GREIVE

Senator Greive: "I hoped we could avoid this but I think we may as well make the record really clear and Senator Andersen is completely misinformed and Mr. Davis is absolutely correct. These were distributed at the request of Senator Cooney. He should have signed it, as the chairman of the Committee on Constitutions and Elections.

"The AFL-CIO did not act until the House Republican caucus yesterday said that there would be no redistricting. Three different members of that caucus talked to me and Representative Morrison confirmed that they intended to hold the thing up until the fortieth day and they felt that it should be settled then and the cutoff date meant nothing. After that, Representative Morrison saw me three times and the Speaker saw me once and he talked to me the fourth time this morning and they resumed negotiations. We are not anxious to upset the diplomatic relations that are going on. We know that there are always moves and counter moves and we are not making an issue of any sort about it. If Mr. Davis wants to, that is his business. He has wanted for some time to take this action and I might say that some of us felt that that was not a very good thing to do, although we approved it when we felt the negotiations had broken down. But let us not cry about the past and let us not quarrel about what did happen yesterday or the day before. As of today we are back negotiating. I see Representative Sawyer over there. I certainly will expect to see him there at five o'clock. We are prepared to get down and do the work and I do not think recrimination is going to solve anything."

POINT OF INQUIRY

Senator Andersen: "Would Senator Greive yield to a question? I would like a yes or no answer to this question, Senator Greive. Was this letter by Mr. Davis of January 21, 1972, and the enclosures, was this put on the desks of all of the Senators with your consent, tacit or otherwise?"

Senator Greive: "As far as my consent, with my wholehearted approval."

Senator Andersen: "I suggest Senator Greive check as to the law on contempt of court."

POINT OF INQUIRY

Senator Canfield: "Mr. President, will Senator Greive yield? According to what I read in the papers, Senator, you are concerned with redistricting and are considered an authority on the matter, and I am just wondering what the thrust of this initiative process would be in the view of the negotiations which you are doing with the House?"

Senator Greive: "My part in the plan is very apparent to the negotiators. I cannot say this is exactly one hundred percent my plan. I certainly am aware of it, I am a part of it. It is one of those situations where this is a sort of an effort that is—it is kind of hard to explain. When several people are working on it, Mr. Bottiger has worked on it, we have worked on it, Representative Grant worked on it."

Senator Canfield: "Senator, maybe my question was not quite clear. Let me rephrase it if I may. This calls for an initiative, which presumably would be voted upon this fall, in an election year."

Senator Greive: "Yes."

Senator Canfield: "My question was directed to how this relates to the elections this year."

Senator Greive: "Now you get into an area where I do not pretend to be an authority. The counsel for the AFL-CIO is not myself at the moment. It is Mr. Borawick, who brought the action last time for the citizens, you know, and tied our tail in a knot, the so-called 'Thigpen' case. He is the attorney. He is employed by the AFL-CIO. He is counseling them. They are dealing directly with him. In other words, let us put it this way. I approve but I do not take absolute responsibility or do I claim all credit for the things he has been doing."

POINT OF INQUIRY

Senator Holman: "Would Senator Greive yield to a question? Senator Greive, you are the attorney for the AFL-CIO in the federal district court case of Prince vs. Kramer last I heard. Is that not true?"

Senator Greive: "No, as of three o'clock yesterday when they decided to take this action I withdrew and my withdrawal will be there today."

Senator Holman: "Well, Senator Greive, I am also a party and I have not been served with any notice of withdrawal and I do not believe in federal court you can withdraw without leave of court. So I think technically you are still a party."

Senator Greive: "I will be a party if that is the case. Mr. Borawick is advising them and has taken over as counsel."

Senator Holman: "He may be associate counsel but I would like to ask you as a counsel for the interveners, the AFL-CIO, whether it is not your position that you are going to request a federal court to amend its pretrial order to provide for elections next fall under the present districting system. Is that not true?"

Senator Greive: "Senator, I am perfectly willing to answer reasonable questions and I have been as frank as I can with you. I am not about to clutter the record up with a whole lot of things that are going to be litigated later so I am just not going to answer any further questions."

Senator Holman: "Mr. President and members of the Senate, Senator Greive undertook in response to Senator Andersen to go into exactly that same question and I am trying to find out if he has not told others that he is going to make the move in the federal court to have the court, in effect, repudiate its already determined order that the present districting is unconstitutional, and to which he is a party by stipulation. And if he will not answer that question I think all of us here can draw our own conclusions."

The President declared the question before the Senate to be the motion by Senator Greive that the Senate adjourn.

The motion carried. At 11:40 a.m., the Senate adjourned until 11:00 a.m. Saturday, January 22, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, January 22, 1972.

The Senate was called to order at 11:00 a.m., by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Gardner, Guess, Newschwander and Whetzel. On motion of Senator Matson, Senators Guess, Newschwander and Whetzel were excused. On motion of Senator Knoblauch, Senator Gardner was excused.

The Color Guard, consisting of Pages Bill Netling, Color Bearer, and Debra Martin, presented the Colors. Reverend Paul McCann, pastor of United Churches of Olympia, offered prayer as follows:

"O God, You who are the same yesterday, today and forever, our eternal contemporary, the One who was, and is, and is to come; help us to be instructed by, but not saddled to, our yesterdays; help us to be excited about, but not fearful of, our tomorrows; help us to live and work, to deliberate and decide today, in the light of Your will, for us and for those we serve, and for all men. 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.

REPORTS OF STANDING COMMITTEES

January 19, 1972.

SENATE BILL NO. 6, relating to fire district expense limit revised (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Rasmussen, Vice Chairman; Canfield, Fleming, Herr, Peterson (Ted), Ridder, Talley, Walgren, Whetzel, Wilson.

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

January 19, 1972.

SENATE BILL NO. 42, providing for fire prevention and safety code for common school buildings (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Stender, Washington.

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

January 17, 1972.

SENATE BILL NO. 45, changing law relating to apportionment of state funds to school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Stender, Washington.

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

January 17, 1972.

SENATE BILL NO. 46, corrects existing conflicts on filing oaths of school officials (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Stender, Washington.

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

January 17, 1972.

SENATE BILL NO. 47, striking obsolete sections relating to special levy study commission from code (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Stender, Washington.

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

January 17, 1972.

SENATE BILL NO. 48, removing obsolete matter in code relating to school holidays (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Stender, Washington.

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

January 17, 1972.

SENATE BILL NO. 49, providing for the distribution of funds for educational opportunities of secondary school pupils residing in non-high school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Odegaard, Rasmussen, Ridder, Washington.

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

January 18, 1972.

SENATE BILL NO. 53, allowing a court order for payment of attorneys' fees in domestic relations cases (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Foley, Francis, Holman, Twigg, Walgren, Woodall.

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

January 19, 1972.

SENATE BILL NO. 57, implementing law relating to the apportionment of state funds to school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Odegaard, Rasmussen, Ridder, Washington.

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

January 22, 1972.

SENATE BILL NO. 68, permitting correctional institutions officers to take acknowledgments and oaths (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Atwood, Clarke, Foley, Holman, Woodall.

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

January 19, 1972.

SENATE BILL NO. 71, making the state liable for acts of a prisoner on furlough (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Francis, Holman, Twigg, Woodall.

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

January 19, 1972.

SENATE BILL NO. 76, requiring that a party to a civil action be furnished with a copy of any statement made by him (reported by Judiciary committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Francis, Holman, Twigg, Woodall.

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

January 22, 1972.

SENATE BILL NO. 417, providing for awards in lieu of homestead to a value as of the time of granting the award (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Holman, Woodall.

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

January 22, 1972.

SENATE BILL NO. 423, authorizing nonprofit corporations and joint operating funds under the interlocal cooperation act (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Foley, Holman, Woodall.

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

MESSAGES FROM THE HOUSE

January 21, 1972.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 117, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

January 21, 1972.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 13, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 117, by Representatives North and Brown: Redistricting the state congressional districts.

Referred to Committee on Constitution, Elections and Legislative Processes.

SIGNED BY THE PRESIDENT

The President signed: HOUSE CONCURRENT RESOLUTION NO. 13.

MOTIONS

On motion of Senator Gissberg, the Judiciary Committee was relieved of further consideration of Senate Bill No. 130.

On motion of Senator Gissberg, Senate Bill No. 130 was referred to the Committee on Commerce and Regulatory Agencies.

On motion of Senator Mardesich, the Committee on Commerce and Regulatory Agencies was relieved of further consideration of Senate Bill No. 241.

On motion of Senator Mardesich, Senate Bill No. 241 was referred to the Judiciary Committee.

PERSONAL PRIVILEGE

Senator Rasmussen: "Mr. President, I would like to call the Senate's attention to the story that was in yesterday's News Tribune which said that there was no excessive flooding on the Cowlitz River. Due to the control of the Mossyrock and the Mayfield Dams they were able to control the flood waters. I know Senator Talley will join with me in thanking the City of Tacoma for putting the dams in there. They have provided tremendously improved fishing, including salmon, steelhead and trout; they also are controlling the floods that caused millions of dollars damage in the lower valleys. I am sure the people that live on the Columbia River also appreciate the tremendous improvement that the dams are making in the control of the flooding of the Lower Columbia. Thank you very much, Senators. If you will read the story in yesterday's News Tribune it will tell it much more adequately than I can how the flood control works. Thank you, Senator Talley, for joining in."

REMARKS BY SENATOR TALLEY

Senator Talley: "Senator Rasmussen has gone about seven miles beyond the point we discussed, but I will admit that they did take some crest off that river. We still have considerable flooding but not to the extent that we would have if the dam was not there. I will admit that much. But I still do not like the dam."

MOTION

Senator Woodall moved adoption of the following resolution:

SENATE RESOLUTION: 1972-12

By Senators Woodall and Day:

WHEREAS, Notwithstanding the Governor's appointed officials of numerous executive agencies during the preceding year spent public money to purchase and mail Christmas greeting cards in behalf of their agencies; and

WHEREAS, A cursory investigation of only four executive agencies has revealed that these agencies purchased and mailed, at public expense, five thousand nine hundred and thirty six Christmas greeting cards; and

WHEREAS, The purchasing and mailing of Christmas greeting cards are clearly ultra vires acts, forbidden by both the constitution and the statutes of the State of Washington; and

WHEREAS, The citizens of this state will not tolerate state officials playing foot-loose and fancy-free with public money, especially during these times of economic distress and high unemployment;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Legislative Budget Committee is requested to conduct a study on the extent to which state officials engage in the practice of using public money to purchase and mail Christmas greeting cards in behalf of their agencies.

BE IT FURTHER RESOLVED, That the Attorney General, as the state's legal officer, be requested to recover for the state any public funds improperly spent by state officials in the purchasing and mailing of Christmas greeting cards.

POINT OF ORDER

Senator Andersen: "I object to this resolution being considered at this time on three bases. The first is that according to Senate Concurrent Resolution No. 2, no resolution shall

be considered in either House unless the time for its introduction shall have been made up to the tenth day, January 19, 1972, and this does not fulfill that qualification.

"The second point is that Senate Concurrent Resolution No. 2 provides that there shall be no final passage of resolutions during the first fourteen days of the session, and this resolution does not qualify under that section of Senate Concurrent Resolution No. 2; and thirdly, that this resolution requires the expenditure of funds and investigation on the part of the Senate, on the part of the Legislative Budget Committee, and the institution of potential lawsuits by the Attorney General of this state. So that states the grounds for my point of order which is that this resolution should not be considered at this time."

REMARKS BY SENATOR WOODALL

Senator Woodall: "Speaking to the point of order, in the first place this is not a concurrent resolution. A one House resolution does not require action by the other body. We have been passing these one house resolutions this entire session. It does not call for the expenditure of any funds. The Legislative Budget Committee meets regularly at all times; it does not require them to do anything different. It does not require the expenditure of one dime. It does not require any new personnel be employed or they go anywhere different than they go on their ordinary meetings. Lastly, it does not mandate the Attorney General to do anything. We cannot mandate an elected official to do anything. This you know is elementary. It is suggestive to him. For those reasons I submit it is in order."

RULING BY THE PRESIDENT

The President: "The President, in ruling upon the point of order expressed by Senator Andersen, wishes to point out that the Senate has already expressed its willingness to consider floor resolutions involving only the Senate, and the President rules that this particular floor resolution does not fall within the purview of Senate Concurrent Resolution No. 2. Therefore the point of order is not well taken."

Senator Andersen moved adoption of the following amendment:

On page 1, line 2, after "executive agencies" insert ", as well as elected public officials,"

Debate ensued.

The motion by Senator Andersen carried and the amendment was adopted.

Senator Andersen moved adoption of the following amendment:

On page 1, line 4 of the resolution, after "agencies" insert "or offices"

POINT OF INQUIRY

Senator Greive: "I do not know whether I want to go this far. May I inquire, does this mean the Governor cannot send out Christmas cards?"

Senator Andersen: "What it means, Senator Greive, is that if it is sauce for the goose it is sauce for the gander. If we are going to employ the time of the Legislative Budget Committee, of which I am a member and which we all know is a bipartisan committee, to investigate the use of state funds for sending out Christmas cards by department heads, I think the investigation should extend to all state officials and that would include the Governor, the legislators and every other elected official. The amendment to that effect has already been set out in the amendment just adopted and this amendment and the one that follows it just clarify the rest of the resolution to make that point clear."

The motion by Senator Andersen carried and the amendment was adopted.

Senator Andersen moved adoption of the following amendment:

On line 17, strike "in behalf of their agencies"

POINT OF INQUIRY

Senator Mardesich: "Senator Andersen, if we are going to adopt the resolution I think it should at least make some sense. Was it 'in behalf of their agencies' that was dropped or what?"

Senator Andersen: "It dropped the words 'in behalf of their agencies' so it appears it would not be an agency if it was a public official like the insurance commissioner."

The motion carried and the amendment was adopted.

The motion by Senator Woodall carried and the resolution, as amended, was adopted.

MOTION

On motion of Senator Metcalf, the following resolution was adopted:

SENATE RESOLUTION: 1972-13

By Senators Metcalf, Mardesich and Huntley:

WHEREAS, Eileen Havens, of Edmonds, a University of Washington freshman majoring in Home Economics, was finalist from Washington State in a national contest sponsored by the American Wool Council; and

WHEREAS, Eileen Havens, at Phoenix, Arizona, on January 20, 1972, was declared the National Winner of the "Make it Yourself with Wool" contest; and

WHEREAS, Eileen was selected in Phoenix from forty-two finalists in an event involving twelve thousand original contestants nationwide, and she will receive, among other prizes, an all-expense paid trip to Europe where she will visit the designing and fashion centers in various cities;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate heartily congratulates Eileen Havens for this wonderful achievement and commends her for the honor she has brought to her state, the University of Washington, and to her community and her family;

BE IT FURTHER RESOLVED, That a copy of this resolution suitably enrolled be presented by the Secretary of the Senate to Eileen Havens.

MOTION

At 11:45 a.m., on motion of Senator Greive, the Senate adjourned until 5:00 p.m., Sunday, January 23, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FOURTEENTH DAY

EVENING SESSION

Senate Chamber, Olympia, Wash., Sunday, January 23, 1972.

The Senate was called to order at 5:00 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Gardner and Gissberg. On motion of Senator Knoblauch, Senators Gardner and Gissberg were excused.

The Color Guard, consisting of Pages Thomas Howard, Color Bearer, and Rachael Langen, presented the Colors. Reverend Henry S. Rahn, pastor of First Baptist Church of Olympia, offered prayer as follows:

“Eternal God our Father, this is the day which the Lord has made, we will rejoice and be glad in it. We begin this week then, full of hope and with the assurance that for each new day Thy strength will be given in sufficient measure. As the problems before us grow complex, open to us the treasure of Thy wisdom. Enable us to work with insight and understanding. Grant to each member of this body of state leaders, the joy of achievement. 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.

MOTION

At 5:05 p.m., on motion of Senator Greive, the Senate recessed until 5:55 p.m.

SECOND EVENING SESSION

The President called the Senate to order at 5:55 p.m.

REPORTS OF STANDING COMMITTEE

January 14, 1972.

SENATE BILL NO. 13, requiring the previous owner of a used car to inscribe the mileage reading on the certificate of ownership before sale (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Durkan, Foley, Herr, Huntley, Jolly, Keefe, Knoblauch, Murray, Peterson (Lowell), Stender, Talley, Walgren.

Referred to Committee on Rules and Joint Rules for second reading.

January 14, 1972.

SENATE BILL NO. 63, providing for minors, unable to take a driver education course, to get a driver’s license (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Durkan, Foley, Huntley, Jolly, Keefe, Knoblauch, Murray, Peterson (Lowell), Stender, Talley, Walgren.

Referred to Committee on Rules and Joint Rules for second reading.

January 19, 1972.

SENATE BILL NO. 88, providing that spray rigs are included within the definition of special mobile equipment for registration, licensing and operational purposes (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Connor, Donohue, Elicker, Guess, Huntley, Jolly, Mardesich, Matson, Murray, Peterson (Lowell), Scott, Sellar, Stender, Walgren.

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

At 6:00 p.m., the President declared the Senate to be at ease subject to the Call of the Chair.

At 7:10 p.m., the President declared the Senate to be at ease until approximately 10:30 p.m.

The President called the Senate to order at 10:40 p.m.

MOTIONS

At 10:40 p.m., on motion of Senator Greive, the Senate recessed until 11:00 p.m.

THIRD EVENING SESSION

The President called the Senate to order at 11:00 p.m.

MOTION

At 11:02 p.m., on motion of Senator Greive, the Senate adjourned until 12:00 noon, Monday, January 24, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FIFTEENTH DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Monday, January 24, 1972.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Francis, Gissberg, Huntley and Lewis. On motion of Senator Keefe, Senators Dore and Gissberg were excused. On motion of Senator Matson, Senators Huntley and Lewis were excused.

The Color Guard, consisting of Pages Tim Day, Color Bearer, and Sharon Abel, presented the Colors. Reverend William Treacy, pastor of St. Michael's Church of Olympia, offered prayer as follows:

"Almighty God, Our Father, the news we read last week brought home to us one of the horrible events of our time, as two architects went on trial in Vienna for designing and building the infamous Auschwitz concentration camp, where thousands of human beings were callously cremated in accordance with Nazi philosophy.

"We stand before you in the democratic philosophy of our country, realizing that legislators and voters are architects who should seek to enact laws that will respect the dignity and worth of every human being and we too shall stand in judgment for our performance.

"Help us to demonstrate by our courage and honest faith in the democratic process, so that amid the pressure and pulls and pleas for special consideration we never lose sight of Your Divine blueprint for man in society, where justice reigns, injustice is corrected, and we receive thereby, the priceless blessings of freedom and peace. That we may have this vision of life and the courage to live it, we ask the assistance of Thy Divine Spirit. Amen."

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

REPORTS OF STANDING COMMITTEE

January 20, 1972.

SENATE BILL NO. 25, requiring notice to local law enforcement agencies when prisoners are furloughed (reported by Committee on Public Institutions):

Recommendation: Do pass as amended.

Signed by: Senators Odegaard, Chairman; Clarke, Guess, Knoblauch, Sandison, Scott, Stortini, Talley, Twigg.

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

January 21, 1972.

SENATE BILL NO. 163, providing for single school district to serve entire area of certain United States military reservations (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Metcalf, Odegaard, Peterson (Ted), Rasmussen, Ridder, Stender, Washington.

January 21, 1972.

MINORITY recommendation: Do not pass.

Signed by: Senators Francis, Chairman; Murray, Newschwander.

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

January 21, 1972.

SENATE CONCURRENT RESOLUTION NO. 8, directing a legislative council study of a legislative liaison office in Washington, D. C. (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Day, Elicker, Henry, Jolly, Lewis, Newschwander.

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

January 21, 1972.

SENATE CONCURRENT RESOLUTION NO. 9, directing the development of printing style for free conference reports (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Day, Elicker, Henry, Jolly, Lewis, Newschwander.

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

There being no objection, the following bill was referred directly from the Committee on Rules and Joint Rules to the Committee on Ways and Means—Appropriations.

SENATE BILL NO. 57, by Senators Bailey, Gardner and Murray (by Superintendent of Public Instruction request): Implementing law relating to the apportionment of state funds to school districts.

MESSAGE FROM THE HOUSE

January 22, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 19, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTIONS

On motion of Senator Gardner, the Committee on Commerce and Regulatory Agencies was relieved of further consideration of Senate Bill No. 116.

On motion of Senator Gardner, Senate Bill No. 116 was referred to the Committee on Ways and Means—Revenue and Taxation.

On motion of Senator Gardner, the Committee on Commerce and Regulatory Agencies was relieved of further consideration of Senate Bills Nos. 117, 118, 119, 120, 121, and 122.

On motion of Senator Gardner, Senate Bills Nos. 117, 118, 119, 120, 121, and 122 were referred to the Committee on Ways and Means—Appropriations.

On motion of Senator Henry, the Committee on Transportation was relieved of further consideration of Senate Bill No. 69.

On motion of Senator Henry, Senate Bill No. 69 was referred to the Committee on Commerce and Regulatory Agencies.

SECOND READING

SENATE BILL NO. 49, by Senators Ridder, Peterson (Ted) and Odegaard (by Joint Committee on Education request):

Providing for the distribution of funds for educational opportunities of secondary school pupils residing in nonhigh school districts.

The bill was read the second time by sections.

On motion of Senator Ridder, the rules were suspended, Senate Bill No. 49 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

MOTIONS

On motion of Senator Atwood, Senate Bill No. 49 was ordered placed on today's calendar immediately following consideration of Senate Bill No. 63.

On motion of Senator Woodall, Senate Bill No. 71 was ordered to hold its place on the second reading calendar for Tuesday, January 25, 1972.

SECOND READING

SENATE BILL NO. 45, by Senators Ridder, Peterson (Ted) and Odegaard (by Joint Committee on Education request):

Changing law relating to apportionment of state funds to school districts.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment:

On page 2, section 1, line 19 after "exceed" strike "[five] ten and insert "five"

Debate ensued.

POINT OF INQUIRY

Senator Metcalf: "Mr. President, would Senator Ridder yield? Senator, if I understood you correctly, did you say that the amount drawn would be made up at the end of the year or later in that year? That the amount drawn early would be made up later?"

Senator Ridder: "Right. It is just reapportioned so that it comes out within the apportionment year. You would not be carrying over this loan into the next year."

Senator Metcalf: "Thank you."

MOTION

On motion of Senator Mardesich, Senate Bill No. 45 was ordered to hold its place on the second reading calendar for Tuesday, January 25, 1972.

PERSONAL PRIVILEGE

Senator Canfield: "Mr. President and members, you have just had laid upon your desks a report of one of your committees, the Joint Committee on Nuclear Energy. We know that you are interested in job improvement in this state and constructive industrial development, and I would urge that you at least scan this report."

MOTION

At 12:25 p.m., on motion of Senator Greive, the Senate adjourned until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

SECOND READING

SENATE BILL NO. 63, by Senators Henry, Guess, Walgren, Peterson (Lowell), Talley, Huntley, Donohue, Matson and Bailey:

Providing for minors, unable to take a driver education course, to get a driver's license.

REPORT OF STANDING COMMITTEE

January 14, 1972.

SENATE BILL NO. 63, providing for minors, unable to take a driver education course, to get a driver's license (reported by Committee on Transportation):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 2, after "department that" insert "*a need exists for him to operate a motor vehicle and*"

On page 2, section 1, line 4, after "or property" and before the period insert "*under rules to be promulgated by the department*"

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Durkan, Foley, Herr, Huntley, Jolly, Keefe, Knoblauch, Murray, Peterson (Lowell), Stender, Talley, Walgren.

The bill was read the second time by sections.

On motion of Senator Henry, the committee amendments were adopted.

On motion of Senator Henry, the rules were suspended, Engrossed Senate Bill No. 63 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 63 and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 3; excused 3.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Foley, Gardner, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-43.

Absent or not voting: Senators Bailey, Fleming, Francis-3.

Excused: Senators Dore, Gissberg, Huntley-3.

ENGROSSED 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.

THIRD READING

SENATE BILL NO. 49, by Senators Ridder, Peterson (Ted) and Odegaard (by Joint Committee on Education request):

Providing for the distribution of funds for educational opportunities of secondary school pupils residing in nonhigh school districts.

The time having arrived, the Senate resumed consideration of Senate Bill No. 49 on third reading.

MOTION

On motion of Senator Mardesich, Senate Bill No. 49 was ordered held on the third reading calendar for Tuesday, January 25, 1972.

There being no objection, the Senate returned to the seventh order of business.

SECOND READING

SENATE BILL NO. 15, by Senators Andersen, Keefe, Gissberg, Sandison and Elicker:

Providing free tuition at certain institutions of education for children of citizens determined to be prisoners of war or missing in action in Southeast Asia.

REPORT OF STANDING COMMITTEE

January 14, 1972.

SENATE BILL NO. 15, providing free tuition at certain institutions of education for children of citizens determined to be prisoners of war or missing in action in Southeast Asia (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

Recommendation: Do pass with the following amendments:

On page 1, section 1, line 15, after "any" and before "vocational" insert "public"

On page 2, section 2, line 1, after "any" and before "institution" insert "public"

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Henry, Jolly, Lewis, Mardesich, Rasmussen, Murray, Scott, Whetzel.

The bill was read the second time by sections.

On motion of Senator Wilson, the committee amendments were adopted.

Senator Mardesich moved adoption of the following amendment:

On page 1, section 1, line 16 after "school" insert "or institution of higher education" and strike Sec. 2. Renumber Sec. 3 as Sec. 2.

Debate ensued.

There being no objection, Senator Mardesich withdrew his proposed amendment.

On motion of Senator Mardesich the following amendment was adopted:

On page 1, section 1, line 17, change "thier" to "their"

POINT OF INQUIRY

Senator Whetzel: "Before we leave second reading, I wonder if Senator Wilson will yield to a question? This is not a frivolous question but the words 'Southeast Asia', I wonder if that would include children of any citizens who were prisoners of war, missing in action in any action that took place in Korea. The reason I ask this question is that there has been brought to my attention some discrimination between veterans who were engaged in the Viet Nam conflict and veterans who served in Korea, where they were just as much subject to military action as in Viet Nam, had not been eligible for some benefits that this legislature has provided. And it seemed to me that we ought to at least make Korean action applicable in this particular bill and I wonder if Southeast Asia geographically includes Korea or not, and whether an appropriate amendment should be added. That is why I ask the question on second reading."

Senator Wilson: "Senator Whetzel, it would be my understanding that the phrase 'Southeast Asia' would include Korea. However, I cannot say for certainty whether the definition were extended to that point in the preparation of the fiscal note. And again I think I would have to defer to Senator Andersen to elaborate on that point."

Senator Andersen: "In response to the question by Senators Whetzel and Wilson, I believe that children of any Washington citizen who within the past eleven years has been determined by the federal government to be a prisoner of war or missing in action is eligible. I believe that cuts out Korea for the most part. I believe the Korean conflict was over in '53 or something like that."

Senator Whetzel: "I had in mind the military action that is taking place almost daily or monthly in Korea within the last eleven years and particularly in mind the naval vessel that was captured, that people were held as prisoners of war and several died in captivity. Would their children be eligible under this?"

Senator Andersen: "You know, that is a very good point, Senator Whetzel, which I frankly had not considered and I should have because I remember Mr. Law, who was the chief bosun's mate on the Pueblo."

Senator Mardesich moved adoption of the following amendment:

On page 1, section 1, line 17, after "therefor" insert " PROVIDED, HOWEVER, That such child shall meet such other educational qualifications as such vocational-technical school shall deem reasonable and necessary under the circumstances"

POINT OF INQUIRY

Senator Canfield: "Will Senator Mardesich yield to a question? Senator, I think the

amendment is pertinent and my question to you is this. Is this covered under the RCW referred to right after new section 1, in the first two lines of new section 1?"

Senator Mardesich: "There is a similar amendment for section 2 that pertains to higher educational institutions and as I say, it may not be so necessary here. On the other hand it may be that some higher qualification is necessary and the school could ask the applicant to take whatever school it might be advisable to allow him to be entered reasonably, to assure reasonable success in the vocational school."

Senator Canfield: "I do not know whether you understood my question. Let me state it again. Does RCW 28A.09 cover any prerequisites for entrance into vocational training or into higher institutions?"

Senator Mardesich: "That I do not know. But I would assume that the problem would still exist, if not so much with the vocational school then at least with respect to the institution of higher education, that it would not make sense to allow a student to enter unless they had at least some grade school education or he would certainly be assured of failure."

The motion carried and the amendment was adopted.

On motion of Senator Mardesich, the following amendment was adopted:

On page 2, section 2, line 3, after "therefor" and before the period, insert "PROVIDED, That such child shall meet such other educational qualifications as such institution of higher education shall deem reasonable and necessary under the circumstance"

On motion of Senator Whetzel, the following amendments were adopted:

On page 1, section 1, line 14, after "Asia" insert "including Korea"

On page 1, section 2, line 27, after "Asia" insert "including Korea"

MOTIONS

On motion of Senator Greive, Senator Ridder was excused.

On motion of Senator Wilson, the rules were suspended, Engrossed Senate Bill No. 15 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 15, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 2; excused, 4.

Voting yea: Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Gardner, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-43.

Absent or not voting: Senators Bailey, Francis-2.

Excused: Senators Dore, Gissberg, Huntley, Ridder-4.

ENGROSSED 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.

SENATE BILL NO. 76, by Senators Greive, Woodall and Francis (by Legislative Council request):

Requiring that a party to a civil action be furnished with a copy of any statement made by him.

The bill was read the second time by sections.

On motion of Senator Greive, the rules were suspended, Senate Bill No. 76 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 76, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 3; excused, 4.

Voting yea: Senators Andersen, Atwood, Canfield, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Gardner, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—41.

Voting nay: Senator Clarke—1.

Absent or not voting: Senators Bailey, Francis, Talley—3.

Excused: Senators Dore, Gissberg, Huntley, Ridder—4.

SENATE BILL NO. 76, having received the 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. 88, by Senators Huntley, Henry, Washington and Donohue:

Providing that spray rigs are included within the definition of "special mobile equipment" for registration, licensing and operational purposes.

REPORT OF STANDING COMMITTEE

January 19, 1972.

SENATE BILL NO. 88, providing that spray rigs are included within the definition of "special mobile equipment" for registration, licensing and operational purposes (reported by Committee on Transportation):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 23, add a new section following section 1 as follows:

"Sec. 2. Section 46.16.010, chapter 12, Laws of 1961 as last amended by section 3, chapter 27, Laws of 1969 and RCW 46.16.010 are each amended to read as follows:

It shall be unlawful for a person to operate any vehicle over and along a public highway of this state without first having obtained and having in full force and effect a current and proper vehicle license and display vehicle license number plates therefor as by this chapter provided: PROVIDED, That these provisions shall not apply to farm vehicle as defined in RCW 46.04.181 if operated within a radius of fifteen miles of the farm where principally used or garaged, farm tractors and farm implements including trailers designed as cook or bunk houses used exclusively for animal herding temporarily operating or drawn upon the public highways, and trailers used exclusively to transport farm implements from one farm to another during the daylight hours or at night when such equipment has lights that comply with the law: PROVIDED FURTHER, That these provisions shall not apply to *special mobile equipment* and to equipment defined as follows:

"Special highway construction equipment" is any vehicle which is designed and used primarily for grading of highways, paving of highways, earth moving, and other construction work on highways and which is not designed or used primarily for the transportation of persons or property on a public highway and which is only incidentally operated or moved over the highway. It includes, but is not limited to, road construction and maintenance machinery so designed and used such as portable air compressors, air drills, asphalt spreaders, bituminous mixers, bucket loaders, track laying tractors, ditchers, leveling graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers, earth moving scrapers and carryalls, lighting plants, welders, pumps, power shovels and draglines, self-propelled and tractor-drawn earth moving equipment and machinery, including dump trucks and tractor-dump trailer combinations which either (1) are in excess of the legal width or (2) which, because of their length, height or unladen weight, may not be moved on a public highway without the permit specified in RCW 46.44.090 and which are not operated laden except within the boundaries of the project limits as defined by the contract, and other similar types of construction equipment, or (3) which are driven or moved upon a

public highway only for the purpose of crossing such highway from one property to another, provided such movement does not exceed five hundred feet and the vehicle is equipped with wheels or pads which will not damage the roadway surface.

Exclusions:

“Special highway construction equipment” does not include any of the following:

Dump trucks originally designed to comply with the legal size and weight provisions of this code notwithstanding any subsequent modification which would require a permit, as specified in RCW 46.44.090, to operate such vehicles on a public highway, including trailers, truck-mounted transit mixers, cranes and shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government, and shall take effect immediately.”

On page 1, line 1 of the title after “equipment;” strike “and”

On page 1, line 2 of the title after “RCW 46.04.552” change the period to a semicolon, and add “and amending section 46.16.010, chapter 12, Laws of 1961 as last amended by section 3, chapter 27, Laws of 1969 and RCW 46.16.010; and declaring an emergency.”

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Connor, Donohue, Elicker, Guess, Huntley, Jolly, Mardesich, Matson, Murray, Peterson (Lowell), Scott, Sellar, Stender, Walgren.

The bill was read the second time by sections.

MOTION

Senator Washington moved adoption of the committee amendments.

POINT OF INQUIRY

Senator Woodall: “Would Senator Sellar yield? There is something in the bill about fertilizing machines too. Would you differentiate? What is the difference between the spraying machine and the fertilizing machine? For some of the city members it should be clarified.”

Senator Sellar: “Yes, Senator Woodall. It seems to me that I am really kind of dealing with the expert in this following latter field. But when you are spraying sometimes you spray a material that makes things grow and that is the latter. Thank you.”

The motion carried and the committee amendments were adopted.

MOTIONS

On motion of Senator Washington, the committee amendment to the title was adopted.

On motion of Senator Greive, Senator Bailey was excused.

On motion of Senator Washington, the rules were suspended, Engrossed Senate Bill No. 88 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 88, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 2; excused, 5.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Gardner, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Absent or not voting: Senators Francis, Talley—2.

Excused: Senators Bailey, Dore, Gissberg, Huntley, Ridder—5.

ENGROSSED SENATE BILL NO. 88, having received the 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. 42, by Senators Washington, Knoblauch and Huntley (by Superintendent of Public Instruction, Insurance Commissioner and Fire Marshal request):
Providing for fire prevention and safety code for common school buildings.

POINT OF INQUIRY

Senator Mardesich: "I wonder, Mr. President, if I could get one of the sponsors to yield before we pass second reading. Senator Washington, the very last word in the bill says enforced. In other words, this pertains to building of schools and fire, health and safety protection be incorporated in the plans. And then it says the political subdivision may have similar rules and if they do then this bill, I think, should not apply. Because it says, if those political subdivisions have rules and standards which are enforced, the very last word, do they mean enforced or in force?"

Senator Washington: "I think 'in force'. In other words, if they are actually using them and attempting to comply with them. Some agencies actually have regulations on the books relating to these types of regulations and there is no effort made to really enforce them."

MOTION

On motion of Senator Washington, Senate Bill No. 42 was ordered to hold its place on the second reading calendar for Tuesday, January 25, 1972.

SECOND READING

SENATE BILL NO. 47, by Senators Francis, Metcalf and Ridder (by Joint Committee on Education request):

Striking obsolete sections relating to special levy study commission from code.

The bill was read the second time by sections.

On motion of Senator Metcalf, the rules were suspended, Senate Bill No. 47 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 47, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 1; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Gardner, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Absent or not voting: Senator Francis—1.

Excused: Senators Dore, Gissberg, Huntley, Ridder—4.

SENATE BILL NO. 47, having received the 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. 13, by Senators Henry and Huntley:

Requiring the previous owner of a used car to inscribe the mileage reading on the certificate of ownership before sale.

REPORT OF STANDING COMMITTEE

January 14, 1972.

SENATE BILL NO. 13, requiring the previous owner of a used car to inscribe the mileage reading on the certificate of ownership before sale (reported by Committee on Transportation):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 3, beginning at line 22, strike all of section 3 and insert:

"Sec. 3. Section 46.12.120, as last amended by section 2, chapter 140, Laws of 1967 and RCW 46.12.120 are each amended to read as follows:

If the purchaser or transferee is a dealer he shall, on selling or otherwise disposing of the vehicle, promptly execute the assignment and warranty of title, in such forms as the director shall prescribe, *including recording on the application the odometer reading as recorded by the previous owner on the title at the time the dealer obtained the vehicle or, if the previous owner failed to record the mileage on the title, the dealer shall attach a signed statement attesting to the odometer reading as it appeared on the vehicle at the time the vehicle was obtained by the dealer.* [and showing] *Such assignment and warranty shall show any secured party holding a security interest created or reserved at the time of resale and the date of his security agreement, to which shall be attached the assigned certificates of ownership and license registration received by the dealer, and mail or deliver them to the department with the transferee's application for the issuance of new certificates of ownership and license registration: PROVIDED, That the title certificate issued for a motor vehicle possessed by a dealer and subject to a security interest shall be delivered to the secured party who upon request of the dealer's transferee shall, unless the transfer was a breach of his security agreement, either deliver the certificate to the transferee for transmission to the department, or upon receipt from the transferee of the owner's bill of sale or sale document, the transferee's application for a new certificate and the required fee, mail or deliver to the department: AND PROVIDED FURTHER, That failure of a dealer to deliver the title certificate to the secured party does not affect perfection of the security interest.*

NEW SECTION. Sec. 4. There is added to chapter 46.12 RCW a new section to read as follows:

In any case in which the transferor to the dealer is from out of state and has not recorded the mileage at the time of transfer, or a car was in inventory prior to the effective date of this act, the dealer, when mailing or delivering the assigned certificates of ownership and license registration to the department, shall attach a certificate indicating to the best of his knowledge or belief the mileage on the vehicle at the time it was placed into inventory."

In line 5 of the title, after "46.12.030;" strike the remainder of the title and insert: "amending 46.12.120, chapter 12, Laws of 1961 as last amended by section 2, chapter 140, Laws of 1967 and RCW 46.12.120; and adding a new section to chapter 46.12 RCW."

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Durkan, Foley, Herr, Huntley, Jolly, Keefe, Knoblauch, Murray, Peterson (Lowell), Stender, Talley, Walgren.

The bill was read the second time by sections.

On motion of Senator Henry, the committee amendments were adopted.

On motion of Senator Henry, the rules were suspended, Engrossed Senate Bill No. 13 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 13, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 2; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Foley, Gardner, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard,

Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Absent or not voting: Senators Fleming, Francis—2.

Excused: Senators Dore, Gissberg, Huntley, Ridder—4.

ENGROSSED 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. 102, by Senators Jolly, Washington and Huntley:

Allowing mosquito control districts to give notice of hearings under assessment rolls by publication only.

REPORT OF STANDING COMMITTEE

January 21, 1972.

SENATE BILL NO. 102, allowing mosquito control districts to give notice of hearings under assessment rolls by publication only (reported by Committee on Agriculture and Horticulture):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 9, after "*published*" strike "*two times in*" and insert "*in two consecutive issues of*"

On page 2, section 1, line 11, after "*published*" and before "*at*" insert "*in*" and after "*five*" strike "*times in*" and insert "*consecutive issues of*"

Signed by: Senators Jolly, Chairman; Canfield, Day, Donohue, Huntley, Knoblauch, Sellar, Wilson.

The bill was read the second time by sections.

On motion of Senator Jolly, the committee amendments were adopted.

On motion of Senator Jolly, the rules were suspended, Engrossed Senate Bill No. 102 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Whetzel: "Would Senator Jolly yield to my question? Senator, I am concerned about the kind of notice you might get to an absentee owner who might even live on the western side of the mountains. His property is being assessed for assessments in a mosquito control district. He may not subscribe to the particular paper which is likely to be a weekly newspaper published in an obscure part of the county and he may get no notice. Is there any way apart from the newspaper notice that such an owner would be notified of the assessment roll?"

Senator Jolly: "Not under this bill, Senator Whetzel, there would not be."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 102, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; absent or not voting, 3; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Gardner, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Woodall—39.

Voting nay: Senators Guess, Holman, Whetzel—3.

Absent or not voting: Senators Francis, Murray, Wilson—3.

Excused: Senators Dore, Gissberg, Huntley, Ridder—4.

ENGROSSED SENATE 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.

SENATE BILL NO. 417, by Senator Mardesich:

Providing for awards in lieu of homestead to a value as of the time of granting the award.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Senate Bill No. 417 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 417, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 1; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Gardner, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Absent or not voting: Senator Francis—1.

Excused: Senators Dore, Gissberg, Huntley, Ridder—4.

SENATE BILL NO. 417, having received the 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 2:45 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Tuesday, January 25, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

SIXTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, January 25, 1972.

The Senate was called to order at 11:00 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 David Jackson, Color Bearer, and Dana Scott, presented the Colors.

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

REPORTS OF STANDING COMMITTEES

January 25, 1972.

SENATE BILL NO. 29, enacting the uniform alcoholism and intoxication treatment act (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: That Substitute Senate Bill No. 29 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Day, Chairman; Elicker, Greive, Holman, Odegaard, Woodall.

MOTION

On motion of Senator Greive, the committee report was adopted and Substitute Senate Bill No. 29 was ordered printed.

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

January 24, 1972.

SENATE BILL NO. 96, creating a board of trustees for the state school for the deaf (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: That Substitute Senate Bill No. 96 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Day, Chairman; Elicker, Greive, Holman, Newschwander, Odegaard, Woodall.

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

January 24, 1972.

SENATE BILL NO. 210, providing for procedures to be used by cities in recovering costs of repair assessed against dangerous real property (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: That Substitute Senate Bill No. 210 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Stortini, Chairman; Rasmussen, Vice Chairman; Clarke, Elicker, Herr, Ridder, Walgren, Wilson.

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

January 24, 1972.

SENATE JOINT RESOLUTION NO. 112, amending the Constitution to limit the governor's veto power (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass.

Signed by: Senators Cooney, Chairman; Wilson, Vice Chairman; Canfield, Donohue, Dore, Greive, Mardesich, Matson, Metcalf, Woodall, Washington.

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

LETTER OF INFORMATION

January 24, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

SENATE BILL NO. 39: Campers, excise tax repealed.

SENATE BILL NO. 99: Campers, mobile homes, tax exempt.

Sincerely,

HUBERT F. DONOHUE, Chairman,
Committee on Revenue and Taxation.

MESSAGE FROM THE HOUSE

January 24, 1972.

Mr. President: The House has passed:

SUBSTITUTE HOUSE BILL NO. 8,

HOUSE BILL NO. 54,

HOUSE BILL NO. 55,

HOUSE BILL NO. 56,

HOUSE BILL NO. 137,

ENGROSSED HOUSE BILL NO. 138,

HOUSE BILL NO. 279,

ENGROSSED HOUSE JOINT RESOLUTION NO. 61, and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

SUBSTITUTE HOUSE BILL NO. 8, by Committee on Local Government:

Repealing certain employee restrictions on public works.

Referred to Committee on Labor and Industrial Insurance.

HOUSE BILL NO. 54, by Representatives Mentor, Brouillet, Hoggins and Charette (by Joint Committee on Education request):

Removing obsolete matter in code relating to school holidays.

MOTION

On motion of Senator Ridder, House Bill No. 54 was referred to the Committee on Rules and Joint Rules.

HOUSE BILL NO. 55, by Representatives Brouillet, Hoggins, Mentor, Charette and Randall (by Joint Committee on Education request):

Striking obsolete sections relating to special levy study commission from code.

Referred to Committee on Education.

HOUSE BILL NO. 56, by Representatives Hoggins, Brouillet, Mentor and Charette (by Joint Committee on Education request):

Eliminates existing conflicts in filing procedures for school officials.

MOTION

Senator Ridder moved that House Bill No. 56 be referred to the Committee on Rules and Joint Rules.

POINT OF INQUIRY

Senator Woodall: "Will Senator Ridder yield? If your motion prevails, then the Rules Committee will have two bills in it on the same identical subject, right?"

Senator Ridder: "Right."

Senator Woodall: "Well then if the powerful Rules Committee holds one of the two, will we be accused of killing a bill in Rules?"

Senator Ridder: "No, indeed not."

The motion by Senator Ridder carried. House Bill No. 56 was referred to the Committee on Rules and Joint Rules.

HOUSE BILL NO. 137, by Representatives Bottiger, Flanagan, Williams, Newhouse, Moon, Haussler, Julin, McDermott, Amen, Bledsoe, Bozarth, Curtis, Eikenberry, Gallagher, Gilleland, Litchman, Randall, Schumaker and Shera (by Property Tax Committee request):

Making the assessor's comparable sales data available to individuals protesting their property valuation.

Referred to Committee on Ways and Means—Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 138, by Representatives Flanagan, Bottiger, Wolf, Julin, Newhouse, Moon, Williams, Haussler, Amen, Bledsoe, Eikenberry, Gallagher, Hoggins, Jones, Schumaker and Zimmerman (by Property Tax Committee request):

Providing changes in board of equalization operations.

Referred to Committee on Ways and Means—Revenue and Taxation.

HOUSE BILL NO. 279, by Representatives Thompson, Zimmerman, Luders, North and Randall:

Requiring permits for operation of sewerage systems owned by any county, municipal or public corporation.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

ENGROSSED HOUSE JOINT RESOLUTION NO. 61, by Representatives North, Charette, Wolf, Adams, Charnley, Kilbury, Litchman, Martinis, Maxie and Smith (by State Women's Council request):

Providing for equality of rights regardless of sex.

Referred to Committee on Labor and Industrial Insurance.

HOUSE CONCURRENT RESOLUTION NO. 19, by Representatives Julin, Marsh, Sawyer, Ross, Bottiger, Knowles, Spanton, Hubbard, Eikenberry, Shinpoch, Rosellini, Charette, Wojahn, Litchman and Swayze:

Providing for expression of cordial welcome by the legislature to the conference of chief justices.

On motion of Senator Gissberg, the rules were suspended, House Concurrent Resolution No. 19 was advanced to second reading and read the second time in full.

On motion of Senator Gissberg, the rules were suspended, House Concurrent Resolution No. 19 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

MOTION

On motion of Senator Durkan, the following resolution was adopted:

SENATE RESOLUTION: 1972-14

By Senators Durkan, Fleming and Donohue:

WHEREAS, Conditions in the economy of the State of Washington have severely affected employment and have brought hardship to many families in our state; and

WHEREAS, There has been hunger and actual want in some of the urban areas of the state; and

WHEREAS, To meet the need for food for the hungry, in the absence of a federal food surplus commodity distribution program, which was many months in coming, an organization of concerned individuals was formed called "Neighbors in Need;" and

WHEREAS, In addition to the contributions of foodstuffs and money, there was a great outpouring of assistance from persons of all walks of life in the area and in the state; and

WHEREAS, Many farmers in the agricultural areas of Eastern Washington heard of the plight of their neighbors in the cities, and contributed whole fields of crops from their harvests, including thousands of tons of potatoes, apples, pears, tree fruits such as cherries, peaches and apricots, onions, squash and other field crops; and

WHEREAS, Not only did the farmers donate their crops and their labor, but they were aided by neighbors, youth and church groups and by residents of the state penitentiary at Walla Walla;

NOW, THEREFORE, BE IT RESOLVED, By the Washington State Senate, That all agricultural producers of Eastern Washington and other areas of the state who contributed so generously of their bountiful harvest, and those who brought in and delivered the crops to the food banks, be commended and receive this expression of thanks.

BE IT FURTHER RESOLVED, That a copy of this resolution be furnished to the Washington State Grange, the Washington Farm Bureau Federation and the National Farmers organization.

MOTION

Senator Durkan moved adoption of the following resolution:

SENATE RESOLUTION: 1972-15

By Senators Durkan and Sandison:

WHEREAS, The traditional pattern for earning a bachelor's degree is an academic program which generally requires four years; and

WHEREAS, The average student takes approximately 5.5 years to complete the work necessary to receive a degree because of delays which may be unavoidable in the pursuit of an academic career; and

WHEREAS, The increased mobility of the population of the United States makes it difficult for a person to always finish a degree at one institution; and

WHEREAS, The high cost of financing higher education for both the state and the individual have necessitated new approaches to higher education; and

WHEREAS, Programs have been developed nationwide which allow students to take a series of tests (College Level Examination Programs) to pass basic college courses, and thereby reduce the amount of time spent in an institution of higher education; and

WHEREAS, Several states have developed external degree programs where a student

can take all academic course work through correspondence, television, programmed learning, computerized instruction, and other innovative methods of teaching without having to commute or reside on a campus; and

WHEREAS, Such programs as University Without Walls, credit by examination, and work-study, allow a student to proceed at an accelerated pace towards the completion of a degree; and

WHEREAS, These innovative programs clearly point the way to the establishment of similar programs in Washington which will decrease the amount of time necessary for a student to attend an institution of higher education in order to earn a degree;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Council on Higher Education proceed immediately to determine if it would be feasible to institute a three-year degree program using credit by examination or the challenge concept to shorten the time necessary to attend a campus-centered facility for the completion of a degree; and

BE IT FURTHER RESOLVED, That the Council on Higher Education explore other innovative programs which will allow flexibility for the student in planning an academic career; and

BE IT FURTHER RESOLVED, That the Council on Higher Education submit findings and recommendations to the Joint Committee on Higher Education prior to March 1, 1973, concerning ways to encourage the development and implementation of such innovative programs.

POINT OF INQUIRY

Senator Odegaard: "Would Senator Durkan yield to a question? Senator Durkan, isn't it possible now to receive a Bachelor of Arts degree in, say three and one-half years?"

Senator Durkan: "Mr. President and members of the Senate, as I understand it, it is that only by compressing the three and one-half years into summer school and . . . the traditional three and one-half years is not a, in terms of time, is not just three and one-half years. It is a four year course compressed into three and one-half years. What I am saying is that the time, which is actually the cost element involved in the educational process, the purpose of this study is to see if we can reduce it from four years, forty-eight months, to thirty-six months and at least then that one-fourth will be available for other students."

The motion by Senator Durkan carried and the resolution was adopted.

MOTION

Senator Stortini moved adoption of the following resolution:

SENATE RESOLUTION: 1972-16

By Senators Stortini, Knoblauch, Lewis and Herr:

WHEREAS, Senate Joint Resolution No. 5, adopted by the regular session of the legislature in 1971, will be submitted to the people at the general election in November 1972; and

WHEREAS, The legislature would be empowered to create a state operated lottery if such amendment passes; and

WHEREAS, The legislature should be in a position to receive, consider and act upon appropriate legislation establishing such a state lottery; and

WHEREAS, The type, scope, controls and administration of any proposed state lottery should be carefully prescribed in the enabling legislation providing for such lottery in order that the lottery may to the maximum extent possible achieve the desired results;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Joint Committee on Governmental Cooperation is authorized and requested to undertake a study of the possibilities and problems involved in establishing a state operated lottery.

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the next regular session of the legislature for its consideration.

POINT OF INQUIRY

Senator Stender: "Will Senator Stortini yield to a question? I would like to ask two questions, Senator. One is, is it your position that if Senate Joint Resolution No. 5 is in fact approved by the people, which is yet to be determined by them, that it is sufficiently broad to allow a lottery of the type that is being proposed in this resolution?"

Senator Stortini: "No, Senator, this resolution is a way to bring better understanding of the facts and problems to the people in the state prior to the voting on this. . . ."

Senator Stender: "Excuse me, I understood you. . . ."

Senator Stortini: "Let me finish, Senator."

Senator Stender: "The question I asked—you are not speaking to my question."

Senator Stortini: "Let me finish the answer then. And this resolution only says that during the 1973 legislative session this committee will make recommendations to the legislature and to the Governor. These recommendations do not have to be carried out."

Senator Stender: "I am not opposed to your resolution, Senator, but you are not going to my question. Are we going to study the question of the state going into the lottery business? If the people, and this is an if, the people did in fact adopt Senate Joint Resolution No. 5 next fall, would it then be possible under that particular Constitutional provision for the state to engage in a lottery?"

Senator Stortini: "Yes, Senator, we would be able to implement some type of lottery legislation during 1973, if that passes in November."

Senator Mardesich moved adoption of the following amendment:

On line 2 of the fourth paragraph of the resolution, strike "Joint Committee on Governmental Cooperation" and insert "*Interim Committee on Banking, Institutions and Regulatory Agencies*"

Debate ensued.

The motion carried and the amendment was adopted.

The resolution, as amended, failed on a rising vote.

MOTIONS

On motion of Senator Day, there being no objection, the Senate Committee on Manufacturing and Industrial Development was relieved of Senate Resolution 1972-9 and the study indicated therein and the resolution was referred to the Senate Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

On motion of Senator Mardesich, the Committee on Manufacturing and Industrial Development was relieved of further consideration of Senate Bill No. 247 and Senate Bill No. 252.

On motion of Senator Mardesich, Senate Bill No. 247 and Senate Bill No. 252 were referred to the Committee on Ways and Means—Appropriations.

On motion of Senator Andersen, the special order of business for 12:00 noon today, Engrossed House Joint Memorial No. 1, was ordered to hold its place on the second reading calendar for Wednesday, January 26, 1972.

SECOND READING

SENATE BILL NO. 45, by Senators Ridder, Peterson (Ted) and Odegaard (by Joint Committee on Education request):

Changing law relating to apportionment of state funds to school districts.

The Senate resumed consideration of Senate Bill No. 45 and the pending amendment to page 2, section 1, line 19. There being no objection, the amendment by Senator Mardesich was withdrawn.

On motion of Senator Mardesich, the following amendment was adopted:

On page 2, section 1, line 3, after "thirty-first." strike all the matter down to and including "*Thereafter, the*" on line 8 and insert "*The*"

On motion of Senator Atwood, the following amendment was adopted:

On page 2, section 1, line 27, before "*interest*" insert "*emergency advance of funds and the*"

On motion of Senator Mardesich, the following amendment was adopted:

On page 2, section 1, line 31, strike all material through "*following*" and insert "*in which the funds are advanced*"

On motion of Senator Ridder, the rules were suspended, Engrossed Senate Bill No. 45 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 Holman: "Would Senator Ridder yield to a question? Senator, on my desk I have an amendment by Senator Mardesich to change the five and the ten provision and I was wondering, what did we do with that?"

Senator Ridder: "We withdrew this amendment, having discussed it with the budget people. It was found that the ten was not unreasonable."

Senator Holman: "So ten is in?"

Senator Ridder: "Yes."

Senator Holman: "Thank you."

MOTION

On motion of Senator Knoblauch, Senators Fleming, Francis, Gardner, Greive, Keefe and Rasmussen were excused.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 45, and the bill passed the Senate by the following vote: Yeas, 43; excused, 6.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Gissberg, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Excused: Senators Fleming, Francis, Gardner, Greive, Keefe, Rasmussen—6.

ENGROSSED SENATE BILL NO. 45, having received the 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. 71, by Senators Gissberg, Woodall and Cooney (by Legislative Council request):

Making the state liable for acts of a prisoner on furlough.

REPORT OF STANDING COMMITTEE

January 19, 1972.

SENATE BILL NO. 71, making the state liable for acts of a prisoner on furlough (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

Beginning on line 7, strike the entire paragraph and insert:

"The state of Washington shall be liable pursuant to the provisions of chapter 4.92 RCW for damages to person or property caused by tortious or criminal conduct of a prisoner while on furlough or while at large after having failed to return from furlough."

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Francis, Holman, Twigg, Woodall.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the committee amendment.

On motion of Senator Gissberg, the following amendment to the committee amendment was adopted:

On line 3 of the committee amendment, strike "tortious or"

The motion by Senator Gissberg carried and the committee amendment, as amended, was adopted.

Senator Metcalf moved adoption of the following amendment:

On page 1, section 1, line 16 after the period, add the following:

"FURTHER PROVIDED, That any payments made under this statute shall be paid out of the judges' retirement fund."

On motion of Senator Huntley, the amendment by Senator Metcalf was laid upon the table.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 71 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 Canfield: "Thank you, Mr. President. My question was directed largely to the matter which Senator Washington has alluded to and I know that there are some areas where the damages are awarded to a person who suffers injury from a criminal act. And this person who commits the criminal act does not have to be a parolee or anything of that sort. And my question was directed then to Senator Gissberg, I guess, because I was going to ask him if the Judiciary Committee on an interim basis is going to consider this particular aspect of damages, namely, should an ordinary citizen who is not adequately protected by the state receive damages for a criminal act against him? Will the Judicial Council possibly or probably consider that problem?"

Senator Gissberg: "Yes, I do not believe that we will do so during this session of the legislature, Senator. But Senator Rasmussen who is not here does have, I believe, a bill which he has introduced this session which would go to a very wide type of situation where any citizen who is a victim of a crime could receive relief and redress in terms of compensation from the state. There is that bill that has been introduced that we felt that this was a logical first step to take. I hope I have answered your question."

POINT OF INQUIRY

Senator Mardesich: "Mr. President and gentlemen of the Senate, I suppose my question is somewhat along the lines of what Senator Andersen is speaking of here and I wonder if perhaps Senator Gissberg or Senator Woodall might respond. Was there any consideration given to the question of whether we might add a proviso to this bill to the effect that the state might have a cause of action against this furlougee for reimbursement or as against any insurer of property who might conceivably be exonerated from paying the loss on such a bill. Was that possibility considered, was it rejected, or did this question even arise?"

Senator Gissberg: "What we are doing really is creating an agency situation as the Senator said and even so doing, the state would have a cause of action over against the wrongdoer in the same fashion that I think now under the law of agency, principal of agency, that the principal has the right of indemnification as against his agent for the agent's wrongful act. I think that follows as a matter of common law of principal and agency."

MOTIONS

On motion of Senator Holman, Engrossed Senate Bill No. 71 was ordered placed on the third reading calendar for Wednesday, January 26, 1972.

At 12:40 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

SECOND READING

SENATE BILL NO. 42, by Senators Washington, Knoblauch and Huntley (by Superintendent of Public Instruction, Insurance Commissioner and Fire Marshal request):

Providing for fire prevention and safety code for common school buildings.

The bill was read the second time by sections.

On motion of Senator Washington, the following amendment by Senators Washington and Mardesich was adopted:

On page 1, section 1, line 12, after "conditions" insert a period and strike the balance of line 12 and all of line 13, and insert "After the approval of such standards by the superintendent of public instruction and the state board of education, the fire marshal shall"

On motion of Senator Washington, 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.

Debate ensued.

ROLL CALL

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, 41; absent or not voting, 4; excused, 4.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—41.

Absent or not voting: Senators Bailey, Cooney, Gissberg, Herr—4.

Excused: Senators Francis, Gardner, Keefe, Rasmussen—4.

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.

MOTION

On motion of Senator Mardesich, Senate Bill No. 49 was ordered to hold its place on the third reading calendar for Wednesday, January 26, 1972.

SECOND READING

SENATE BILL NO. 68, by Senators Holman, Gardner and Francis (by Department of Social and Health Services request):

Permitting correctional institutions officers to take acknowledgements and oaths.

The bill was read the second time by sections.

On motion of Senator Holman, 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.

Debate ensued.

ROLL CALL

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, 42; absent or not voting, 3; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—42.

Absent or not voting: Senators Cooney, Herr, Whetzel—3.

Excused: Senators Francis, Gardner, Keefe, Rasmussen—4.

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.

SENATE BILL NO. 25, by Senators Walgren, Andersen and Odegaard:

Requiring notice to local law enforcement agencies when prisoners are furloughed.

REPORT OF STANDING COMMITTEE

January 20, 1972.

SENATE BILL NO. 25, requiring notice to local law enforcement agencies when prisoners are furloughed (reported by Committee on Public Institutions):

Recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 20, after "*section the*" strike "*superintendent of the state correctional institution from which a prisoner is being furloughed*" and insert "*department*"

On page 1, section 1, strike all of lines 23, 24, 25 and 26 and insert "*county sheriff or the director of public safety of the county and the city chief of police or town marshal to which furloughed until the section on identification of the Washington state patrol is created by law, at which time that section shall be notified, that the named prisoner has been granted a furlough, the place to which furloughed and the dates and times during which the prisoner will be on furlough status. In case of an emergency furlough, the forty-eight hour time period shall not be required, but notification shall be made as promptly as possible.*"

Signed by: Senators Odegaard, Chairman; Clarke, Guess, Knoblauch, Sandison, Scott, Stortini, Talley, Twigg.

The bill was read the second time by sections.

On motion of Senator Odegaard, the committee amendment to page 1, section 1, beginning on line 20 was adopted.

Senator Odegaard moved adoption of the committee amendment to page 1, section 1, striking lines 23, 24, 25 and 26.

Debate ensued.

POINT OF INQUIRY

Senator Fleming: "Would Senator Odegaard yield to a question? Am I assuming that this amendment says notification to the individual county? Now does it eliminate the idea of sending this notification to other counties also?"

Senator Odegaard: "Yes, this is to go only to the county or the city to which the furlougee is to go into, and not where he came from."

The motion carried and the committee amendment was adopted.

Senator Talley moved adoption of the following amendment:

On page 1, section 1, line 9, after "except" and before "those" insert "*those persons serving terms of confinement for sex crimes, and*"

POINT OF INQUIRY

Senator Woodall: "Would Senator Odegaard yield to a question? I noted the statistics you gave of thirty-two who did not respond when they were supposed to and twelve are still at large. Has there been any analysis of the type of crime of the thirty-two that stayed away and did not return? Have you checked that out? Did it fit any kind of a pattern?"

Senator Odegaard: "Senator Woodall, many of those that just had not got involved in any type of crime. They just had not reported in when they were supposed to have. The most serious crime, according to the department, so far has been car theft."

Senator Woodall: "Senator Odegaard, I think you missed the import of my question. The ones who did not return as they were supposed to. . . ."

Senator Odegaard: "You mean the twelve? The twelve who did not return?"

Senator Woodall: "Yes. What crime were they originally convicted of? Do you know that? I mean, does it follow a pattern? Were they thieves, were they burglars?"

Senator Odegaard: "I do not know that, Senator Woodall. We know they were not those with mandatory minimums because they are excluded. But other than that I do not know."

On motion of Senator Walgren, 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.

Debate ensued.

ROLL CALL

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, 42; nays, 1; absent or not voting, 2; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Elicker, Foley, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Voting nay: Senator Fleming—1.

Absent or not voting: Senators Cooney, Herr—2.

Excused: Senators Francis, Gardner, Keefe, Rasmussen—4.

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.

MOTION

On motion of Senator Woodall, Senate Bill No. 34 was ordered to hold its place on the second reading calendar for Wednesday, January 26, 1972.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 9, by Senators Wilson, Greive and Andersen:

Directing the development of printing style for free conference reports.

The resolution was read the second time in full.

On motion of Senator Wilson, the rules were suspended, Senate Concurrent Resolution No. 9 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

SENATE BILL NO. 50, by Senators Donohue and Huntley:

Correcting the savings clause in the embalming examination statute.

REPORT OF STANDING COMMITTEE

January 21, 1972.

SENATE BILL NO. 50, correcting the savings clause in the embalming examination statute (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 3, strike "July" and insert "August"

On page 2, section 1, line 3, after "1965." insert "An applicant shall not be denied a license under this chapter for lack of good moral character solely by reason of prior conviction of crime."

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Holman, Keefe, Newschwander, Odegaard, Woodall.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

POINT OF INQUIRY

Senator Whetzel: "Before we leave second reading I would like to ask Senator Day what the significance of the date July 6, 1965 is. What I have in mind is the constitutional question of putting in a cutoff date prior to the effective date of the act. We have run into the problem on other licensing acts and there is supreme court case, dealing with the gillnetters initiative where they put in a date that was prior to the effective date of the act and they said you cannot do that, that you are creating . . ."

Senator Day: "In my opinion, and I, of course, am not a lawyer, but I do not think that would apply here because this is not an effective date of licensure. This is only an effective date of recognition of people who were in school. Now as I understand, some of these young people that started to school and then were inducted into the services or had other things happen which delayed their continuing their education. And so there are a couple of people around who actually started in before 1965 and this will allow the grandfather clause to apply to them as they originally intended that it should when they amended the law."

On motion of Senator Day, 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.

Debate ensued.

ROLL CALL

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, 41; absent or not voting, 4; excused, 4.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—41.

Absent or not voting: Senators Atwood, Cooney, Greive, Ridder—4.

Excused: Senators Francis, Gardner, Keefe, Rasmussen—4.

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.

SENATE BILL NO. 6, by Senator Gissberg:

Permitting board of fire commissioners to include revenue from sources in addition to tax revenue in determining the limit of expenses that may be incurred.

The bill was read the second time by sections.

On motion of Senator Stortini, 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.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 1; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Day,

Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Absent or not voting: Senator Cooney—1.

Excused: Senators Francis, Gardner, Keefe, Rasmussen—4.

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.

SENATE BILL NO. 53, by Senator Holman (by Judicial Council request):

Allowing a court order for payment of attorneys' fees in domestic relations cases.

The bill was read the second time by sections.

On motion of Senator Holman, the rules were suspended, Senate Bill No. 53 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 53, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 3; excused, 4.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Elicker, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Absent or not voting: Senators Cooney, Fleming, Huntley—3.

Excused: Senators Francis, Gardner, Keefe, Rasmussen—4.

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.

MOTIONS

On motion of Senator Ridder, Senate Bill No. 163 was ordered to hold its place on the second reading calendar for Wednesday, January 26, 1972.

At 2:20 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Wednesday, January 26, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

SEVENTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, January 26, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Cooney, Day, Francis and Gardner. On motion of Senator Keefe, Senator Day was excused.

The Color Guard, consisting of Pages Joseph Hare, Color Bearer, and Linda Triplett, presented the Colors. Senator Reuben Knoblauch offered prayer as follows:

“Bless, O Lord, the presiding officer of the Senate, John Cherberg. May he continue as the fair leader that he is, respected by all. Bless the members of the Senate in their labors in behalf of the people of the state of Washington. Give them the strength to do the work expected by our citizens, to pass laws to the benefit of all those whom they represent. Remind them that they are servants of the people, not the people their servants. We ask this in the name of our Blessed Saviour who is the Life, the Hope of all mankind. Amen.”

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

REPORTS OF STANDING COMMITTEES

January 25, 1972.

SENATE BILL NO. 3, including Indian tribes within the definition of public body as term is used in marine recreation land act of 1964 (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Jolly, Lewis, Murray, Scott, Whetzel.

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

January 18, 1972.

SENATE BILL NO. 54, extending state authority over inferior courts to all counties (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Foley, Francis, Holman, Twigg, Walgren, Woodall.

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

January 22, 1972.

SENATE BILL NO. 74, allowing for certain deductions from gross value of an estate in determining the amount of inheritance taxes due when there is no probate (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Durkan, Foley, Greive, Holman, Twigg, Woodall.

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

January 19, 1972.

SENATE BILL NO. 79, providing that irreconcilable differences between spouses without regard to fault constitute grounds for divorce (reported by Committee on Judiciary):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Francis, Walgren.

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

January 25, 1972.

SENATE BILL NO. 82, amending regulations governing transfer of inmates from correctional to mental institutions (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Odegaard, Chairman; Clarke, Knoblauch, Scott, Twigg.

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

January 22, 1972.

SENATE BILL NO. 83, authorizing the department of social and health services to administer veterans' estates (reported by Committee on Judiciary):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Clarke, Durkan, Foley, Greive, Holman, Walgren.

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

January 22, 1972.

SENATE BILL NO. 109, altering the duty of a prosecutor in a default or noncontested divorce proceeding (reported by Committee on Judiciary):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Durkan, Foley, Greive, Holman, Twigg, Woodall.

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

January 25, 1972.

SENATE BILL NO. 131, defining powers of a limited partnership in such a partnership (reported by Committee on Judiciary):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Foley, Holman, Twigg, Walgren, Woodall.

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

January 25, 1972.

SENATE BILL NO. 149, creating a commission to commemorate the U.S. bicentennial (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Jolly, Lewis, Murray, Scott, Whetzel.

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

January 25, 1972.

SENATE BILL NO. 152, providing financial support for the Puget Sound ferry system (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Herr, Jolly, Knoblauch, Murray, Peterson (Lowell), Sandison, Scott, Sellar, Stender, Walgren.

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

January 22, 1972.

SENATE BILL NO. 260, providing a summary procedure for dealing with the estates of persons missing in action and prisoners of war (reported by Committee on Judiciary):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Atwood, Clarke, Foley, Holman, Twigg, Walgren, Woodall.

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

January 25, 1972.

SENATE BILL NO. 296, encouraging vocational rehabilitation programs in correctional institutions (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Odegaard, Chairman; Clarke, Knoblauch, Scott, Twigg.

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

MESSAGES FROM THE HOUSE

January 25, 1972.

Mr. President: The House has passed SENATE BILL NO. 47, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

January 25, 1972.

Mr. President: The House has passed:

HOUSE BILL NO. 11,

HOUSE BILL NO. 34,

HOUSE BILL NO. 35,

HOUSE BILL NO. 36,

HOUSE BILL NO. 57,

ENGROSSED HOUSE BILL NO. 78,

HOUSE BILL NO. 80,

HOUSE BILL NO. 81,

HOUSE BILL NO. 82,

HOUSE BILL NO. 83,

HOUSE BILL NO. 84,

HOUSE BILL NO. 85,

HOUSE BILL NO. 86,

HOUSE BILL NO. 87,

HOUSE BILL NO. 90,

HOUSE BILL NO. 93,

ENGROSSED HOUSE BILL NO. 155,

ENGROSSED HOUSE BILL NO. 191,

ENGROSSED HOUSE BILL NO. 257, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

January 25, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 7, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed: SENATE BILL NO. 47.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 11, by Representatives Cunningham and Kilbury:

Requiring school bus to stop at railroad crossing, whether loaded or unloaded.

Referred to Committee on Transportation.

HOUSE BILL NO. 34, by Representatives Kopet, Backstrom and Goldsworthy (by Legislative Budget Committee request):

Updating state land reclamation procedures.

Referred to Committee on Natural Resources, Fisheries and Game.

HOUSE BILL NO. 35, by Representatives Kopet, Backstrom and Goldsworthy (by Legislative Budget Committee request):

Abolishing the land settlement act.

Referred to Committee on Natural Resources, Fisheries and Game.

HOUSE BILL NO. 36, by Representatives Marsh, Kopet and Shinpoch (by Legislative Budget Committee request):

Authorizing advance payments for services.

Referred to Committee on Ways and Means—Appropriations.

HOUSE BILL NO. 57, by Representatives Hoggins and Charette (by Joint Committee on Education request):

Providing for the distribution of funds for educational opportunities of secondary school pupils residing in nonhigh school districts.

Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 78, by Representatives Conner, Schumaker and Eikenberry:

Exempting law enforcement officers from the waiting period when purchasing firearms.

Referred to Judiciary Committee.

HOUSE BILL NO. 80, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting erroneous amendment to RCW 15.63.240.

Referred to Judiciary Committee.

HOUSE BILL NO. 81, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting double amendments to RCW 18.64.080.

Referred to Judiciary Committee.

HOUSE BILL NO. 82, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting double amendments to RCW 28A.13.020, 28A.27.081 and 28A.58.100.

Referred to Judiciary Committee.

HOUSE BILL NO. 83, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting multiple amendments to RCW 41.06.070.

Referred to Judiciary Committee.

HOUSE BILL NO. 84, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting double amendment to RCW 43.08.020.

Referred to Judiciary Committee.

HOUSE BILL NO. 85, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting inadvertent amendment to RCW 22.02.100.

Referred to Judiciary Committee.

HOUSE BILL NO. 86, by Representatives Charette and Julin (by Statute Law Committee request):
Correcting double amendments to RCW 82.44.150.

MOTION

Senator Durkan moved that House Bill No. 86 be referred to the Committee on Ways and Means—Appropriations.

POINT OF INQUIRY

Senator Greive: "Will Senator Durkan yield to a question? Could you give me a little more detail?"

Senator Durkan: "It is a question in the last session where you recall that the legislature redistributed the motor vehicle formula and permitted some cities to increase their maximum amount to get more money for transit purposes. As a result of that where the bill was passed by the legislature, the Governor vetoed certain sections out of it and this bill is now a revision of it and I merely think that it belongs in Ways and Means Committee."

The motion by Senator Durkan carried. House Bill No. 86 was referred to the Committee on Ways and Means—Appropriations.

HOUSE BILL NO. 87, by Representative Charette and Julin (by Statute Law Committee request):
Correcting double amendments to RCW 84.36.030.

MOTION

Senator Durkan moved that House Bill No. 87 be referred to the Committee on Ways and Means—Revenue and Taxation.

POINT OF INQUIRY

Senator Greive: "Will Senator Gissberg yield to a question? Senator, are you familiar with House Bill No. 87, what it does and if it is acceptable as far as you are concerned?"

Senator Gissberg: "Yes, it is acceptable."

The motion by Senator Durkan carried. House Bill No. 87 was referred to the Committee on Ways and Means—Revenue and Taxation.

HOUSE BILL NO. 90, by Representatives Brouillet, Hoggins and Haussler (by Superintendent of Public Instruction request):
Establishing minimum number of days for kindergarten years.
Referred to Committee on Education.

HOUSE BILL NO. 93, by Representatives Pardini, Bottiger and Barden (by Department of Social and Health Services request):
Amending the uniform reciprocal enforcement of support act.
Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 155, by Representatives Spanton, McCormick and Gilleland (by Department of Highways request):
Including land contracts in the term "mortgage."
Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 191, by Representatives Kuehnle, Knowles, Hoggins, Gilleland and Jones:
Permitting school districts to engage agents or licensed real estate brokers to negotiate sale of district real property.

Referred to Committee on Education.

ENGROSSED HOUSE BILL NO. 257, by Representatives Zimmerman, Charette, Wolf, Cunningham, Kilbury, King, Conner, Douthwaite, Litchman, Kiskaddon, Thompson and Randall (by Department of Ecology request):

Providing for the financing and construction of pollution control facilities.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

HOUSE CONCURRENT RESOLUTION NO. 7, by Representatives Brown, Wolf and Johnson (by Joint Committee on Education request):

Providing program relating to insuring of school districts.

Referred to Committee on Education.

MOTION

On motion of Senator Keefe, the following resolution was adopted:

SENATE RESOLUTION: 1972-17

By Senators Keefe and Henry:

WHEREAS, The economic strain on many of the State's citizens is extremely severe; and

WHEREAS, In many cases the extension of Federal unemployment compensation payments will begin to become effective at or about the time that the current 1972 car licensing deadline of February 5 occurs; and

WHEREAS, A postponement of said car licensing deadline will not seriously affect the State fiscally, but will permit the application of the first unemployment compensation benefits to other and more pressing obligations;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington in extraordinary session assembled, That the licensing and enforcing authorities of the State provide its citizens an emergency extension of deadline for securing 1972 car licenses for as long a time as is reasonable and proper.

MOTION

On motion of Senator Scott, the following resolution was adopted:

SENATE RESOLUTION: 1972-18

By Senator Scott:

WHEREAS, Policy decisions concerning appropriations and allowances for providing nursing home care, and regulating facilities and services are dependent in part on knowledge of costs; and

WHEREAS, The state is making a large investment in such services without benefit of objective, reliable information that is not at hand but obtainable and necessary; and

WHEREAS, Substantial numbers of citizens have asserted that the care being offered by nursing homes in the state of Washington is of varying and in some instances substandard quality; and

WHEREAS, Testimony given at a recent hearing in the Senate Chambers indicated the new federal and state regulations have increased the cost of operating such businesses and affected the profit margins;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Legislative Council conduct a cost accounting study of the cost of providing the varying classes of care in nursing homes for both state and private patients and report back to the Forty-third Legislature.

MOTION

Senator Holman moved adoption of the following resolution:

SENATE RESOLUTION: 1972-19

By Senators Holman, Peterson (Ted) and Knoblauch:

WHEREAS, The President's speech of January 25, 1972 revealing secret negotiations covering twelve separate meetings over a period of thirty months, in addition to the previously publicized acts and offers, demonstrates that the President's efforts are responsive to his pledge to the American people, and to their demands for action by their government and his administration, in connection with the disengagement of our armed forces from South Vietnam; and

WHEREAS, The offers made public provide the North Vietnamese the essential options to consummate a compact for peace in Southeast Asia;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington commends the President for his efforts, acknowledges its gratitude therefor, and urges the congressional delegation from the State of Washington to pledge all possible support for his efforts; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate cause copies of this resolution suitably embossed to be transmitted to the President and the members of the congressional delegation from the State of Washington.

MOTION

Senator Washington moved that Senate Resolution 1972-19 be held for further consideration on Thursday, January 27, 1972.

Debate ensued.

The motion carried. Senate Resolution 1972-19 was ordered held for Thursday, January 27, 1972.

MOTION

At 12:20 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTIONS

On motion of Senator Keefe, Senator Cooney was excused.

On motion of Senator Greive, Engrossed House Joint Memorial No. 1 was ordered placed on today's second reading calendar immediately preceding consideration of Senate Joint Resolution No. 112.

THIRD READING

ENGROSSED SENATE BILL NO. 71, by Senators Gissberg, Woodall and Cooney (by Legislative Council request):

Making the state liable for acts of a prisoner on furlough.

POINT OF INQUIRY

Senator Gissberg: "Mr. President, the posture of this bill, although it is on third reading, was that there were persons on the floor who were apparently going to prepare amendments to offer in an attempt to improve it and to relieve the objections made by

Senator Andersen and presumably by Senator Holman. I am wondering whether or not you have had that opportunity. We think that you should have the laboring oar with respect to that. Are there any amendments up on the desk, Mr. President?"

The President: "No amendments, Senator Gissberg."

Senator Gissberg: "May I inquire of Senator Andersen and Senator Holman whether you intend to prepare amendments along the lines you suggested yesterday?"

Senator Holman: "Answering Senator Gissberg's question, I will have to confess that I did not draft any amendment, simply because when I sat down to try to do it and handle the problems which I could see I just ran out of thought. But it does occur to me, and I have discussed this with a number of Senators, that perhaps one amendment that we could put on here which would allow the bill to be passed and go out and see how it works is to put a monetary limitation on there of, Senator Dore suggested, fifteen thousand dollars. For want of a better figure I would accept it, if that is agreeable with the sponsors. If that is the case why we could prepare such an amendment and do it, but that is all I can think of."

MOTIONS

On motion of Senator Gissberg, the rules were suspended and Engrossed Senate Bill No. 71 was returned to second reading.

On motion of Senator Gissberg, Engrossed Senate Bill No. 71 was ordered placed on today's second reading calendar immediately following consideration of House Bill No. 66. There being no objection, the Senate returned to the seventh order of business.

SECOND READING

SENATE BILL NO. 34, by Senators Durkan, Woodall, Knoblauch and Peterson (Ted): Providing veterans with certain public employment preferences.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment:

On page 2, section 1, line 10, after "for" strike "purple heart veterans and"

Debate ensued.

On motion of Senator Durkan, the amendment proposed by Senator Mardesich was laid upon the table.

Senator Woodall moved adoption of the following amendment:

On page 2, section 1, line 15, after "*Veterans Administration*" insert ";" and strike the remainder of line 15 and all of lines 16, 17 and 18.

Senator Durkan moved adoption of the following amendment to the amendment by Senator Woodall:

Amend the Woodall amendment to page 2, section 1, line 15, as follows: After "*Veterans Administration*" and before the semicolon insert "*or who are receiving compensation or disability retirement benefits*"

POINT OF INQUIRY

Senator Wilson: "Mr. President, would Senator Woodall yield to a question? Senator, is it your intent and understanding that your second amendment which has been adopted and that your first amendment as amended by Senator Durkan would solely achieve the purpose of applying to career service personnel who have served their twenty or thirty years and are now drawing pensions and return them to a five percent differential basis as compared to ten percent for the others?"

Senator Woodall: "Yes."

The motion by Senator Durkan carried and the amendment to the amendment was adopted.

The motion by Senator Woodall carried and the amendment, as amended, was adopted.

On motion of Senator Woodall, the following amendment was adopted:

On page 3, section 1, line 18, after the period add "*No serviceman or woman receiving full military retirement benefits shall receive any preference points under this statute.*"

On motion of Senator Wilson, the rules were suspended, Engrossed Senate Bill No. 34 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 34 and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senators Francis, Gardner—2.

Excused: Senator Day—1.

ENGROSSED 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.

MOTION

On motion of Senator Ridder, Senate Bill No. 163 was ordered to hold its place on the second reading calendar for Thursday, January 27, 1972.

SECOND READING

HOUSE BILL NO. 56, by Representatives Hoggins, Brouillet, Mentor and Charette (by Joint Committee on Education request):

Eliminates existing conflicts in filing procedures for school officials.

The bill was read the second time by sections.

On motion of Senator Ridder, the rules were suspended, House Bill No. 56 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 56, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson—44.

Absent or not voting: Senators Francis, Gardner, Matson, Woodall—4.

Excused: Senator Day—1.

HOUSE BILL NO. 56, having received the 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 SENATE BILL NO. 71, by Senators Gissberg, Woodall and Cooney (by Legislative Council request):

Making the state liable for acts of a prisoner on furlough.

The Senate resumed consideration of Engrossed Senate Bill No. 71, which on motion of Senator Gissberg had been returned to second reading.

Senator Clarke moved adoption of the following amendment:

On the last line of the bill, after "furlough" and before the period insert " PROVIDED, HOWEVER, That the amount recoverable by any one person shall in no event exceed the sum of twenty-five thousand dollars"

POINT OF INQUIRY

Senator Wilson: "Would Senator Clarke yield to a question? In the event that two partners owned a building which was burned down by a furloughed prisoner or convict, would they be entitled to a maximum of fifty thousand then or is it twenty-five thousand for the applicant or twenty-five thousand for the incidence?"

Senator Clarke: "I would assume under those circumstances there would be one limit of twenty-five thousand dollars. That is in the amount recoverable against the state because of the incidence or actions of the particular prisoner. I think that the reason for this is that one of the things sought to be protected against is an unusually large recovery against the state which would be unanticipated. And by putting a limitation of twenty-five thousand dollars on this is the only way I think that can be accomplished. Otherwise you could have one act which might affect a whole series of applicants for recovery."

POINT OF INQUIRY

Senator Lewis: "Would Senator Clarke yield to a question? Senator Clarke, would it be possible for the state of Washington to buy insurance to cover such potential damage of felons that were released from private insurance carriers?"

Senator Clarke: "I know of no particular precedent, Senator, but I am quite certain that it would because this type of coverage in effect is a rather common sort and I would be very much surprised if it were not available."

POINT OF INQUIRY

Senator Guess: "Would Senator Clarke yield? Senator Clarke, it seems to me that we are being very tenuous here with the amendment. The automobile insurance that you carry—what limits do you carry?"

Senator Clarke: "Well I, of course, would carry substantially higher limits than the suggested twenty-five thousand dollars."

Senator Guess: "Well, Senator, you are carrying it for the protection of that person that you might hit, aren't you?"

Senator Clarke: "I think it is the new theory of automobile insurance and one to which I subscribe. I might however say that the original concept of automobile insurance was to protect the named insured against having his assets dissipated by someone suing him and getting a big judgment against him."

Senator Canfield: "I would like to ask, why wouldn't we want to protect the citizens of the state to the same degree that we would protect ourselves?"

Senator Clarke: "Senator, my answer to that would be that we are creating here a new liability. I am quite sympathetic with the concept. I simply feel that as a matter of substantial legislation and, bearing in mind not only the injured party but also the taxpayer, that we should start this out with a reasonable limitation. And it seems to me that this is a reasonable limitation when you are creating a new cause of action where no recovery whatsoever was previously allowable."

The motion by Senator Clarke carried and the amendment was adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 71 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 71, and

the bill passed the Senate by the following vote: Yeas, 39; nays, 5; absent or not voting, 4; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Holman, Jolly, Keefe, Knoblauch, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Wilson, Woodall—39.

Voting nay: Senators Andersen, Lewis, Stender, Washington, Whetzel—5.

Absent or not voting: Senators Francis, Gardner, Herr, Huntley—4.

Excused: Senator Day—1.

ENGROSSED 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. 62, by Senators Mardesich, Walgren and Lewis:

Providing for pension plans and tax deferred annuities for qualified public employees.

REPORT OF STANDING COMMITTEE

January 18, 1972.

SENATE BILL NO. 62, providing for pension plans and tax deferred annuities for qualified public employees (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 13, after "*Public Law*" and before "*80 Stat.*" strike "*88-809*" and insert "*89-809*"

On page 2, section 1, add a new paragraph as follows:

"Coverage of an employee under a qualified pension plan or contract for a deferred annuity under this section shall not render such employee ineligible for simultaneous membership and participation in the pension systems for public employees which are provided for by chapters 41.26, 41.32 and 41.40 RCW."

Signed by: Senators Walgren, Chairman; Day, Elicker, Gissberg, Henry, Jolly, Lewis, Newschwander.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments were adopted.

On motion of Senator Mardesich, the rules were suspended, Engrossed Senate Bill No. 62 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 62, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Absent or not voting: Senators Francis, Gardner, Huntley, Stender—4.

Excused: Senator Day—1.

ENGROSSED SENATE BILL NO. 62, having received the 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. 56, by Senators Holman and Dore (by Judicial Council request):
Permitting six member juries.

REPORT OF STANDING COMMITTEE

January 18, 1972.

SENATE BILL NO. 56, permitting six member juries (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 4, line 15, after "*reached by*" and before "*shall*" strike "*ten*" and insert "*nine*".

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Foley, Francis, Holman, Twigg, Walgren, Woodall.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the committee amendment.

POINT OF INQUIRY

Senator Murray: "Would Senator Gissberg yield to a question? Am I correct in assuming that either side in a court case can ask for the twelve-man jury?"

Senator Gissberg: "Yes."

The motion by Senator Gissberg failed and the committee amendment was not adopted on a rising vote.

There being no objection, Senate Bill No. 56 was ordered to hold its place on the second reading calendar for Thursday, January 27, 1972.

MOTION

At 2:55 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Thursday, January 27, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

EIGHTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, January 27, 1972.

The Senate was called to order at 11:00 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 Wayne Allenton, Color Bearer, and Janet Flock, presented the Colors. Reverend William Treacy, pastor of St. Michael's Church of Olympia, offered prayer as follows:

"Almighty God, our Father, we recall that at the synagogues of the Middle Ages, the practice had developed whereby one could interrupt the services to inform the community of wrongs and injustices not yet redressed, because of the strong emphasis the synagogue placed on the various human needs of the community.

"We who are Christians believe that whatever we do to minister to human needs we do to Christ Himself. Grant to our legislators and to all of us who believe in the Judaeo-Christian heritage an ever sensitive awareness of human needs that actually takes priority over everything else. As we look at the drab architecture of the mediaeval synagogue, it reminds us of the relative indifference of the Jewish people to the physical setting of the place of worship, but at the same time these drab buildings speak loudly and eloquently to us of the concern for the human being in misery and want. Grant to us in church and synagogue and in the legislature the perspective of the importance of the individual and his needs, the needs of those in prison, of victims of crime, those in homes for the aged, those needing food and medical care which they themselves cannot provide, for whom we must be your agents of hope. Amen."

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

REPORTS OF STANDING COMMITTEES

January 27, 1972.

SENATE BILL NO. 4, reducing camper excise tax to one percent (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Donohue, Dore, Fleming, Foley, Gissberg, Guess, Holman, Huntley, Jolly, Metcalf, Peterson (Lowell), Peterson (Ted), Ridder, Scott, Twigg, Washington, Wilson, Woodall.

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

January 24, 1972.

SENATE BILL NO. 8, allowing certain school districts to administer the written driver license examination (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Donohue, Elicker, Huntley, Jolly, Knoblauch, Murray, Peterson (Lowell), Sandison, Scott, Sellar, Stender, Talley, Walgren.

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

January 26, 1972.

SENATE BILL NO. 23, extending certain harbor lines (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Bailey, Donohue, Gissberg, Matson, Metcalf, Rasmussen, Talley.

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

January 25, 1972.

SENATE BILL NO. 28, creating a state treasurer's advisory committee (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Atwood, Elicker, Jolly, Lewis, Newschwander.

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

January 25, 1972.

SENATE BILL NO. 84, giving totally blind disabled veterans free motor vehicle licenses (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Donohue, Elicker, Jolly, Knoblauch, Murray, Peterson (Lowell), Sandison, Scott, Sellar, Stender, Talley, Walgren.

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

January 25, 1972.

SENATE BILL NO. 85, giving access to department of social and health services to driving records of inmates in state institutions and providing for temporary driver's licenses for parolees (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Durkan, Elicker, Foley, Jolly, Knoblauch, Murray, Sandison, Scott, Sellar, Stender, Talley, Walgren.

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

January 25, 1972.

SENATE BILL NO. 92, providing for a regional economic development authority (reported by Committee on Manufacturing and Industrial Development):

MAJORITY recommendation: Do pass.

Signed by: Senators Gardner, Chairman; Murray, Washington, Whetzel.

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

January 27, 1972.

SENATE BILL NO. 99, exempting mobile homes and campers from use tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Donohue, Dore, Fleming, Gissberg, Guess, Holman, Huntley, Jolly, Metcalf, Peterson (Lowell), Peterson (Ted), Ridder, Scott, Twigg, Washington, Wilson, Woodall.

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

January 27, 1972.

SENATE BILL NO. 100, redefining fraud in obtaining telephone service (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 100 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Holman, Twigg, Walgren.

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

January 27, 1972.

SENATE BILL NO. 111, providing for special commercial zones in which motor freight carriers can operate at prescribed rates (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Mardesich, Chairman; Andersen, Clarke, Cooney, Fleming, Foley, Gissberg, Huntley, Keefe, Knoblauch, Newschwander, Peterson (Lowell), Sellar, Stortini, Twigg, Walgren, Whetzel.

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

January 27, 1972.

SENATE BILL NO. 128, protecting certain officials, employees or agents of institutions of higher education from actions arising out of their failure to perform or performance of their duties (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: That Substitute Senate Bill No. 128 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Sandison, Chairman; Atwood, Durkan, Foley, Guess, Henry, Holman, Huntley, Wilson.

MOTION

On motion of Senator Greive, the committee report was adopted and Substitute Senate Bill No. 128 was ordered printed and referred to the Committee on Rules and Joint Rules for second reading.

January 27, 1972.

SENATE BILL NO. 189, providing that treasurer at certain institutions of education can attest to revenue bonds issued (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Atwood, Durkan, Foley, Guess, Henry, Holman, Huntley, Wilson.

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

January 27, 1972.

SENATE BILL NO. 192, providing for investment of excess moneys in community college capital projects account (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: That the bill be referred to the Committee on Ways and Means—Revenue and Taxation.

Signed by: Senators Sandison, Chairman; Atwood, Durkan, Foley, Guess, Henry, Holman, Huntley, Wilson.

There being no objection, Senate Bill No. 192 was referred to the Committee on Ways and Means—Revenue and Taxation.

January 27, 1972.

SENATE BILL NO. 240, implementing law relating to definitions of resident and nonresident students in institutions of higher education (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Atwood, Durkan, Foley, Guess, Henry, Holman, Huntley, Wilson.

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

January 26, 1972.

SENATE JOINT RESOLUTION NO. 101, constitutionally mandating the funding of certain pension funds (reported by Committee on Public Pensions and Social Security):

MAJORITY recommendation: That Substitute Senate Joint Resolution No. 101 be substituted therefor and that the substitute resolution do pass.

Signed by: Senators Rasmussen, Chairman; Day, Herr, Murray, Odegaard.

MOTION

On motion of Senator Rasmussen, the committee report was adopted and Substitute Senate Joint Resolution No. 101 was ordered printed and referred to the Committee on Rules and Joint Rules for second reading.

January 25, 1972.

SENATE JOINT RESOLUTION NO. 109, amending the constitution to allow the state to lend its credit to encourage industrial expansion (reported by Committee on Manufacturing and Industrial Development):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gardner, Chairman; Murray, Washington, Whetzel.

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

January 26, 1972.

SENATE JOINT RESOLUTION NO. 114, amending the Constitution to provide that the state and public agencies thereof may purchase lands and buildings jointly (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Elicker, Henry, Jolly, Lewis, Newschwander.

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

LETTER OF INFORMATION

January 26, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON 98504

Mr. President:

The Senate Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

*SENATE BILL NO. 106: Assessor's comparable sales data.

*SENATE BILL NO. 286: Prescription drugs, sales tax.

SENATE BILL NO. 175: Timber, unprocessed, storage, tax exempt.

SENATE BILL NO. 108: Business inventories, personal property tax.

Sincerely,

HUBERT F. DONOHUE, Chairman,
Committee on Revenue and Taxation.

*with amendments

GUBERNATORIAL APPOINTMENT

January 25, 1972.

DR. OSWALD H. GREAGER, to the position of chairman of the Washington State Thermal Power Plant Site Evaluation Council, appointed by the Governor on October 19, 1970 for the term ending at the pleasure of the Governor (reported by the Committee on Manufacturing and Industrial Development):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Gardner, Chairman; Murray, Washington, Whetzel.
Passed to Committee on Rules and Joint Rules.

MESSAGES FROM THE HOUSE

January 26, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE CONCURRENT RESOLUTION NO. 5 and has adopted the resolution as amended by the Senate. MALCOLM McBEATH, Chief Clerk.

January 26, 1972.

Mr. President: The House has passed:
HOUSE BILL NO. 96,
ENGROSSED HOUSE BILL NO. 105, and the same are herewith transmitted.
MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 96, by Representatives Brown, Wolf, Bottiger, Curtis, Ross, Kilbury, Kiskaddon, Kraabel, Conway, Blair, Bluechel, Smith, Cunningham and North (by executive and Secretary of State request):

Providing for annual general elections.

Referred to Committee on Constitution, Elections and Legislative Processes.

ENGROSSED HOUSE BILL NO. 105, by Representatives O'Brien, Pardini, Maxie, Perry, Ross, Knowles, Bagnariol, Ceccarelli, Litchman and Merrill (by Joint Committee on Education request):

Providing that financial aid for part-time students shall include ancillary services.

Referred to Committee on Education.

The Senate resumed consideration of Senate Resolution 1972-19. The resolution was moved for adoption on Wednesday, January 26, 1972 by Senator Holman.

The President declared the question before the Senate to be the adoption of the resolution.

There being no objections, the resolution was adopted.

Senators Greive, Atwood and Stortini 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.

SECOND READING

SENATE BILL NO. 163, by Senators Metcalf, Ridder and Huntley:

Providing for single school district to serve entire area of certain United States military reservations.

The bill was read the second time by sections.

Senator Ridder moved adoption of the following amendment:

On page 1, beginning with line 22, strike section 2 in its entirety and insert:

"NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

On or before June 1, 1972, or in any year in the future where there are more than three thousand common school age children on such a military reservation resident therein, whichever is the case, and notwithstanding other provisions of this chapter or any other

provision of law, the county committee on school district organization of each county in which such a United States military reservation is located or in the case such military reservation is located in two counties the joint county committee established pursuant to RCW 28A.57.240 shall order effective July 1st of the then calendar year the annexation of portions of reservation territory not currently within the single school district, as required by section 1 of this 1972 act, to one of the school districts encompassing a portion of the military reservation: PROVIDED, That the annexation order shall not include territory on such military reservation in which less than a majority of the people residing thereon have at least one parent serving in the military and under such military reservation command. The county committee on school district organization shall order such equitable transfer of assets and liabilities as is deemed necessary for the orderly transfer of the territory in accordance with transfers in other annexation proceedings authorized under this chapter."

PARLIAMENTARY INQUIRY

Senator Atwood: "I notice on my desk is a complete new bill which contains a new section 2 in it, which is apparently the amendment that Senator Ridder has offered. What is the proper procedure? Should we take up Senator Ridder's amendment first or the entire new bill which contains a new section 2 in it?"

REPLY BY THE PRESIDENT

The President: "Senator Atwood, in answer to your inquiry, the President believes it is in order for the Senate to consider the amendment by Senator Ridder if it so desires and then the following amendments, because they are of different content."

PARLIAMENTARY INQUIRY

Senator Atwood: "I want to make sure that if Senator Ridder's amendment is adopted it would not preclude the consideration of the entire amendment by Senator Newschwander."

REPLY BY THE PRESIDENT

The President: "No sir, it would not, Senator Atwood."

Debate ensued.

The motion by Senator Ridder carried and the amendment was adopted.

Senator Newschwander moved adoption of the following amendment by Senators Newschwander and Francis:

On page 1, following the enacting clause, strike the remainder of the act, and insert the following:

"NEW SECTION. Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

Notwithstanding other provisions of this chapter or any other provision of law and except as otherwise provided in section 3 of this 1972 act, as of July 1, 1972, any United States military reservation in the state of Washington with more than three thousand common school age children in public schools resident thereon shall be included wholly within the boundaries of a single school district. Such single school district shall be one of the school districts presently having boundary lines within such military reservation and serving pupils thereon. The procedure for achieving such single school districts where they do not now exist, or in any year in the future when there are more than three thousand common school age children on such a military reservation resident therein, shall be as prescribed in sections 2 and 3 of this 1972 act.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

On or before May 15, 1972 or in any year in the future when there are more than three thousand common school age children on such a military reservation resident thereon,

whichever is the case, and no earlier than April 15th of the then calendar year, the state board of education shall poll the parents of pupils residing within the boundaries of such military reservation whose children have been enrolled in public schools serving the military reservation on or before December 1st of the previous calendar year, as to which of the school districts currently serving pupils residing therein and encompassing a portion of such reservation should be the single school district to serve pupils residing therein as of July 1st of the then calendar year. The state board of education shall develop and adopt procedures for the conduct of such poll. Prior to developing and adopting procedures for the conduct of such poll, the state board of education shall confer with representatives of school districts currently encompassing a portion of and serving pupils who reside within such military reservation regarding appropriate procedures for the conduct of such poll, which shall include procedures for check-off of persons eligible to participate in the poll, the establishing of polling places, the format of the blanks for such poll, secrecy of the preference stated in the poll, and poll watchers representing the school districts concerned by the outcome of the poll. The results of the poll shall be transmitted by the state board of education to the appropriate county committees on school district organization and the affected school districts.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

On or before June 1, 1972, or in any year in the future when there are more than three thousand common school age children on such a military reservation resident therein, whichever is the case, and after the results of the poll provided in section 2 of this 1972 act have been ascertained, and notwithstanding other provisions of this chapter or any other provision of law, the county committee on school district organization of each county in which such a United States military reservation is located or in the case such military reservation is located in two counties the joint county committee established pursuant to RCW 28A.57.240 shall order effective July 1st of the then calendar year the annexation of portions of reservation territory not currently within the single school district, as required by section 1 of this 1972 act, to one of the school districts encompassing a portion of the military reservation: PROVIDED, that notwithstanding any other provision of this act the annexation order shall not include territory of school districts on such military reservations in which none or less than a majority of the pupils residing within that portion of the district within such military reservation have one or more parents serving in the military and under such military reservation command. Notwithstanding any other provision of law, the decision as to which school district shall serve the pupils residing within such military reservation shall rest solely with the county committee on school district organization of the county in which the affected military reservation is located. The results of the poll provided for in section 2 of this 1972 act shall be accorded substantial weight by such county committee but consideration also shall be given to other factors brought before such county committee in testimony presented during the course of at least one public hearing which shall be held prior to the annexation order. The county committee on school district organization shall order such equitable transfer of assets and liabilities as is deemed necessary for the orderly transfer of the territory in accordance with transfers in other annexation proceedings authorized under this chapter.

NEW SECTION. Sec. 4. This 1972 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."

Debate ensued.

Senator Odegaard moved adoption of the following amendment to the amendment by Senators Newschwander and Francis:

Strike new section 2 of the Newschwander amendment, and in section 3, strike lines 4 through and including "and" on line 9.

Debate ensued.

MOTION

Senator Bailey moved that the amendment by Senators Newschwander and Francis and the amendment to the amendment by Senator Odegaard be laid upon the table.

POINT OF ORDER

Senator Mardesich: "We are not in division of the issue."

REMARKS BY SENATOR GISSBERG

Senator Gissberg: "Speaking on the point of order, somewhere in the rule it says that when you move to put an amendment to the amendment on the table it does not carry the main amendment with you unless—unless the maker of the motion so indicates. In this case Senator Bailey has so indicated that the amendment carry the main question with it, which is possible and does not make it a division."

REMARKS BY SENATOR GREIVE

Senator Greive: "The rule is 21 and the rule Senator Mardesich cites is Rule 23 and Senator Mardesich is correct."

MOTIONS

On motion of Senator Bailey, the amendment by Senator Odegaard to the amendment by Senators Newschwander and Francis was laid upon the table.

Senator Bailey moved that the amendment by Senators Newschwander and Francis be laid upon the table.

Senator Newschwander demanded a roll call and the demand was sustained by Senators Guess, Peterson (Ted), Connor, Mardesich, Cooney, Elicker, Clarke, Andersen, Talley, Keefe and Murray.

ROLL CALL

The Secretary called the roll and the amendment by Senators Newschwander and Francis was laid upon the table by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Lewis, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Walgren, Washington, Wilson, Woodall—29.

Voting nay: Senators Andersen, Atwood, Elicker, Fleming, Foley, Francis, Gardner, Holman, Huntley, Knoblauch, Mardesich, Matson, Murray, Newschwander, Scott, Sellar, Stortini, Talley, Twigg, Whetzel—20.

On motion of Senator Ridder, the rules were suspended, Engrossed Senate Bill No. 163 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 163, and the bill passed the Senate by the following vote: Yeas, 28; nays, 21.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Foley, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Lewis, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Walgren, Washington, Wilson—28.

Voting nay: Senators Andersen, Atwood, Clarke, Elicker, Fleming, Francis, Gardner, Holman, Huntley, Knoblauch, Mardesich, Matson, Murray, Newschwander, Scott, Sellar, Stortini, Talley, Twigg, Whetzel, Woodall—21.

ENGROSSED SENATE BILL NO. 163, having received the 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 commenced consideration of Senate Joint Resolution No. 112.

SECOND READING

SENATE JOINT RESOLUTION NO. 112, by Senators Lewis, Bailey, Gissberg, Wilson and Odegaard (by Legislative Council request):

Amending the Constitution to limit the governor's veto power.

The resolution was read the second time in full.

On motion of Senator Lewis, the rules were suspended, Senate Joint Resolution No. 112 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

MOTION

Senator Francis moved that the rules be suspended and Senate Joint Resolution No. 112 be returned to second reading.

POINT OF ORDER

Senator Bailey: "I want to know why he wants to do it before we vote."

REMARKS BY SENATOR FRANCIS

Senator Francis: "Mr. President, Senator Bailey and members of the Senate, I am asking that this be done for the purpose of an amendment. I concur fully in everything that Senator Woodall said. I did not hear a thing I disagreed with. But I reluctantly have concluded that the bill as written does not do the job. And as a matter of fact we heard the mention of draftsmanship. I see more references on page 2 in line 11 and 12 of item or items which have not been stricken out. The amendment which I have on the desk will strike all of the language after the word 'governor' on line 2 of page 2 all the way down to line 15. In other words, it will eliminate not only the item veto but the section veto. Because what we are trying to get back to and what we have to get back to is up or down. The governor can veto a bill but not sections or items. I think that we ought to at least have the opportunity to look at that and debate it and decide whether or not we want to do it that way. I have always felt, and I think that many of the proponents of this bill would agree that the question is, if we pass bad legislation the governor ought to be able to veto it but other than that we ought to be able to write it ourselves."

MOTIONS

On motion of Senator Bailey, the motion by Senator Francis was ordered held following the noon recess.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:45 p.m., on motion of Senator Greive, the Senate recessed until 1:45 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:45 p.m.

MOTIONS

On motion of Senator Greive, Senator Day was excused.

At 1:55 p.m., on motion of Senator Greive, the Senate recessed until 2:20 p.m.

JOURNAL OF THE SENATE

SECOND AFTERNOON SESSION

The President called the Senate to order at 2:20 p.m.

MOTION

At 2:25 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Friday, January 28, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

NINETEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, January 28, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Bailey and Holman. On motion of Senator Keefe, Senator Bailey was excused. On motion of Senator Matson, Senator Holman was excused.

The Color Guard, consisting of Pages Sheila Halldorson, Color Bearer, and Pamela Thornton, presented the Colors. Reverend Dennis Wood, assistant pastor of St. Michael's Church of Olympia, offered prayer as follows:

"Let us pray for all people of all ages, for all—both young and old—belong to each other and go through life together. Let us pray that we may care for and respect each other, that we may not be divided but may with one mind try to achieve happiness. Amen."

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

REPORTS OF STANDING COMMITTEES

January 27, 1972.

SENATE BILL NO. 7, prohibiting entrance fees to state parks (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Wilson, Chairman; Canfield, Jolly, Murray, Rasmussen, Whetzel.

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

January 17, 1972.

SENATE BILL NO. 65, providing financial aid to certain students attending elementary and secondary schools within the state (reported by Committee on Education):
MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Gardner, Metcalf, Murray, Odegaard, Ridder.

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

January 17, 1972.

SENATE BILL NO. 66, providing that financial aid for part time students shall include receiving ancillary services (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Gardner, Metcalf, Murray, Odegaard, Ridder.

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

January 27, 1972.

SENATE BILL NO. 80, providing court appointed interpreters to aid persons unable to readily understand the English language (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Durkan, Foley, Francis, Twigg, Walgren, Woodall.

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

January 25, 1972.

SENATE BILL NO. 89, establishing procedure for lost unemployment checks (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Matson, Ridder, Sellar, Stender, Stortini.

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

January 27, 1972.

SENATE BILL NO. 104, relating to and providing for salary increases of county officials (reported by Committee on Cities, Towns and Counties):

Recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Rasmussen, Vice Chairman; Canfield, Clarke, Dore, Elicker, Fleming, Herr, Mardesich, Peterson (Ted), Ridder, Talley, Walgren, Whetzel, Wilson.

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

January 25, 1972.

SENATE BILL NO. 114, providing for arbitration if public employers and uniformed personnel cannot reach an agreement by collective bargaining (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Matson, Ridder, Stender, Stortini.

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

January 28, 1972.

SENATE BILL NO. 133, pertaining to unfair practices of discrimination in insurance transactions (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass.

Signed by: Senators Mardesich, Chairman; Cooney, Day, Dore, Fleming, Foley, Gardner, Gissberg, Knoblauch, Sellar, Stortini, Walgren.

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

January 27, 1972.

SENATE BILL NO. 173, conforming fire commission filing dates to general law and prescribing fire district bid limits (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Rasmussen, Vice Chairman; Canfield, Herr, Peterson (Ted), Ridder, Talley, Walgren, Wilson.

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

January 28, 1972.

SENATE BILL NO. 177, implementing law relating to joint school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Gardner, Metcalf, Murray, Odegaard, Ridder, Washington.

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

January 28, 1972.

SENATE BILL NO. 249, permitting persons eighteen years or older to work in class H liquor establishments (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass.

Signed by: Senators Mardesich, Chairman; Andersen, Clarke, Cooney, Day, Fleming, Foley, Gardner, Gissberg, Huntley, Newschwander, Sellar, Twigg, Whetzel.

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

January 28, 1972.

SENATE BILL NO. 261, licensing journeymen plumbers (reported to Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Mardesich, Chairman; Clarke, Cooney, Day, Dore, Fleming, Foley, Gardner, Gissberg, Knoblauch, Sellar, Stortini, Twigg, Walgren.

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

January 27, 1972.

SENATE BILL NO. 263, authorizing the issuance of revenue bonds by park and recreation districts for recreational facilities (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Refer to Committee on Ways and Means—Appropriations.

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Henry, Lewis, Murray, Rasmussen, Whetzel.

There being no objection, Senate Bill No. 263 was referred to the Committee on Ways and Means—Appropriations.

January 28, 1972.

SENATE BILL NO. 287, relating to garbage collection in school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Gardner, Metcalf, Murray, Newschwander, Ridder, Washington.

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

January 17, 1972.

SENATE CONCURRENT RESOLUTION NO. 4, providing program relating to insuring of school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Gardner, Metcalf, Murray, Odegaard, Ridder, Washington.

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

January 28, 1972.

SENATE CONCURRENT RESOLUTION NO. 6, requesting study by the legislative council of the feasibility of bringing certain high school teachers to Olympia (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Gardner, Metcalf, Murray, Newschwander, Odegaard, Rasmussen, Ridder, Washington.

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

MESSAGES FROM THE HOUSE

January 27, 1972.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 56,

HOUSE CONCURRENT RESOLUTION NO. 5,

HOUSE CONCURRENT RESOLUTION NO. 19, and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

January 27, 1972.

Mr. President: The Speaker has signed SENATE BILL NO. 47, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

January 27, 1972.

Mr. President: The House has passed:

HOUSE BILL NO. 17,

ENGROSSED HOUSE BILL NO. 27,

HOUSE BILL NO. 63,

ENGROSSED HOUSE BILL NO. 66,

HOUSE BILL NO. 95,

ENGROSSED HOUSE BILL NO. 126,

ENGROSSED HOUSE BILL NO. 133,

HOUSE BILL NO. 150,

HOUSE BILL NO. 171,

ENGROSSED HOUSE BILL NO. 177,

ENGROSSED HOUSE BILL NO. 221,

HOUSE BILL NO. 266, and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MESSAGE FROM THE HOUSE

January 27, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 45, with the following amendments:

On page 1, line 3 of the title following "28A.48.010;" insert "adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW;"

On page 2, line 28 following section 1, add a new section to read as follows:

"*NEW SECTION.* Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

Each school district shall estimate and report to the superintendent of public instruction by May 1, of each year such amount of moneys the district will fail to receive during their present fiscal year due to the nonpayment of local property taxes within the district; such estimate shall be based fundamentally upon the amount of moneys the district failed to receive because of nonpayment of such property taxes during the first six months of the then fiscal year and during the last six months of the preceding fiscal year. The superintendent, in presenting his budget to the governor, shall include therein an amount sufficient to reimburse the school districts for moneys lost due to such nonpayment of taxes, which moneys shall be deemed amounts needed for state support to the common schools under RCW 28A.41.050. In their computation, school districts shall offset any

estimate of loss of tax moneys with an estimate of tax moneys to be received during such period from delinquent tax payments.”

Renumber the remaining section consecutively, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Francis moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 45.

Debate ensued.

MOTION

On motion of Senator Mardesich, the motion by Senator Francis was ordered held for consideration on Saturday, January 29, 1972.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 56,

HOUSE CONCURRENT RESOLUTION NO. 5,

HOUSE CONCURRENT RESOLUTION NO. 19.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 17, by Representatives Cunningham, Bluechel, Kirk and Shipoch: Expanding the exemption from special fuel tax for urban passenger transportation systems.

Referred to Committee on Transportation.

ENGROSSED HOUSE BILL NO. 27, by Representatives Beck, Charnley, Cunningham, Douthwaite and Martinis:

Providing noise limits for motor vehicles.

Referred to Committee on Transportation.

HOUSE BILL NO. 63, by Representatives Julin and Wojahn (by Judicial Council request):

Prescribing the duties of clerks handling fines of municipal ordinances.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 66, by Representatives Savage, Bledsoe, Kilbury and Benitz (by Joint Committee on Nuclear Energy request):

Expanding advisory council on nuclear energy and radiation.

Referred to Committee on State Government.

HOUSE BILL NO. 95, by Representatives Kiskaddon, McDermott, Ross, Rabel and Maxie (by Department of Social and Health Services request):

Removing visitation restrictions on condemned prisoners.

Referred to Committee on Public Institutions.

ENGROSSED HOUSE BILL NO. 126, by Representatives Wolf, Benitz, Conner, Conway, Hurley, Jones, Kirk, Marsh, O'Brien and Paris:

Authorizing vocational rehabilitation services payments out of federal or other funding only.

Referred to Committee on Public Institutions.

ENGROSSED HOUSE BILL NO. 133, by Representatives Julin, Eikenberry, North, Rabel and Litchman:

Providing that additional departments of municipal court may be added as needed.

Referred to Judiciary Committee.

HOUSE BILL NO. 150, by Representatives Conner, Hubbard, Randall and Gilleland (by Department of Highways request):

Amending the rules of the road pertaining to the use of the roadway.

Referred to Committee on Transportation.

HOUSE BILL NO. 171, by Representatives Wolf, Haussler, Newhouse and North (by Legislative Council request):

Repealing certain statutes relating to the valuations of trust lands sold for park purposes.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

ENGROSSED HOUSE BILL NO. 177, by Representatives Hubbard, Julin and Copeland:

Providing for the state to pay the costs of an appeal constitutionally guaranteed to a person unable to pay such costs.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 221, by Representatives Gilleland, Conner, Perry, Amen, Gallagher, Spanton, Wanamaker, O'Brien and Berentson:

Clarifying provisions relative to motor fuel tax exemption.

Referred to Committee on Transportation.

HOUSE BILL NO. 266, by Representatives Gallagher, Polk, Marzano, Barden, Litchman, Benitz, King, Juelling, Bagnariol, Mentor and Merrill (by Joint Committee on Governmental Cooperation request):

Allowing savings and loan associations to make guaranteed student loans.

Referred to Committee on Higher Education and Libraries.

MOTIONS

On motion of Senator Odegaard, the Committee on Public Institutions was relieved of further consideration of Senate Bill No. 188.

On motion of Senator Odegaard, Senate Bill No. 188 was referred to the Judiciary Committee.

On motion of Senator Wilson, the Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs was relieved of further consideration of Senate Bill No. 302.

On motion of Senator Wilson, Senate Bill No. 302 was referred to the Committee on Transportation.

There being no objection, the following bill was referred directly from the Committee on Rules and Joint Rules to the Judiciary Committee:

SENATE BILL NO. 29, by Senators Holman, Day and Dore:

Enacting the uniform alcoholism and intoxication treatment act.

SECOND READING

SENATE BILL NO. 56, by Senators Holman and Dore (by Judicial Council request):
Permitting six member juries.

The Senate resumed consideration of Senate Bill No. 56.

Senator Greive moved adoption of the following amendment:

On page 5, following section 6, line 29, add a new section to read as follows:

"*NEW SECTION.* Sec. 7. In class AA counties no jury panel and members thereof shall serve for a period exceeding two weeks unless a member of a jury has been drawn to sit on a case the trial of which extends beyond the two week period."

Debate ensued.

The motion by Senator Greive failed and the amendment was not adopted on a rising vote.

On motion of Senator Dore, the rules were suspended, Senate Bill No. 56 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 56, and the bill passed the Senate by the following vote: Yeas, 43; nays, 3; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Voting nay: Senators Day, Greive, Stender—3.

Absent or not voting: Senator Lewis—1.

Excused: Senators Bailey, Holman—2.

SENATE BILL NO. 56, having received the 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

SENATE JOINT RESOLUTION NO. 112, by Senators Lewis, Bailey, Gissberg, Wilson and Odegaard (by Legislative Council request):

Amending the Constitution to limit the governor's veto power.

The Senate resumed consideration of Senate Joint Resolution No. 112 and the motion by Senator Francis to suspend the rules and return the resolution to second reading which was made on Thursday, January 27, 1972.

The motion by Senator Francis failed.

MOTION

On motion of Senator Atwood, Senator Lewis was excused.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 112, and the resolution passed the Senate by the following vote: Yeas, 41; nays, 4; absent or not voting, 1; excused, 3.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—41.

Voting nay: Senators Murray, Scott, Stender, Whetzel—4.

Absent or not voting: Senator Day—1.

Excused: Senators Bailey, Holman, Lewis—3.

SENATE JOINT RESOLUTION NO. 112, having received the constitutional two-thirds majority, was declared passed.

MOTION

Senator Greive moved that Engrossed House Joint Memorial No. 1 be ordered to hold its place on the second reading calendar for Saturday, January 29, 1972.

POINT OF INQUIRY

Senator Andersen: "Would Senator Greive yield to a question? This has been on the calendar now almost from the beginning of the session, Senator Greive, and we have considered it on this side of the aisle at least to be a rather important measure and we have accommodated everybody around when they have asked to be put over and be considered in caucus and so on but do you have in mind that this matter will be voted on tomorrow or do you have in mind keeping it in limbo perpetually?"

Senator Greive: "Because of a court action this morning I was not at the Democratic caucus. I had other interests and I was supposed to have telephoned and when I finally arrived, I was told that they were holding it over because Senator Bailey was sick, and I have no further information than that. As far as I was concerned I would just as leave vote on it."

Senator Knoblauch: "I chaired the caucus this morning, Senator Andersen, and because of the absence of Senator Bailey and Senator Greive, we did make a motion to hold it over until tomorrow."

Senator Andersen: "That seems to answer the question very well."

The motion by Senator Greive carried. Engrossed House Joint Memorial No. 1 was ordered to hold its place on the second reading calendar for Saturday, January 29, 1972.

THIRD READING

SENATE BILL NO. 49, by Senators Ridder, Peterson (Ted) and Odegaard (by Joint Committee on Education request):

Providing for the distribution of funds for educational opportunities of secondary school pupils residing in nonhigh school districts.

MOTIONS

On motion of Senator Mardesich, the rules were suspended and Senate Bill No. 49 was returned to second reading.

On motion of Senator Mardesich, the following amendment was adopted:

On page 4, section 2, line 7, after "state guarantee" and before "per weighted" insert "including the equal guarantee provided for in section 1 of this 1972 amendatory act."

On motion of Senator Mardesich, 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.

Debate ensued.

ROLL CALL

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, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Woodall—44.

Voting nay: Senators Lewis, Talley, Wilson—3.

Excused: Senators Bailey, Holman—2.

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.

There being no objection, the Senate returned to the seventh order of business.

SECOND READING

SENATE BILL NO. 296, by Senators Odegaard, Clarke and Talley (by Department of Social and Health Services request):

Encouraging vocational rehabilitation programs in correctional institutions.

REPORT OF STANDING COMMITTEE

January 25, 1972.

SENATE BILL NO. 296, encouraging vocational rehabilitation programs in correctional institutions (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 3, line 23, after "market" strike the period and insert ", at public auction. When services are performed by residents within or in conjunction with such vocational education programs, the cost of materials used and the value of depreciation of equipment used may be recovered."

On page 2, add a new section following section 4 as follows:

"*NEW SECTION.* Sec. 5. Labor-management trade advisory and apprenticeship committees shall be constituted by the department for each vocation taught within the vocational education programs in the state correctional system."

Renumber the following section on page 2, line 5, to section 6, and after "through", strike "4" and insert "5".

Signed by: Senators Odegaard, Chairman; Clarke, Knoblauch, Scott, Twigg.

The bill was read the second time by sections.

Senator Odegaard moved adoption of the committee amendment to page 1, section 3, line 23.

Debate ensued.

POINT OF INQUIRY

Senator Guess: "Would Senator Odegaard yield? The prison at Walla Walla makes quite a few items, for instance signs for highways. They make license plates and things like that. Does this contemplate that this will be a part of vocational education and when they educate a man that then they could use this procedure to sell these items at public auction?"

Senator Odegaard: "No, not the way I understand it, Senator Guess, because that is not really a part of their vocational education program. That is more on the job type training programs actual products that are produced in the prison industries program and this is other types of goods that are made in their actual vocational program. There is a difference. At least this is the way it was explained to me."

Senator Guess: "Do you have any idea what type of products they are talking about producing?"

Senator Odegaard: "Yes, they have a woodworking type class where they make coffee tables or end tables or that type of thing."

POINT OF INQUIRY

Senator Peterson (Ted): Would Senator Odegaard yield further? You say on public auction. There was some mention that some of the old desks that they had here were cut down at Walla Walla in the penitentiary and they were sold. Is everything sold at auction or don't they have orders from, say, some entities of government where they do work for them? Or is everything that they do there sold just on public auction?"

Senator Odegaard: "Are you speaking to the goods that are made, say in the prison industries program, Senator Peterson?"

Senator Peterson (Ted): "Yes."

Senator Odegaard: "I believe that they are sold in a completely different way than these would be and goes through the prison industries commission and I am sorry I do not know all the details of just how that works but, . . ."

Senator Peterson (Ted): "In other words, just the vocational things. . . ."

Senator Odegaard: "This is strictly the vocational part."

POINT OF INQUIRY

Senator Francis: "Mr. President, would Senator Odegaard yield to a question? Senator

Odegaard, would this amendment which says at public auction prohibit the sale of these goods through such outlets as a prison visitor center or through a booth at the Puyallup Fair or other such places?"

Senator Odegaard: "Senator Francis, in the past session, I forget whether now it was the 1970 or 1971 session, we passed legislation allowing such goods to be sold at carnivals, bazaars and that type of thing."

Senator Francis: "Would not this provision that you have here actually repeal that?"

Senator Odegaard: "No, I do not think that should have any effect on that. That at least is not the intent. This is in addition to that."

Senator Francis: "What is the intent of the amendment?"

Senator Odegaard: "The intent of the amendment is to allow these goods to be sold at public auctions above and beyond the procedures they have now in selling their goods at carnivals and bazaars and so on."

Senator Francis: "Thank you."

Further debate ensued.

MOTION

On motion of Senator Odegaard, Senate Bill No. 296 and the pending committee amendments were ordered held for consideration immediately following noon recess.

SECOND READING

SENATE BILL NO. 149, by Senators Washington, Atwood and Knoblauch (by Washington State Historical Society request):

Creating a commission to commemorate the United States bicentennial.

REPORT OF STANDING COMMITTEE

January 25, 1972.

SENATE BILL NO. 149, creating a commission to commemorate the United States bicentennial (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 1, after "(j)" strike "shall" and insert "may"

On page 2, section 1, line 3, after "thereto" strike "shall" and insert "may"

On page 2, section 2, line 17, after "revolution" and before the period insert "and to the involvement of local citizens, communities and areas so that the people of the state may, to the greatest practical extent, serve as participants in, rather than merely as observers of the commemoration"

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Jolly, Lewis, Murray, Scott, Whetzel.

The bill was read the second time by sections.

On motion of Senator Wilson, the committee amendments were adopted.

On motion of Senator Wilson, the rules were suspended, Engrossed Senate Bill No. 149 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

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, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-47.

Excused: Senators Bailey, Holman—2.

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.

SENATE BILL NO. 152, by Senators Walgren, Elicker, Peterson (Lowell) and Stender (by Legislative Committee on Transportation request):

Providing financial support for the Puget Sound ferry system.

The bill was read the second time by sections.

On motion of Senator Walgren, the rules were suspended, Senate Bill No. 152 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 Guess: "Would Senator Walgren yield? Senator Walgren, as you remember last year when this bill passed I was a very staunch opponent of the bill, but I would like for you to state what you have stated in open debate for the record. The statement that you just made that operation fund will be generated from this one-tenth of a cent, but you will not expect to lower the ferry fares. Is this what you say?"

Senator Walgren: "That is correct. They would not expect that that would necessarily happen."

Senator Guess: "Would you envision that next session we will come back here and there will be a big push to lower the fares on the ferries?"

Senator Walgren: "I think that there is always the possibility that we might be asking for a lowering of the fares, but I think that frankly, the people that are concerned primarily with the toll facilities and the ferry operations are going to be very pleased to have this particular bill go through at this time."

Senator Guess: "Last time I was afraid that if we generated a guaranteed fund then the labor unions in their negotiations would know the size of the pot and they would want all the money right out of the pocket every time. Do you think that this is going to be a problem?"

Senator Walgren: "I think that it is going to be a matter of record that there are these funds available, but it didn't take a great deal of diligence, I suppose, to calculate the revenue coming anyway off the toll facilities that they are going to have to look to now. Sure it is additional money but I do not envision that it will be any more of a problem than what we have right now."

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 152, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Bailey, Holman—2.

SENATE BILL NO. 152, having received the 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. 109, by Senators Holman and Atwood:

Altering the duty of a prosecutor in a default or noncontested divorce proceeding.

REPORT OF STANDING COMMITTEE

January 22, 1972.

SENATE BILL NO. 109, altering the duty of a prosecutor in a default or noncontested divorce proceeding (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 11, after "court" and before "it" strike "stating specific cause therefore,"

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Durkan, Foley, Greive, Holman, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendment was adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 109 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 109, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Voting nay: Senator Dore—1.

Absent or not voting: Senator Henry—1.

Excused: Senators Bailey, Holman—2.

ENGROSSED SENATE BILL NO. 109, having received the 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. 96, by Senators Day, Foley, Huntley and Talley:

Creating a board of trustees for the state school for the deaf.

On motion of Senator Day, Substitute Senate Bill No. 96 was substituted for Senate Bill No. 96, and the substitute bill was read the second time in full.

On motion of Senator Dore, the rules were suspended, Substitute Senate Bill No. 96 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 96, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senator Stender—1.

Excused: Senators Bailey, Holman—2.

SUBSTITUTE SENATE BILL NO. 96, having received the 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 12:33 p.m., on motion of Senator Greive, the Senate recessed until 1:33 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:33 p.m.

SECOND READING

SENATE BILL NO. 296, by Senators Odegaard, Clarke and Talley (by Department of Social and Health Services request):

Encouraging vocational rehabilitation programs in correctional institutions.

The Senate resumed consideration of Senate Bill No. 296 and the pending committee amendments.

On motion of Senator Odegaard, the committee amendments were adopted.

On motion of Senator Odegaard, 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.

Debate ensued.

MOTION

On motion of Senator Keefe, Senator Gardner was excused.

ROLL CALL

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, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senator Durkan—1.

Excused: Senators Bailey, Gardner—2.

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.

SENATE BILL NO. 189, by Senators Foley, Atwood and Sandison:

Providing that treasurer at certain institutions of education can attest to revenue bonds issued.

REPORT OF STANDING COMMITTEE

January 27, 1972.

SENATE BILL NO. 189, providing that treasurer at certain institutions of education can attest to revenue bonds issued (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass with the following amendments:

On page 4, following section 2, add a new section as follows:

“*NEW SECTION*. Sec. 3. This 1972 act is necessary for the immediate support of the state government and its existing public institutions, and shall take effect immediately.”

In line 6 of the title, after RCW 28B.30.730 and before the period insert “; and declaring an emergency”

Signed by: Senators Sandison, Chairman; Atwood, Durkan, Foley, Guess, Henry, Holman, Huntley, Wilson.

The bill was read the second time by sections.

On motion of Senator Foley, the committee amendments were adopted.

On motion of Senator Foley, the rules were suspended, Engrossed Senate Bill No. 189 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 189, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Gissberg, Ridder—2.

Excused: Senators Bailey, Gardner—2.

ENGROSSED SENATE BILL NO. 189, having received the 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. 240, by Senators Atwood, Huntley, Holman, Sandison, Stortini, Wilson, Guess and Foley (by Joint Committee on Higher Education request):

Implementing law relating to definitions of resident and nonresident students in institutions of higher education.

REPORT OF STANDING COMMITTEE

January 27, 1972.

SENATE BILL NO. 240, implementing law relating to definitions of resident and nonresident students in institutions of higher education (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 2, beginning on line 29, after "*student*" strike all the matter down to and including "*enrolled*" on line 30

On page 3, section 2, line 31, after "*at*" and before "*institution*" strike "*the*" and insert "*an*"

Signed by: Senators Sandison, Chairman; Atwood, Durkan, Foley, Guess, Henry, Holman, Huntley, Wilson.

The bill was read the second time by sections.

Senator Sandison moved adoption of the committee amendment to page 3, section 2, beginning on line 29.

POINT OF INQUIRY

Senator Stender: "A question of Senator Sandison, if he will yield. Where is the breaking point in age between students and parents today under the law of the state of Washington?"

Senator Sandison: "As you know, the eighteen year old voting and the age majority act is now the law, and part of the problem we are now having, is that when out-of-state students reach the age of eighteen they declare themselves an in-state student and we have tried to put some restraints and constraints on that. As far as the problem now, what we wanted to make sure under this amendment is that when a student who attended high school and was a resident of the state of Washington parents moved away, that he would not be then declared an out-of-state student."

The motion by Senator Sandison carried and the committee amendment was adopted. On motion of Senator Sandison, the committee amendment to page 3, section 2, line 31 was adopted.

MOTION

Senator Sandison moved that the rules be suspended, Engrossed Senate Bill No. 240 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Senator Francis demanded a roll call on the motion by Senator Sandison and the demand was sustained by Senators Mardesich, Dore, Scott, Metcalf, Newschwander, Rasmussen, Day, Stortini, Keefe and Wilson.

The President declared the question before the Senate to be the motion by Senator Sandison that Engrossed Senate Bill No. 240 be advanced to third reading.

ROLL CALL

The Secretary called the roll and the motion by Senator Sandison carried by the following vote: Yeas, 35; nays, 7; absent or not voting, 5; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Day, Donohue, Dore, Elicker, Foley, Greive, Guess, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Talley, Twigg, Washington, Whetzel, Woodall—35.

Voting nay: Senators Francis, Jolly, Odegaard, Rasmussen, Stortini, Walgren, Wilson—7.

Absent or not voting: Senators Connor, Durkan, Fleming, Gissberg, Henry—5.

Excused: Senators Bailey, Gardner—2.

The motion by Senator Sandison carried and Engrossed Senate Bill No. 240 was advanced to third reading.

MOTION

Senator Sandison moved that Engrossed Senate Bill No. 240 be held on the third reading calendar for Saturday, January 29, 1972.

Debate ensued.

POINT OF INQUIRY

Senator Huntley: "Mr. President, would Senator Sandison yield to a question? You are chairman of the committee. Was there any opposition from any of the students that were attending the committee hearing?"

Senator Sandison: "No, we received no opposition at all on the bill."

Senator Huntley: "They were present too, were they not? Members of IPAC?"

Senator Sandison: "There were student groups present but I am not certain as to their identity."

POINT OF INQUIRY

Senator Greive: "Will Senator Sandison yield to a question? It was my understanding that we would go for about an hour from ten until eleven and I do not know how much time we are going to have. There will be a meeting of the Committee on Rules and Joint Rules and probably some other bills but if it is controversial maybe we ought to put it over until Monday."

Senator Sandison: "No, my feeling, Senator Greive, is we are here to work, we might as well get it over with."

The motion by Senator Sandison carried. Engrossed Senate Bill No. 240 was ordered placed on the third reading calendar for Saturday, January 29, 1972.

SECOND READING

SENATE BILL NO. 54, by Senators Holman and Dore (by Judicial Council request):
Extending state authority over inferior courts to all counties.

REPORT OF STANDING COMMITTEE

January 18, 1972.

SENATE BILL NO. 54, extending state authority over inferior courts to all counties (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 8, after "to" and before "counties" strike "[class AA and Class A] all" and insert "class AA [and], class A, *first class, second class, and third class*"

On page 1, add a new section following section 1 as follows:

"Sec. 2. Section 15, chapter 299, Laws of 1961 and RCW 3.34.060 are each amended to read as follows:

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."

Renumber "Sec. 2" to read "Sec. 3."

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Foley, Francis, Holman, Twigg, Walgren, Woodall.

The bill was read the second time by section.

Senator Gissberg moved adoption of the committee amendments in toto.

POINT OF INQUIRY

Senator Whetzel: "On this second part of the amendment which grandfathers in, I think, present incumbents in populations less than ten thousand persons, I wonder if Senator Gissberg could tell me when that would expire. It looks like that is a permanent provision in the law that people could keep coming along. Is that the intention or is this designed to only phase out those persons as judges?"

Senator Gissberg: "No, we have not taken that out at all. That is not new language or anything else, and I cannot really speak to that. You are talking about taking the examinations and certifying on the sub three? We are not changing that part of it, and I cannot tell you what the original purpose was."

The motion by Senator Gissberg carried and the committee amendments were adopted.

MOTIONS

On motion of Senator Dore, Senate Bill No. 54 was ordered placed at the beginning of the second reading calendar for Saturday, January 29, 1972.

At 2:05 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Saturday, January 29, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, January 29, 1972.

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 Bailey, Dore, Huntley, Sellar and Talley. On motion of Senator Matson, Senators Huntley and Sellar were excused. On motion of Senator Greive, Senator Bailey was excused. On motion of Senator Keefe, Senator Talley was excused. On motion of Senator Dore, Senators Dore and Ridder were excused to attend a meeting.

The Color Guard, consisting of Pages Todd Scoles, Color Bearer, and Katie Andrist, presented the Colors. Reverend Dennis A. Wood, associate pastor of St. Michael's Church of Olympia, offered prayer as follows:

"If we could not hear and understand, if we could not speak, God, we should be nowhere—unable to approach each other and strangers to ourselves. But You have made people of us. We have been born and are no longer speechless and You have attuned us to each other as men, as word and answer, as question and counter-question. We thank You for the language of men, that great heart, that deep memory in which so much wisdom is hidden and preserved, for the precious words and living names which have been handed down to us. They hold us tight and yet surprise us. They are older and greater than we are, so much a part of Your history that we are called by names and are not lost to our children. We thank You for today, for the present age in which we live, a secular city of words and facts and of people involved with each other. We pray for safety in all these human contacts, for people who do good and who are mild and merciful. We pray that our words may not spread darkness in the world, that they may not be harmful or outlaw anyone, that we may not chase after lies or cause a confusion of tongues, but sow joy and reap recognition, Your new covenant, Lord, with this world. Amen."

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

REPORTS OF STANDING COMMITTEES

January 29, 1972.

SENATE BILL NO. 14, repealing the all terrain vehicle act (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Without recommendation.

Signed by: Senators Wilson, Chairman; Canfield, Henry, Jolly, Mardesich, Rasmussen, Scott.

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

January 29, 1972.

SENATE BILL NO. 27, providing for changes in judges' salaries (reported by Committee on Judiciary):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Clarke, Foley, Francis, Greive, Twigg, Woodall.

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

January 27, 1972.

SENATE BILL NO. 33, providing for the use of highway funds for certain paths and trails (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Connor, Elicker, Foley, Huntley, Knoblauch, Lewis, Mardesich, Matson, Murray, Scott, Stender, Talley, Walgren, Whetzel.

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

January 29, 1972.

SENATE BILL NO. 38, increasing court reporters' salaries (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Clarke, Durkan, Foley, Francis, Holman, Twigg, Woodall.

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

January 29, 1972.

SENATE BILL NO. 61, providing penalties for theft of dogs and cats (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Clarke, Durkan, Foley, Francis, Holman, Twigg, Woodall.

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

January 28, 1972.

SENATE BILL NO. 72, setting a time limit within which a local government must either accept or reject an application for a shoreline project (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Clarke, Donohue, Gissberg, Matson, Metcalf, Peterson (Ted), Sandison.

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

January 29, 1972.

SENATE BILL NO. 90, increasing certain filing fees charged by the clerks of the superior courts and allocating increase to payment of judicial salaries (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Andersen, Clarke, Foley, Francis, Twigg, Woodall.

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

January 28, 1972.

SENATE BILL NO. 153, providing for certain civilian officers in state patrol (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Elicker, Gardner, Henry, Jolly.

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

January 27, 1972.

SENATE BILL NO. 158, transferring vocational rehabilitation powers and duties from department of social and health services back to the coordinating council for occupational education (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Guess, Knoblauch, Sandison, Stortini, Talley.

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

January 28, 1972.

SENATE BILL NO. 161, providing for the recovery of stolen property from a pawnbroker (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Durkan, Foley, Francis, Holman.

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

January 27, 1972.

SENATE BILL NO. 175, providing tax exemption for unprocessed timber held in storage area (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Donohue, Guess, Herr, Holman, Huntley, Jolly, Metcalf, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Twigg, Washington, Woodall.

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

January 29, 1972.

SENATE BILL NO. 221, relating to funding a survey of Discovery Bay (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: That Substitute Senate Bill No. 221 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Peterson (Lowell), Chairman; Bailey, Clarke, Donohue, Gissberg, Matson, Metcalf, Peterson (Ted), Rasmussen, Sandison.

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

January 28, 1972.

SENATE BILL NO. 226, making double recovery clauses in disability insurance ineffective as to workmen's compensation benefits (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Matson, Ridder, Sellar, Stortini.

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

January 28, 1972.

SENATE BILL NO. 232, providing for collective bargaining and labor dispute settlement in health care activities (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Ridder, Sellar, Stender, Stortini.

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

January 29, 1972.

SENATE BILL NO. 235, providing for a study to ascertain the feasibility of acquiring Jetty Island in Everett (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: That the bill be referred to the Committee on Ways and Means—Appropriations.

Signed by: Senators Wilson, Chairman; Canfield, Henry, Jolly, Mardesich, Rasmussen.

MOTION

On motion of Senator Wilson, Senate Bill No. 235 was referred to the Committee on Ways and Means—Appropriations.

January 29, 1972.

SENATE BILL NO. 241, providing that mutual savings banks may act as trustees and executors of estates (reported by Judiciary Committee);

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Clarke, Foley, Francis, Greive.

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

January 28, 1972.

SENATE BILL NO. 246, expanding the definition of "child" in regard to industrial insurance (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Connor, Matson, Ridder, Sellar, Stortini.

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

January 27, 1972.

SENATE BILL NO. 248, providing for procedures for handling the forfeiture of a conveyance for violation of the controlled substance act and making other changes (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Holman, Twigg, Walgren.

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

January 27, 1972.

SENATE BILL NO. 253, pertaining to board of governors of the state bar association (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Atwood, Francis, Twigg, Woodall.

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

January 28, 1972.

SENATE BILL NO. 272, providing for intergovernmental disposition of property (reported by Committee on State Government):

MAJORITY recommendation: That Substitute Senate Bill No. 272 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Atwood, Elicker, Gardner, Gissberg, Jolly.

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

January 29, 1972.

SENATE BILL NO. 276, providing for review of convicted inmates period of confinement (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Clarke, Durkan, Foley, Francis, Holman, Twigg, Woodall.

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

January 25, 1972.

SENATE BILL NO. 303, designating routes (reported by Committee on Transportation):

MAJORITY recommendation: That Substitute Senate Bill No. 303 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Donohue, Elicker, Guess, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Murray, Peterson (Lowell), Scott, Sellar, Stender, Talley, Whetzel.

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

January 29, 1972.

SENATE BILL NO. 312, altering requirements needed to change a convicted inmate's minimum sentence (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Durkan, Foley, Francis, Holman, Walgren, Woodall.

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

January 29, 1972.

SENATE BILL NO. 386, relating to defrauding an innkeeper (reported by Judiciary Committee)

MAJORITY recommendation: That Substitute Senate Bill No. 386 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Atwood, Francis, Twigg, Walgren, Woodall.

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

January 28, 1972.

SENATE BILL NO. 418, providing for removal from service of injured or incapacitated state patrol officers (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Elicker, Gardner, Gissberg, Jolly.

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

January 28, 1972.

SENATE BILL NO. 427, authorizing the state of Washington to economically develop state owned and managed lands (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Donohue, Gissberg, Matson, Peterson (Ted), Rasmussen, Sandison.

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

LETTER OF INFORMATION

January 29, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON.

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

HOUSE BILL NO. 87: Property taxes, amendment corrected.

SUBSTITUTE SENATE BILL NO. 322: Revenue, taxation, title only.

SENATE JOINT RESOLUTION NO. 123: Property, real, taxes, revaluations.

SUBSTITUTE SENATE BILL NO. 307: Property tax listing, fee owner.

Sincerely,

HUBERT F. DONOHUE, Chairman,
Committee on Revenue and Taxation.

MESSAGE FROM THE HOUSE

January 28, 1972.

Mr. President: The House has passed:
ENGROSSED HOUSE BILL NO. 94,

ENGROSSED HOUSE BILL NO. 139, and the same are herewith transmitted.
MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 94, by Representatives Conway, Eikenberry and Paris (by Department of Social and Health Services request):

Providing for lien of department of social and health services on time loss compensation under workmen's compensation to extent of public assistance rendered.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 139, by Representatives Flanagan, Wolf, Bottiger, Julin, Moon, Williams, Newhouse, Haussler, Sawyer, Perry, McDermott, Amen, Bledsoe, Bozarth, Conway, Curtis, Eikenberry, Gallagher, Hoggins, Litchman, Schumaker, Wojahn and Zimmerman (by Property Tax Committee request):

Providing for notification to property owners of changes in assessed valuation.

Referred to Committee on Ways and Means—Revenue and Taxation.

MOTIONS

On motion of Senator Day, there being no objections, the Committee on Transportation was relieved of further consideration of Senate Bill No. 377.

On motion of Senator Day, Senate Bill No. 377 was referred to the Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

At 10:15 a.m., on motion of Senator Greive, the Senate recessed until 10:50 a.m.

SECOND MORNING SESSION

The President called the Senate to order at 10:50 a.m.

MOTION

On motion of Senator Gissberg, there being no objections, the Committee on Ways and Means was relieved of further consideration of Senate Bill No. 263 and the bill was referred to the Committee on Rules and Joint Rules.

SECOND READING

SENATE BILL NO. 54, by Senators Holman and Dore (by Judicial Council request):
Extending state authority over inferior courts to all counties.

The Senate resumed consideration of Senate Bill No. 54, the committee amendments having been adopted on Friday, January 28, 1972.

Senator Wilson moved adoption of the following amendment:

On page 2, following section 2, line 7, add two new sections to read as follows:

"Sec. 4. Section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 147, Laws of 1971 ex. sess. and RCW 3.34.010 are each amended to read as follows:

The number of justices of the peace to be elected in each county shall be: Adams, three; Asotin, one; Benton, two; Chelan, one; Clallam, one; Clark, four; Columbia, one; Cowlitz, two; Douglas, one; Ferry, two; Franklin, one; Garfield, one; Grant, one; Grays Harbor, two; Island, three; Jefferson, one; King, twenty; Kitsap, two; Kittitas, two; Klickitat, two; Lewis, one; Lincoln, two; Mason, one; Okanogan, two; Pacific, three; Pend Oreille, two; Pierce, eight; San Juan, one; Skagit, three; Skamania, one; Snohomish, eight; Spokane, eight; Stevens, [two] one; Thurston, one; Wahkiakum, one; Walla Walla, three; Whatcom, two; Whitman, two; Yakima, six.

Sec. 5. Section 11, chapter 299, Laws of 1961 as last amended by section 2, chapter 23, Laws of 1970 ex. sess. and RCW 3.34.020 are each amended to read as follows:

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 RCW 3.34.010 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 RCW 3.34.010, as now or hereafter amended, shall again designate the number of justices in the county: PROVIDED FURTHER, That the county commissioners may by resolution make a part time position a full time office [if the district's population is not more than ten thousand less than the number required by this section for a full time justice of the peace]: PROVIDED FURTHER, That the county commissioners, subject to the limitations of RCW 3.34.010, may by resolution provide for the election of one full time justice in addition to the number of full time justices authorized hereinbefore to serve in districts having a population of two hundred thousand or more."

POINT OF INQUIRY

Senator Washington: "Will Senator Wilson yield? I have not had too much time to look at this. This would only apply in counties of less than ten thousand population?"

Senator Wilson: "Senator Washington, I would appreciate your addressing that question to either Senator Woodall or Senator Gissberg."

Senator Washington: "We have stricken that language. Now Grant County is right in the middle of bringing about this change and before I consider it I would like to have a little more information on it."

Senator Woodall: "It is in the section where it says that each county can designate part time or full time, so it takes nothing away that you now have and it does give them that degree of flexibility if you can convince the county commissioners that the need exists in the county. It is strictly local democracy."

MOTION

On motion of Senator Washington, Senate Bill No. 54, and the pending amendment by Senator Wilson, was ordered placed on today's calendar immediately following consideration of Senate Bill No. 92.

Senators Atwood, Greive and Canfield 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 Huntley and Sellar who had previously been excused. On motion of Senator Atwood, the Senate proceeded under the Call of the Senate.

SECOND READING

ENGROSSED HOUSE JOINT MEMORIAL NO. 1, by Representatives Pardini, Newhouse, Wolf, Bledsoe, Amen, Bozarth, Barden, Benitz, Berentson, Blair, Bluechel, Brown, Conway, Copeland, Costanti, Cunningham, Curtis, Eikenberry, Farr, Flanagan, Garrett, Gilleland, Gladder, Goldsworthy, Hansey, Hatfield, Hoggins, Hubbard, Jones,

Jueling, Julin, Kirk, Kiskaddon, Kopet, Kraabel, Kuehnle, Mentor, Morrison, North, Polk, Rabel, Richardson, Ross, Schumaker, Shera, Smith, Smythe, Spanton, Swayze and Wanamaker:

Memorializing Congress and the President to take action to prevent renewal of the west coast dock strike.

The Senate resumed consideration of Engrossed House Joint Memorial No. 1, the memorial having been read in full on Tuesday, January 18, 1972.

Senator Rasmussen moved adoption of the following amendment by Senators Rasmussen and Greive:

On page 2, line 4 after "dispute" strike the semicolon and insert a period and strike the remainder of the paragraph.

Debate ensued.

Senator Andersen demanded a roll call on the adoption of the amendment by Senators Rasmussen and Greive and the demand was sustained by Senators Guess, Donohue, Matson, Connor, Newschwander, Atwood, Peterson (Ted), Lewis and Canfield.

Further debate ensued.

POINT OF INQUIRY

Senator Canfield: "Mr. President, would Senator Andersen yield to a question? Senator, would you explain what you understand is the import of this amendment of Senator Rasmussen's?"

Senator Andersen: "In my opinion it entirely guts House Joint Memorial No. 1. As has been pointed out in debate, President Nixon has already used the Taft-Hartley bill and there is no more time to use. The strike has resumed. At eight this morning the longshoremen in British Columbia ceased handling U.S. cargo. The Mexican longshoremen's union has been requested to cease handling U.S. cargo. The wheat is rotting in the fields in eastern Washington. Many problems relating to our state's economy are being aggravated by this extremely serious threat. The only people that can do anything about it is the United States Congress and the effect of this amendment is to cut out the part of this memorial that asks Congress to get with it and do something. Therefore it emasculates the entire amendment and in my opinion a vote for this amendment by Senator Rasmussen is a vote to do nothing and to continue with the present intolerable situation."

MOTION

Senator Rasmussen moved that an amendment by Senator Mardesich be considered before further consideration of the amendment by Senators Rasmussen and Greive.

POINT OF ORDER

Senator Andersen: "I object. The motion has been made. A roll call has been demanded and Senator Mardesich has advised that he is going to be presenting amendments, but I do object to the motion being withdrawn or to the order that is presently before the body being changed."

PARLIAMENTARY INQUIRY

Senator Rasmussen: "This motion would not require a suspension of the rules would it? Merely a transposition in the order of consideration of the amendments?"

REPLY BY THE PRESIDENT

The President: "A majority vote would carry the measure, Senator."

Senator Rasmussen: "Thank you, Mr. President."

PARLIAMENTARY INQUIRY

Senator Andersen: "Speaking to the point of parliamentary inquiry, Mr. President, or additional parliamentary inquiry, a motion was made that Senator Rasmussen's amendment be adopted. A roll call was demanded on that particular amendment. There has now been debate on that particular amendment. How can another motion be interposed without suspending the rules? This is not changing the order of business. This is taking a motion that is before the body and disposing of it and then interposing an additional motion and I do not believe that can be done by a majority. I believe that requires a suspension of the rules."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, there was a demand for a roll call at the time that the amendment was to be voted on but there was no demand for the previous question. Debate was not cut off and the roll call would still be in order at the time that my amendment is considered after Senator Mardesich's. I was merely moving that we do consider Senator Mardesich's first, then the roll call would still be in order on the amendment that would be pending then. You may not desire a roll call on Senator Mardesich's; you may just want to adopt it by a voice vote. But you still would have the right of roll call on my amendment at the time it is considered."

RULING BY THE PRESIDENT

The President: "Senator Andersen, it is very doubtful that we could find anything in the rule book on this particular point but there is a matter of custom and tradition that this occurred quite often in the past. Therefore the President believes that the motion by Senator Rasmussen is in order."

PARLIAMENTARY INQUIRY

Senator Mardesich: "If Senator Rasmussen were to ask for a withdrawal?"

REPLY BY THE PRESIDENT

The President: "That would be the proper procedure."

Senator Rasmussen: "Mr. President, I withdraw my motion to consider Senator Mardesich's amendment first and I would ask permission of this body to withdraw my amendment."

Senator Andersen: "I object on the basis of Senate Rule 17, which states in the last sentence, '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.' And I have just objected."

Senator Mardesich: "Mr. President, I do not know the rule number but there is a rule in our rules or Reed's that says the body shall do all it can in the interests of expediting business. I have also, which may be already on your desk, amended my amendment which would do everything in one stroke of business, one fell swoop. And in the interests of expediting business I would assume that it would be in order that Senator Rasmussen be allowed to withdraw and we consider the total amendment at one time."

RULING BY THE PRESIDENT

The President: "Gentlemen of the Senate, the President believes that the point raised by Senator Andersen is well taken and that, Senator Rasmussen, if you were to reduce your motion to writing and then the Senate could act upon it at that time."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Mr. President, that is why I was trying to get your attention. I

wanted to stay at my desk until I received your attention. I am on my way to the rostrum now to reduce my motion in order that Senator Andersen may properly consider it. I will be up there and put it in writing."

MOTION

Senator Greive moved that the Senate be at ease for five minutes to permit Senator Rasmussen to put his motion in writing.

MOTION

The following motion was presented in writing to the President of the Senate:

"Mr. President, I move that my amendment to Engrossed House Joint Memorial No. 1 be withdrawn."

PARLIAMENTARY INQUIRY

Senator Andersen: "I object and I would like to speak on a point of parliamentary inquiry.

"I believe the parliamentary objection I made has been misconstrued. My objection was not simply to the amendment being put in writing. My point is that once an amendment has been made here on the floor of the Senate, it becomes the property of the Senate and it cannot be withdrawn except with a suspension of the rules. Now if I may read Senate Rule 17, it concludes, 'and by the consent of the Senate may be withdrawn before amendment or action'. And I have stated my lack of consent. And may I read Reed's Rule 189? It says and I quote, 'Withdrawal of a motion,' and I submit that is what is involved here, 'after a motion has been submitted to the assembly by the presiding officer,' and I submit that has been done here, 'It is then in the possession of the assembly and cannot be withdrawn except by its consent.' And I have stated I did not consent and I believe that despite Senator Rasmussen's motion to withdraw his amendment that it cannot be done except by the consent of everybody or at least by a suspension of the rules and we had neither in this case."

Senator Greive: "Speaking for Senator Rasmussen and myself who sponsored the motion, we are perfectly willing to have everybody vote this motion down. No objection whatsoever. Everybody feel free. Senator Mardesich will now have an amendment to the amendment which will do the same thing and will solve all of your problems."

REPLY BY THE PRESIDENT

The President: "The President believes the points presented by Senator Andersen are correct. The question before the Senate is the motion by Senator Rasmussen. It would only take a simple majority, Senator. The points you made are exactly the procedure that the Senate is following in the deliberation on this measure.

"Senator Rasmussen's motion is that his amendment to Engrossed House Joint Memorial No. 1 be withdrawn, which question shall be determined without debate."

The motion by Senator Rasmussen carried on a rising vote.

Senator Mardesich moved adoption of the following amendment:

On page 2, line 2, after "president of the United States" insert "and members of the Congress of the United States" and on line 3 strike "him" and insert "them", and on line 4, after "dispute" strike the semicolon, insert a period, and strike the remainder of the paragraph.

Senator Holman moved adoption of the following amendment to the amendment by Senator Mardesich:

On page 1, strike the last four lines of the Mardesich amendment.

Debate ensued.

Senator Andersen demanded a roll call on the amendments proposed by Senators Holman and Mardesich.

PARLIAMENTARY INQUIRY

Senator Dore: "Isn't the effect the striking the vote on the substance of Senator Mardesich's amendment? It is of the same order. In other words if you vote his amendment down, in effect we are trying to accomplish it by the amendment to the amendment. Is not that correct?"

POINT OF ORDER

Senator Washington: "I would like Senator Holman to read paragraph one the way it would read if his amendment were adopted."

Senator Holman: "It would read, Senator Washington and members of the Senate, 'Now therefore, your Memorialists respectfully pray that the President of the United States and members of the Congress of the United States immediately employ all means available to them to effect the mediation and settlement of the west coast longshoremen contract dispute; and that the Congress of the United States immediately take steps necessary to enact such legislation as may be required to prevent a renewal of the current strike by west coast longshoremen.' The first four lines of that paragraph relate to mediation and settlement and it is requested by Senator Mardesich that we ask the Congress to take part in that exercise, and the last four lines relate to legislation, so it is quite clear."

MOTIONS

Senator Rasmussen moved that the amendment by Senator Holman to the amendment by Senator Mardesich be laid upon the table.

Senator Andersen demanded a roll call and the demand was sustained by Senators Woodall, Murray, Canfield, Atwood, Guess, Elicker, Whetzel, Newschwander and Peterson (Ted).

The President declared the question to be the motion by Senator Rasmussen to lay upon the table the amendment by Senator Holman to the amendment by Senator Mardesich.

ROLL CALL

The Secretary called the roll and the amendment to the amendment was laid upon the table by the following vote: Yeas, 27; nays, 20; excused, 2.

Voting yea: Senators Bailey, Connor, Cooney, Day, Dore, Durkan, Fleming, Foley, Francis, Gardner, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—27.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Donohue, Elicker, Gissberg, Guess, Holman, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Stender, Twigg, Whetzel, Woodall—20.

Excused: Senators Huntley, Sellar—2.

There being no objection, Senator Andersen withdrew his motion demanding a roll call on the amendment proposed by Senator Mardesich.

The amendment by Senator Mardesich was adopted.

On motion of Senator Stender, the following amendment was adopted:

On page 2, line 3, following "and" and before "settlement" insert "/or arbitration or such other means as may be available to effect an equitable"

On motion of Senator Andersen, the rules were suspended, Engrossed House Joint Memorial No. 1, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Joint Memorial No. 1, as amended by the Senate, and the memorial passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Huntley, Sellar—2.

ENGROSSED HOUSE JOINT MEMORIAL NO. 1, as amended by the Senate, having received the constitutional majority, was declared passed.

MOTION

On motion of Senator Durkan, the Senate dispensed with the Call of the Senate.

SECOND READING

SENATE BILL NO. 54, by Senators Holman and Dore (by Judicial Council request):
Extending state authority over inferior courts to all counties.

There being no objection, the Senate resumed consideration of Senate Bill No. 54 and the pending amendment by Senator Wilson.

Debate ensued.

The motion by Senator Wilson carried and the amendment was adopted.

On motion of Senator Wilson, the committee amendment to the title was adopted.

On motion of Senator Wilson, the following amendment to the title was adopted:

On page 1, line 2 of the title, after "RCW 3.30.020" and before the Judiciary Committee title amendment, insert the following:

"amending section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 147, Laws of 1971 ex. sess. and RCW 3.34.010; amending section 11, chapter 299, Laws of 1961 as last amended by section 2, chapter 23, Laws of 1970 ex. sess. and RCW 3.34.020;"

MOTIONS

On motion of Senator Mardesich, Senator Durkan was excused.

On motion of Senator Woodall, the rules were suspended, Engrossed Senate Bill No. 54 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 54, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Excused: Senators Durkan, Huntley, Sellar—3.

ENGROSSED SENATE BILL NO. 54, having received the 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 Sandison, Engrossed Senate Bill No. 240 was ordered placed at the beginning of the third reading calendar for Monday, January 31, 1972.

SECOND READING

SENATE BILL NO. 83, by Senators Peterson (Ted), Holman and Knoblauch (by Department of Social and Health Services request):

Authorizing the department of social and health services to administer veterans' estates.

REPORT OF STANDING COMMITTEE

January 22, 1972.

SENATE BILL NO. 83, authorizing the department of social and health services to administer veterans' estates (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

Page 1, section 1, line 17 after "guardian" and before the period insert "or to any attorney for the secretary or his designee"

Page 1, section 1, line 22 after "designee" and before "serve" strike "shall" and insert "may"

Signed by: Senators Gissberg, Chairman; Clarke, Durkan, Foley, Greive, Holman, Walgren.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 83 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 83, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Excused: Senators Durkan, Huntley, Sellar—3.

ENGROSSED SENATE BILL NO. 83, having received the 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. 84, by Senators Peterson (Ted), Knoblauch and Francis (by Department of Social and Health Services request):

Giving totally blind disabled veterans free motor vehicle licenses.

The bill was read the second time by sections.

On motion of Senator Peterson (Ted), the rules were suspended, Senate Bill No. 84 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 84, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 1; excused, 3.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Voting nay: Senators Atwood, Matson—2.

Absent or not voting: Senator Talley—1.

Excused: Senators Durkan, Huntley, Sellar—3.

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. 4, by Senators Guess, Cooney, Keefe, Day and Twigg:

Reducing camper excise tax to one percent.

The bill was read the second time by sections.

Senator Rasmussen moved adoption of the following amendment by Senators Rasmussen, Durkan and Gissberg:

Strike all material after the enacting clause and insert the following:

“Section 1. Section 82.50.010, chapter 15, Laws of 1961 as last amended by section 35, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.010 are each amended to read as follows:

“Mobile home” means all trailers of the type designed as facilities for human habitation and which are capable of being moved upon the public streets and highways and which are more than thirty-five feet in length or more than eight feet in width, except as hereinafter specifically excluded, and excluding modular homes as defined below.

“Travel trailer” means all trailers of the type designed to be used upon the public streets and highways which are capable of being used as facilities for human habitation and which are thirty-five feet or less in length and eight feet or less in width, except as may be hereinafter specifically excluded.

“Modular home” means any factory-built housing designed primarily for residential occupancy by human beings which does not contain a permanent frame and must be mounted on a permanent foundation.

[“Camper” means a structure designed to be mounted upon a motor vehicle which provides facilities for human habitation or for temporary outdoor or recreational lodging and which is five feet or more in overall length and five feet or more in height from its floor to its ceiling when fully extended, but shall not include motor homes as defined in this section.]

“Motor homes” means motor vehicles originally designed, reconstructed, or permanently altered to provide facilities for human habitation.

“Commission” means the department of revenue of the state.

“Director” means the director of motor vehicles of the state.

Sec. 2. Section 82.50.020, chapter 15, Laws of 1961 as last amended by section 36, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.020 are each amended to read as follows:

An annual excise tax is imposed on the owner of any mobile home[,] or travel trailer[, or camper] for the privilege of using such mobile home[,] or travel trailer[, or camper] in this state. The tax shall be collected for each calendar year by the department of motor vehicles or the county auditor of the county in which the mobile home[,] or travel trailer[, or camper] is located at the time payment is made and shall be due on and after January 1st or on the date the mobile home[,] or travel trailer[, or camper] is first purchased or brought into this state, and paid on or before February 4th of each calendar year or thirty days after the mobile home[,] or travel trailer[, or camper] is first purchased or brought into this state, whichever is later. No additional tax shall be imposed under this chapter upon any mobile home[,] or travel trailer[, or camper] upon the transfer of ownership thereof, if the tax imposed by this chapter with respect to such mobile home[,] or travel trailer[, or camper] has already been paid for the calendar year or fractional part thereof in which such transfer occurs.

Sec. 3. Section 82.50.030, chapter 15, Laws of 1961 as last amended by section 37,

chapter 299, Laws of 1971 ex. sess. and RCW 82.50.030 are each amended to read as follows:

The rate and measure of tax imposed by this chapter for each calendar year shall be two percent of the fair market value of the mobile home[,] or travel trailer[, or camper,] as determined in the manner provided in this chapter: PROVIDED, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon a mobile home[,] or travel trailer[, or camper] used for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the mobile home[,] or travel trailer[, or camper] is first used: PROVIDED FURTHER, That the minimum amount of tax payable shall be two dollars.

A mobile home[,] or travel trailer[, or camper] shall be deemed used for the first time in this state when such vehicle [or such camper] was not previously licensed by this state for the year or any part thereof immediately preceding the year in which application for license is made.

Sec. 4. Section 82.50.040, chapter 15, Laws of 1961 as last amended by section 38, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.040 are each amended to read as follows:

The classification and schedule prepared under RCW 82.44.040 for mobile homes[,] or travel trailers[, or campers] used as facilities for human habitation shall be the schedule used by the county auditors and the director for determining the amount of tax due hereunder.

Sec. 5. Section 82.50.050, chapter 15, Laws of 1961 as last amended by section 39, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.050 are each amended to read as follows:

The tax hereunder for any mobile home[,] or travel trailer[, or camper] not classified as provided in RCW 82.44.040 shall be determined as provided in RCW 82.44.050 for mobile homes[,] or travel trailers[, or campers] used as facilities for human habitation.

Sec. 6. Section 82.50.070, chapter 15, Laws of 1961 as last amended by section 40, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.070 are each amended to read as follows:

The county auditor or the department of motor vehicles upon payment of the tax hereunder shall issue a receipt which shall include such information as may be required by the director, including the name of the taxpayer, a description of the mobile home[,] or travel trailer[, or camper,] and in the case of a mobile home its location at the time of payment of the tax which receipt shall be printed by the department of motor vehicles in such form as it deems proper and furnished by the department to the various county auditors of the state. The county auditor shall keep a record of the excise taxes paid hereunder during the calendar year under the name of owners of mobile home[,] or travel trailer[, or camper,] listed alphabetically.

In addition thereto the county auditor or the director shall issue a license plate and register the mobile home or travel trailer as if they were "house trailers" under the provisions of chapter 46.16 and shall collect the additional fees therein provided. Such license plate shall be displayed in the manner prescribed in RCW 46.16.240: PROVIDED, That when the mobile home or travel trailer is not using the public highways the license plate shall be displayed pursuant to rules or orders promulgated by the department.

Sec. 7. Section 82.50.101, chapter 15, Laws of 1961 as last amended by section 41, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.101 are each amended to read as follows:

The director or his authorized representative shall have power to enter at reasonable times all mobile home parks and other areas where mobile homes[,] or travel trailers[, or campers] are parked for the purpose of determining whether or not the tax herein prescribed has been paid. The records required to be kept under RCW 19.48.020 shall be open to inspection by the director or his representative.

Sec. 8. Section 82.50.105, chapter 15, Laws of 1961 as last amended by section 42, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.105 are each amended to read as follows:

On or before the thirty-first day of December of each calendar year, the director shall cause to be mailed to the owners of mobile homes[,] or travel trailers[, or campers,] of record, notice of the amount of tax payable during the calendar year. Said notice shall contain a legal description of the mobile home[,] or travel trailer[, or camper,] prominent notice of penalties, due dates, and such other information as may be required by the director. If payment is not made within thirty days of the issuance of said notice, the director may forward a notification of delinquency to the county sheriff of the county wherein the mobile home[,] or travel trailer[, or camper] is located, requesting distraint of said mobile home[,] or travel trailer[, or camper].

Sec. 9. Section 82.50.110, chapter 15, Laws of 1961 as last amended by section 43, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.110 are each amended to read as follows:

If any excise tax due hereunder is not paid when due and payable, the unpaid tax shall bear interest at the rate of six percent per annum from the time such tax is due and payable.

The tax hereunder shall be a specific lien on the mobile home[,] or travel trailer[, or camper] from and after the date it first becomes due hereunder, and shall include all charges authorized by this chapter, which lien shall have priority to and be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which the mobile home[,] or travel trailer[, or camper] may become charged or liable, after July 1, 1957, and no sale or transfer of any mobile home[,] or travel trailer[, or camper] shall in any way affect the lien for such excise tax upon the mobile home[,] or travel trailer[, or camper].

Sec. 10. Section 82.50.120, chapter 15, Laws of 1961 as last amended by section 44, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.120 are each amended to read as follows:

It shall be unlawful for any owner or other person to remove a mobile home[,] or travel trailer[, or camper] from the real property on which it is situated after the tax hereunder shall become due and payable without payment of the excise tax hereunder or under RCW 82.44.020.

Sec. 11. Section 82.50.130, chapter 15, Laws of 1961 as last amended by section 45, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.130 are each amended to read as follows:

When notified by the director that the excise tax is delinquent on any mobile home[,] or travel trailer[, or camper,] the sheriff shall personally serve the owner in the manner provided for service of summons in civil actions or post thereon in a conspicuous place, a notice of delinquency, supplied by the director, which shall contain a description of the mobile home[,] or travel trailer[, or camper,] the amount of excise tax due, together with accrued interest, the penalty, and the sheriff shall add thereto his fee for service or posting of the notice, which shall be the same as for the service of summons in a civil action, with fees for mileage based on the number of miles from the county seat of the county to the location of the mobile home[,] or travel trailer[, or camper] and the name of the owner or reputed owner, if such is known. Thereafter, the sheriff may without further demand or notice, distraint the mobile home[,] or travel trailer[, or camper] for the payment of tax, together with the penalty and accrued interest, and the costs and fees.

If he shall determine that it is reasonably impracticable to take manual possession of the mobile home[,] or travel trailer[, or camper,] it shall be deemed to have been distrained and taken into possession when the sheriff posts thereon in a conspicuous place, a notice in writing reciting that he has distrained such mobile home[,] or travel trailer[, or camper,] describing it and giving the name of the owner or reputed owner, if such is known, the amount of the tax due, together with the penalty, accrued interest, costs and fees, and the time when and the place where the sale, as hereinafter provided shall be made.

The director shall forward by registered or certified mail a copy of the notice of delinquency herein provided to the legal owner recorded with the director pursuant to chapter 46.12.

Sec. 12. Section 82.50.140, chapter 15, Laws of 1961 as last amended by section 46, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.140 are each amended to read as follows:

If the tax is not paid forthwith after distraint, the sheriff shall advertise the sale of the mobile home[,] or travel trailer[, or camper] by posting written notices in three public places in the county in which the mobile home[,] or travel trailer[, or camper] is located, one of which shall be at the county court house of such county, and by posting a written notice on the mobile home[,] or travel trailer[, or camper] in a conspicuous place, if he has not taken manual possession of it. Such notices shall state the time when and the place where the mobile home[,] or travel trailer[, or camper] will be sold. He shall tax the same fees for making the distraint and sale of the mobile home[,] or travel trailer[, or camper] for the payment of taxes as are allowed him by law for making levy and sale of property on execution, traveling fees to be computed from the county seat of the county to the place of making distraint. If the taxes for which the mobile home[,] or travel trailer[, or camper] is distrained, together with the penalty, accrued interest, and costs and fees accruing thereon, are not paid before the date appointed for such sale, which shall be not less than ten days after the distraint and taking of such mobile home[,] or travel trailer[, or camper] and posting of the notices, the sheriff shall proceed to sell the mobile home[,] or travel trailer[, or camper] at public auction. After deducting the costs and fees, he shall pay to the county auditor the amount to pay the taxes, the penalty and accrued interest to the date of sale, if there is sufficient to do so, and, if there is any overplus of money arising from the sale, he shall pay such overplus to the owner of the mobile home[,] or travel trailer[, or camper] so sold or to his legal representative, who shall be deemed to be the county treasurer in the event the owner or other legal representative cannot be determined or found.

Sec. 13. Section 82.50.180, chapter 15, Laws of 1961 as last amended by section 48, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.180 are each amended to read as follows:

The following mobile homes[,] or travel trailers[, or campers] are specifically exempted from the operation of this chapter:

(1) Any unoccupied mobile home[,] or travel trailer[, or camper] when it is part of an inventory of mobile homes[,] or travel trailers[, or campers] held for sale by a manufacturer or dealer in the course of his business.

(2) A mobile home[,] or travel trailer[, or camper] owned by any government or political subdivision thereof.

(3) A mobile home[,] or travel trailer[, or camper] owned by a nonresident and currently licensed in another state, unless such mobile home[,] or travel trailer[, or camper] shall remain in this state for a period of ninety days or more during the calendar year.

[For the purposes of this subsection only, a camper owned by a nonresident shall be considered licensed in another state if the vehicle to which such camper is attached is currently licensed in another state.]

(4) Mobile homes or travel trailers eligible to be used under a set of dealer's license plates, and taxed under RCW 82.44.030 while so eligible.

(5) A mobile home which has substantially lost its identity as a mobile unit by virtue of being permanently fixed in location upon land owned by the owner of the mobile home and placed on a permanent foundation, subsequent to the removal of the hitch, wheels and axles of said unit, and with fixed pipe connections with sewer, water or other utilities.

Following the permanent placement of said mobile home as provided herein, and upon the request of the owner, made to the county assessor, the assessor shall confirm compliance with the conditions of this subsection and if the unit so qualifies, the unit will be entered on the real property tax rolls of the involved county, and said unit shall be exempted from the provisions of this chapter from and after the date it is assessed as a part of the real property.

Sec. 14. Section 82.50.190, chapter 15, Laws of 1961 as last amended by section 49, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.190 are each amended to read as follows:

No mobile home[,] or travel trailer[, or camper] which is a part of the inventory of mobile homes[,] or travel trailers[, or campers] held for sale by a dealer in the course of his business and no mobile home[,] or travel trailer[, or camper] with respect to which the excise tax imposed by this chapter is payable shall be listed and assessed for ad valorem taxation.

[Notwithstanding any provision of law to the contrary, on January 1, 1972, any owner

of a camper who has failed to list his camper for the purposes of ad valorem taxation shall be relieved of any liability for such failure.]

Sec. 15. Section 82.50.200, chapter 15, Laws of 1961 as last amended by section 50, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.200 are each amended to read as follows:

Mobile homes[,] or travel trailers[, or campers] taxed and licensed under the provisions of this chapter shall be entitled to the use of the public streets and highways subject to the provisions of the motor vehicle laws of this state except as herein otherwise provided.

Sec. 16. Section 55, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.400 are each amended to read as follows:

An annual excise tax is imposed on the owner of any travel trailer [or camper] for the privilege of using such travel trailer [or camper] in this state. The tax shall be collected for each calendar year by the department of motor vehicles or the county auditor of the county in which the travel trailer [or camper] is located at the time payment is made and shall be due on and after January 1st or on the date the travel trailer [or camper] is first purchased or brought into this state, and paid on or before January 31st of each calendar year or thirty days after the travel trailer [or camper] is first purchased or brought into this state, whichever is later. No additional tax shall be imposed under this chapter upon any travel trailer [or camper] upon the transfer of ownership thereof, if the tax imposed by this chapter with respect to such travel trailer [or camper] has already been paid for the calendar year or fractional part thereof in which such transfer occurs.

Sec. 17. Section 56, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.410 are each amended to read as follows:

The rate and measure of tax imposed by this chapter for each calendar year shall be two percent of the fair market value of the travel trailer [or camper,] as determined in the manner provided in this chapter: PROVIDED, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon a travel trailer [or camper] used for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the travel trailer [or camper] is first used: PROVIDED FURTHER, That the minimum amount of tax payable shall be two dollars.

A travel trailer [or camper] shall be deemed used for the first time in this state when such vehicle was not previously licensed by this state for the year or any part thereof immediately preceding the year in which application for license is made.

Sec. 18. Section 57, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.420 are each amended to read as follows:

The classification and schedule prepared under RCW 82.44.040 for travel trailers [or campers] used as facilities for human habitation shall be the schedule used by the county auditors and the director for determining the amount of tax due hereunder.

Sec. 19. Section 58, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.430 are each amended to read as follows:

The tax hereunder for any travel trailer [or camper] not classified as provided in RCW 82.44.040 shall be determined as provided in RCW 82.44.050 for travel trailers [or campers] used as facilities for human habitation.

Sec. 20. Section 59, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.440 are each amended to read as follows:

The county auditor or the department of motor vehicles upon payment of the tax hereunder shall issue a receipt which shall include such information as may be required by the director, including the name of the taxpayer and a description of the travel trailer [or camper,] which receipt shall be printed by the department of motor vehicles in such form as it deems proper and furnished by the department to the various county auditors of the state. The county auditor shall keep a record of the excise taxes paid hereunder during the calendar year under the name of owners of travel trailers [or campers,] listed alphabetically.

Sec. 21. Section 60, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.450 are each amended to read as follows:

The director or his authorized representative shall have power to enter at reasonable times all mobile home parks and any other areas where travel trailers [or campers] are

parked for the purpose of determining whether or not the tax herein prescribed has been paid. The records required to be kept under RCW 19.48.020 shall be open to inspection by the director or his representatives.

Sec. 22. Section 61, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.460 are each amended to read as follows:

On or before the fifteenth day of February of each calendar year, the director shall cause to be mailed to the owners of travel trailers [or campers,] of record, notice of the amount of tax payable during the calendar year. Said notice shall contain a legal description of the travel trailer [or camper], prominent notice of penalties, due dates, and such other information as may be required by the director. If payment is not made within thirty days of the issuance of said notice, the director may forward a notification of delinquency to the county sheriff of the county wherein the travel trailer [or camper] is located, requesting distraint of said travel trailer [or camper].

Sec. 23. Section 62, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.470 are each amended to read as follows:

If any excise tax due hereunder is not paid when due and payable, the unpaid tax shall bear interest at the rate of six percent per annum from the time such tax is due and payable.

The tax hereunder shall be a specific lien on the travel trailer [or camper] from and after the date it first becomes due hereunder, and shall include all charges authorized by this chapter, which lien shall have priority to and be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which the travel trailer [or camper] may become charged or liable, after July 1, 1957, and no sale or transfer of any travel trailer [or camper] shall in any way affect the lien for such excise tax upon the travel trailer [or camper].

Sec. 24. Section 63, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.480 are each amended to read as follows:

It shall be unlawful for any owner or other person to remove a travel trailer [or camper] from the real property on which it is situated after the tax hereunder shall become due and payable without payment of the excise tax hereunder or under RCW 82.44.020.

Sec. 25. Section 64, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.490 are each amended to read as follows:

When notified by the director that the excise tax is delinquent on any travel trailer [or camper], the sheriff shall personally serve the owner in the manner provided for service of summons in civil actions or post thereon in a conspicuous place, a notice of delinquency, supplied by the director, which shall contain a description of the travel trailer [or camper], the amount of excise tax due, together with accrued interest, the penalty, and the sheriff shall add thereto his fee for service or posting of the notice, which shall be the same as the service of summons in a civil action, with fees for mileage based on the number of miles from the county seat of the county to the location of the travel trailer [or camper], and the name of the owner or reputed owner, if such is known. Thereafter, the sheriff may without further demand or notice, distraint the travel trailer [or camper] for the payment of tax, together with the penalty and accrued interest, and the costs and fees.

If he shall determine that it is reasonably impracticable to take manual possession of the travel trailer [or camper], it shall be deemed to have been distrained and taken into possession when the sheriff posts thereon in a conspicuous place, a notice in writing reciting that he has distrained such travel trailer [or camper], describing it and giving the name of the owner or reputed owner, if such is known, the amount of the tax due, together with the penalty, accrued interest, costs and fees, and the time when and the place where the sale, as hereinafter provided, shall be made.

The director shall forward by registered or certified mail a copy of the notice of delinquency herein provided to the legal owner recorded with the director pursuant to chapter 46.12 RCW.

Sec. 26. Section 65, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.500 are each amended to read as follows:

If the tax is not paid forthwith after distraint, the sheriff shall advertise the sale of the travel trailer [or camper] by posting written notices in three public places in the county in which the travel trailer [or camper] is located, one of which shall be at the county court house of such county, and by posting a written notice on the travel trailer [or camper] in a

conspicuous place, if he has not taken manual possession of it. Such notices shall state the time when and the place where the travel trailer [or camper] will be sold. He shall tax the same fees for making the distraint and sale of the travel trailer [or camper] for the payment of taxes as are allowed him by law for making levy and sale of property on execution, traveling fees to be computed from the county seat of the county to the place of making distraint. If the taxes for which the travel trailer [or camper] is distrained, together with the penalty, accrued interest, and costs and fees accruing thereon, are not paid before the date appointed for such sale, which shall be not less than ten days after the distraint and taking of such travel trailer [or camper] and posting of the notices, the sheriff shall proceed to sell the travel trailer [or camper] at public auction. After deducting the costs and fees, he shall pay to the county auditor the amount to pay the taxes, the penalty and accrued interest to the date of sale, if there is sufficient to do so, and, if there is any overplus of money arising from the sale, he shall pay such overplus to the owner of the travel trailer [or camper] so sold or to his legal representative, who shall be deemed to be the county treasurer in the event the owner or other legal representative cannot be determined or found.

Sec. 27. Section 67, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.520 are each amended to read as follows:

The following travel trailers [or campers] are specifically exempted from the operation of this chapter:

(1) Any unoccupied travel trailer [or camper] when it is part of an inventory of travel trailers [or campers] held for sale by a manufacturer or dealer in the course of his business.

(2) A travel trailer [or camper] owned by any government or political subdivision thereof.

(3) A travel trailer [or camper] owned by a nonresident and currently licensed in another state, unless such travel trailer [or camper] shall remain in this state for a period of ninety days or more during the calendar year.

[For the purposes of this subsection only, a camper owned by a nonresident shall be considered licensed in another state if the vehicle to which such camper is attached is currently licensed in another state.]

(4) Travel trailers eligible to be used under a set of dealer's license plates, and taxed under RCW 82.44.030 while so eligible.

Sec. 28. Section 68, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.530 are each amended to read as follows:

No mobile home[,] or travel trailer[, or camper] which is a part of the inventory of mobile homes[,] or travel trailers[, or campers] held for sale by a dealer in the course of his business and no travel trailer [or camper] with respect to which the excise tax imposed by this chapter is payable shall be listed and assessed for ad valorem taxation.

Sec. 29. Section 69, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.540 are each amended to read as follows:

Travel trailers [or campers] taxed and licensed under the provisions of this chapter shall be entitled to the use of the public streets and highways subject to the provisions of the motor vehicle laws of this state except as herein otherwise provided.

Sec. 30. Section 53, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.901 are each amended to read as follows:

(1) Sections 35 through 52 and section 54 of this 1971 amendatory act shall take effect on July 1, 1971[, except that the provisions of chapter 82.50 RCW imposing a tax on campers shall not take effect until January 1, 1972].

(2) Sections 36 through 50 of this 1971 amendatory act shall be operative and in effect only until and including December 31, 1972, at which time, they, in their entirety, shall expire without any further action of the legislature. The expiration of such sections shall not be construed as affecting any existing right acquired under the expired statutes, nor as affecting any proceeding instituted thereunder, nor any rule, regulation, or order promulgated thereunder, nor any administrative action taken thereunder.

(3) Sections 55 through 76 of this 1971 amendatory act shall take effect on January 1, 1973 without any further action of the legislature.

NEW SECTION. Sec. 31. There is added to chapter 84.36 RCW a new section to read as follows:

All campers, defined as any structure designed to be mounted upon a motor vehicle which provides facilities for human habitation for temporary outdoor or recreational lodging but which structure does not include motor homes as defined in RCW 82.50.010, shall be exempt from ad valorem taxation."

In line 1 of the title, after "taxation;" strike all material down to and including "82.50.410" on line five, and insert the following: "amending section 82.50.010, chapter 15, Laws of 1961 as last amended by section 35, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.010; amending section 82.50.020, chapter 15, Laws of 1961 as last amended by section 36, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.020; amending section 82.50.030, chapter 15, Laws of 1961 as last amended by section 37, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.030; amending section 82.50.040, chapter 15, Laws of 1961 as last amended by section 38, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.040; amending section 82.50.050, chapter 15, Laws of 1961 as last amended by section 39, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.050; amending section 82.50.070, chapter 15, Laws of 1961 as last amended by section 40, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.070; amending section 82.50.101, chapter 15, Laws of 1961 as last amended by section 41, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.101; amending section 82.50.105, chapter 15, Laws of 1961 as last amended by section 42, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.105; amending section 82.50.110, chapter 15, Laws of 1961 as last amended by section 43, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.110; amending section 82.50.120, chapter 15, Laws of 1961 as last amended by section 44, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.120; amending section 82.50.130, chapter 15, Laws of 1961 as last amended by section 45, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.130; amending section 82.50.140, chapter 15, Laws of 1961 as last amended by section 46, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.140; amending section 82.50.180, chapter 15, Laws of 1961 as last amended by section 48, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.180; amending section 82.50.190, chapter 15, Laws of 1961 as last amended by section 49, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.190; amending section 82.50.200, chapter 15, Laws of 1961 as last amended by section 50, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.200; amending section 55, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.400; amending section 56, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.410; amending section 57, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.430; amending section 58, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.440; amending section 59, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.450; amending section 61, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.460; amending section 62, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.470; amending section 63, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.480; amending section 64, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.490; amending section 65, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.500; amending section 67, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.520; amending section 68, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.530; amending section 69, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.540; and amending section 53, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.901; and adding a new section to chapter 84.36 RCW."

MOTION

On motion of Senator Andersen, Senate Bill No. 4, and the pending amendment by Senators Rasmussen, Durkan and Gissberg, was ordered held for consideration on Monday, January 31, 1972.

SECOND READING

SENATE BILL NO. 91, by Senators Holman, Elicker and Francis:

Permitting minors to obtain contraceptive devices under certain conditions.

The bill was read the second time by sections.

On motion of Senator Holman, the following amendment was adopted:

On page 1, strike lines 17 through 19 and insert "PROVIDED, That nothing in this act

shall apply to any procedure the purpose of which is the permanent prevention of reproduction.”

On motion of Senator Holman, the rules were suspended, Engrossed Senate Bill No. 91 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 91, and the bill passed the Senate by the following vote: Yeas, 31; nays, 11; absent or not voting, 4; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Clarke, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Henry, Herr, Holman, Jolly, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stender, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—31.

Voting nay: Senators Canfield, Cooney, Dore, Greive, Guess, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Stortini—11.

Absent or not voting: Senators Connor, Matson, Rasmussen, Talley—4.

Excused: Senators Durkan, Huntley, Sellar—3.

ENGROSSED 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.

SENATE BILL NO. 260, by Senators Holman, Gardner and Gissberg:

Providing a summary procedure for dealing with the estates of persons missing in action and prisoners of war.

REPORT OF STANDING COMMITTEE

January 22, 1972.

SENATE BILL NO. 260, providing a summary procedure for dealing with the estates of persons missing in action and prisoners of war (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, beginning on line 28, strike the entire paragraph and insert:

“Any person serving in or with the armed forces of the United States, in or with the Red Cross, or in or with the merchant marine or otherwise, during any period of time when a state of hostilities exists between the United States and any other power and for one year thereafter, who has been reported or listed as missing in action, or interned in a neutral country, or captured by the enemy, shall be an “absentee” within the meaning of this chapter.”

On page 3, section 3, beginning on line 4 strike ~~all~~ the material down to and including the period on line 16 and insert:

“(1) If the spouse of any absentee owner, or his next of kin, if said absentee has no spouse, shall wish to sell or transfer any property of the absentee which has a gross value of less than five thousand dollars, or shall require the consent of the absentee in any matter regarding the absentee’s children, or any other matter in which the gross value of the subject matter is less than five thousand dollars, such spouse or next of kin may apply to the superior court for an order authorizing said sale, transfer, or consent without opening a full trustee proceeding as provided in this chapter. The applicant may make the application without the assistance of an attorney. Said application shall be made by petition on the following form, which form shall be made readily available to the applicant by the clerk of the superior court.”

On page 4, section 3, strike all of subsection (2) and insert:

“(2) The court may, without notice, enter an order on said petition if it deems the relief requested in said petition necessary to protect the best interests of the absentee or his dependents.”

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Atwood, Clarke, Foley, Holman, Twigg, Walgren, Woodall.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 260 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 260, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senator Fleming—1.

Excused: Senators Durkan, Huntley, Sellar—3.

ENGROSSED SENATE BILL NO. 260, having received the 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. 92 was ordered placed on today's second reading calendar immediately following Senate Joint Resolution No. 109.

On motion of Senator Greive, Senate Joint Resolution No. 109 and Senate Bill No. 92 were ordered placed in that order on the second reading calendar for Monday, January 31, 1972.

SECOND READING

SENATE BILL NO. 173, by Senators Talley, Huntley and Day:

Conforming fire commission filing dates to general law and prescribing fire district bid limits.

The bill was read the second time by sections.

Senator Andersen moved adoption of the following amendment:

On page 1, section 2, line 16, strike section 2.

Debate ensued.

Senator Talley moved that the amendment by Senator Andersen be laid upon the table.

Senator Andersen demanded a roll call on the motion by Senator Talley, and the demand was sustained by Senators Whetzel, Murray, Guess, Twigg, Woodall, Peterson (Lowell), Ridder, Metcalf and Scott.

ROLL CALL

The Secretary called the roll and the amendment by Senator Andersen was laid upon the table by the following vote: Yeas, 25; nays, 21; excused, 3.

Voting yea: Senators Bailey, Clarke, Connor, Cooney, Day, Donohue, Dore, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Stender, Stortini, Talley, Walgren—25.

Voting nay: Senators Andersen, Atwood, Canfield, Elicker, Gardner, Guess, Holman, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Sandison, Scott, Twigg, Washington, Whetzel, Wilson, Woodall—21.

Excused: Senators Durkan, Huntley, Sellar—3.

On motion of Senator Talley, 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.

ROLL CALL

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, 30; nays, 16; excused, 3.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—30.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Guess, Holman, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Scott, Twigg, Whetzel, Woodall—16.

Excused: Senators Durkan, Huntley, Sellar—3.

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. 114, by Senators Stender, Keefe and Ridder:

Providing for arbitration if public employers and uniformed personnel cannot reach an agreement by collective bargaining.

MOTION

On motion of Senator Greive, Senate Bill No. 114 was made a special order of business at the beginning of the second reading calendar for Tuesday, February 1, 1972.

SECOND READING

SENATE BILL NO. 177, by Senators Washington and Huntley:

Implementing law relating to joint school districts.

The bill was read the second time by sections.

On motion of Senator Washington, 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.

Debate ensued.

POINT OF INQUIRY

Senator Rasmussen: "Could I ask Senator Washington a question? He said in the past, why, what particular advantage is there in, when you join three school districts?"

Senator Washington: "This is involved where you have school districts that are over three different counties. You get into the question of which one of those counties is going to handle the apportionment and administration of the county. It definitely has been established that it is better that the county with the largest staff handle this particular matter."

ROLL CALL

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, 45; nays, 1; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Woodall—45.

Voting nay: Senator Wilson—1.

Excused: Senators Durkan, Huntley, Sellar—3.

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 CONCURRENT RESOLUTION NO. 6, by Senator Wilson:

Requesting study by the legislative council of the feasibility of bringing certain high school teachers to Olympia.

The resolution was read the second time in full.

On motion of Senator Francis, 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.

Debate ensued.

POINT OF INQUIRY

Senator Woodall: "Will Senator Wilson yield? Would there be included in this a non-lobbying stipulation? In other words, we would not import people down here for the purpose of putting pressure on us for certain bills that they want. Would they be in a category down here uniquely special in that they would be subsidized to come here and then would they be free to start lobbying or would they be restricted to listening and learning? In other words, could you get a teacher to listen and learn for a change?"

Senator Wilson: "Since this question and my answer will become a matter of the record and legislative intent, I will state specifically that it is not the intent of this bill in any way whatsoever to provide an opportunity for lobbying on the part of the teachers in question. It is intended to provide them with an exposure to the process and a learning experience."

The motion by Senator Francis carried and the resolution was adopted.

SENATE BILL NO. 100, by Senators Henry, Huntley, Twigg and Walgren:
Redefining fraud in obtaining telephone service.

MOTIONS

On motion of Senator Gissberg, Substitute Senate Bill No. 100 was substituted for Senate Bill No. 100 and the substitute bill was read the second time in full.

On motion of Senator Gissberg, the following amendment was adopted:

On page 2, section 2, line 8, strike "*devise*" and insert "*device*"

On motion of Senator Gissberg, the rules were suspended, Engrossed Substitute Senate Bill No. 100 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 100, and the bill passed the Senate by the following vote: Yeas, 46; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray,

Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-46.
Excused: Senators Durkan, Huntley, Sellar-3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 100, having received the 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 Clarke, Mardesich and Holman:

Providing for special commercial zones in which motor freight carriers can operate at prescribed rates.

REPORT OF STANDING COMMITTEE

January 27, 1972.

SENATE BILL NO. 111, providing for special commercial zones in which motor freight carriers can operate at prescribed rates (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 7, after "commercially" and before "a part" insert "interdependent."

Signed by: Senators Mardesich, Chairman; Andersen, Clarke, Cooney, Fleming, Foley, Gissberg, Huntley, Keefe, Knoblauch, Newschwander, Peterson (Lowell), Sellar, Stortini, Twigg, Walgren, Whetzel.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the committee amendment.

Debate ensued.

MOTION

On motion of Senator Woodall, Senate Bill No. 111 was ordered to hold its place on the second reading calendar for Monday, January 31, 1972.

SENATE BILL NO. 28, by Senators Foley, Atwood and Mardesich (by Legislative Budget Committee request):

Creating a state treasurer's advisory committee.

REPORT OF STANDING COMMITTEE

January 25, 1972.

SENATE BILL NO. 28, creating a state treasurer's advisory committee (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 23, after "pay" and before "by" insert "*except in accordance with the provisions of RCW 43.08.070 or*"

On page 3, section 6, strike all of lines 13 through 19 and insert:

"(7) The President of the Association of Washington Cities, or his designee;

(8) The president of the Association of Washington County Commissioners, or his designee;

(9) One member to be appointed by the state treasurer who shall represent a depository bank located in Olympia which is classified as an active account by the state treasurer."

On page 3, section 6, line 25, strike "Members" and insert "Excluding state employees, members"

On page 4, section 7, insert a new subsection following subsection (3) as follows:

"(4) To review the feasibility of providing guidelines to local officials regarding the deposit and investment practices of local government agencies, and, if deemed required, to draw up an appropriate work plan for the completion of such a study."

Signed by: Senators Walgren, Chairman; Atwood, Elicker, Jolly, Lewis, Newschwander. The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments were adopted.

On motion of Senator Foley, the rules were suspended, Engrossed Senate Bill No. 28 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 28, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senator Herr—1.

Excused: Senators Durkan, Huntley, Sellar—3.

ENGROSSED 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.

SENATE BILL NO. 79, by Senators Francis and Atwood:

Providing that irreconcilable differences between spouses without regard to fault constitute grounds for divorce.

REPORT OF STANDING COMMITTEE

January 19, 1972.

SENATE BILL NO. 79, providing that irreconcilable differences between spouses without regard to fault constitute grounds for divorce (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 11 after "(11)" strike "*Irreconcilable differences between the parties without regard to fault of either party*" and insert "*Irretrievable breakdown of the marriage*"

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Francis, Walgren.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendment was adopted.

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

POINT OF INQUIRY

Senator Mardesich: "Would Senator Francis yield to a question? Senator Francis, if under this language one spouse were to say the marriage was irretrievably broken and the other says it is not, where are we?"

Senator Francis: "Senator, we are in the same situation that we are now. They would have the right to go to court and contest the grounds. I have said many times to clients and to students and to others that the provision we now have for cruelty or indignity rendering life burdensome is as broad as you can have within the context of fault and blame. In any marriage where there has not been some indignity or something that renders life burdensome, I could imagine the boredom would amount to cruelty. But it is the same

thing. If someone wants to go to court and say, 'No, the marriage is not broken down,' they can argue about it and let a judge decide. And that would be the same as we have now. There would be the same rights to defend including the right to refer to family court, all of the other provisions for attempts at reconciliation which are now in the law."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 79, and the bill passed the Senate by the following vote: Yeas, 42; nays, 2; absent or not voting, 2; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Voting nay: Senators Holman, Ridder—2.

Absent or not voting: Senators Newschwander, Rasmussen—2.

Excused: Senators Durkan, Huntley, Sellar—3.

ENGROSSED 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.

There being no objection, the Senate returned to the sixth order of business.

MOTION

At 1:40 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Monday, January 31, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-SECOND DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Monday, January 31, 1972.

The Senate was called to order at 11:00 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present except Senators Dore, Durkan, Herr, Mardesich, Peterson (Ted), Stender and Whetzel. On motion of Senator Knoblach, Senators Dore, Durkan and Herr were excused. On motion of Senator Keefe, Senator Mardesich was excused. On motion of Senator Matson, Senators Stender and Peterson (Ted) were excused.

The Color Guard, consisting of Pages Craig Timberlake, Color Bearer, and Diane Simonton, presented the Colors. Reverend Henry S. Rahn, pastor of First Baptist Church of Olympia, offered prayer as follows:

"Eternal God and Everlasting Father, in a world of change Thou hast put eternity in our hearts. The restlessness of our times and the pressures of the day compel us to come to Thee. Without Thee we are but as galley hands below the decks of life. But as we lift our eyes to the hills of Thy help, we see the far horizons, we find the more abundant way. Come then to us as we seek to do Thy holy will and as we give our best to serve the people of our state. 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.

REPORTS OF STANDING COMMITTEES

January 29, 1972.

SENATE BILL NO. 18, requiring federal legislators to disclose financial interests (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass.

Signed by: Senators Cooney, Chairman; Wilson, Vice Chairman; Canfield, Greive, Keefe, Mardesich, Matson, Metcalf.

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

January 26, 1972.

SENATE BILL NO. 22, allowing disabled veterans and hospitalized military personnel free hunting and fishing licenses (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Bailey, Donohue, Rasmussen, Sandison, Talley.

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

January 31, 1972.

SENATE BILL NO. 36, requiring actual classroom teaching experience for instructors of teaching method courses (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Fleming, Gardner, Metcalf, Murray, Odegard, Peterson (Ted), Rasmussen, Ridder, Washington.

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

January 29, 1972.

SENATE BILL NO. 59, providing for the payment of a bonus to resident veterans of the Vietnam conflict (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass as amended and be referred to the Committee on Ways and Means—Appropriations.

Signed by: Senators Wilson, Chairman; Canfield, Henry, Jolly, Lewis, Rasmussen.

There being no objection, Senate Bill No: 59 was referred to the Committee on Ways and Means—Appropriations.

January 31, 1972.

SENATE BILL NO. 81, authorizing use of school facilities for feeding the elderly (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Odegaard, Peterson (Ted), Ridder.

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

January 28, 1972.

SENATE BILL NO. 97, changing the name of the department of civil defense to the department of emergency services (reported by Committee on State Government):

Recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Gardner, Gissberg, Henry, Jolly, Lewis, Newschwander.

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

January 29, 1972.

SENATE BILL NO. 98, providing procedures in cases of candidacy voids (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass.

Signed by: Senators Cooney, Chairman; Wilson, Vice Chairman; Canfield, Donohue, Greive, Keefe, Mardesich, Matson, Metcalf.

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

January 31, 1972.

SENATE BILL NO. 112, providing that a householder may burn leaves and trash without obtaining a pollution permit (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Elicker, Holman, Keefe, Newschwander, Odegaard, Woodall.

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

January 29, 1972.

SENATE BILL NO. 124, changing the definition of "service voter" to include persons absent from the state and allowing absentee balloting in municipal elections as well as in others (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass.

Signed by: Senators Cooney, Chairman; Wilson, Vice Chairman; Donohue, Greive, Holman, Keefe, Mardesich, Matson, Metcalf.

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

January 29, 1972.

SENATE BILL NO. 146, creating a section of criminal identification within the Washington state patrol (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Gardner, Gissberg, Jolly, Lewis.

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

January 26, 1972.

SENATE BILL NO. 155, implementing retirement benefits to certain retired recipients under teachers' retirement system (reported by Committee on Public Pensions and Social Security):

MAJORITY recommendation: That the bill be referred to the Committee on Ways and Means—Appropriations.

Signed by: Senators Rasmussen, Chairman; Clarke, Day, Murray, Odegaard.

There being no objection, Senate Bill No. 155 was referred to the Committee on Ways and Means—Appropriations.

January 28, 1972.

SENATE BILL NO. 169, creating an industrial health and safety act providing for better working conditions in all work places (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Stender, Stortini.

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

January 31, 1972.

SENATE BILL NO. 178, creating a department of mass transportation (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Elicker, Gardner, Henry, Jolly, Lewis.

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

January 31, 1972.

SENATE BILL NO. 181, authorizing the governor with the concurrence of the building authority to transfer funds between particular capital building projects except as between institutions of higher education (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Gardner, Jolly, Newschwander.

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

January 31, 1972.

SENATE BILL NO. 184, authorizing certain payroll deductions for certificated employees of school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Washington.

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

January 31, 1972.

SENATE BILL NO. 200, relating to food fish and shellfish (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: That Substitute Senate Bill No. 200 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Peterson (Lowell), Chairman; Bailey, Gissberg, Matson, Metcalf, Sandison, Talley.

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

January 31, 1972.

SENATE BILL NO. 203, relating to school make-up relevant to the 180 days (reported by Committee on Education):

MAJORITY recommendation: That Substitute Senate Bill No. 203 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Francis, Chairman; Gardner, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Washington.

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

January 28, 1972.

SENATE BILL NO. 206, title only (reported by Committee on Public Pensions and Social Security):

MAJORITY recommendation: That Substitute Senate Bill No. 206 be substituted therefor and that the substitute bill be referred to the Committee on Ways and Means—Appropriations.

Signed by: Senators Rasmussen, Chairman; Day, Holman, Odegaard.

There being no objection, Substitute Senate Bill No. 206 was referred to the Committee on Ways and Means—Appropriations.

January 28, 1972.

SENATE BILL NO. 230, prohibiting employers from hiring aliens not entitled to residence in the United States if such employment would have an adverse effect on lawful resident workers (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Stender, Stortini.

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

January 31, 1972.

SENATE BILL NO. 243, prohibiting the withdrawal of garbage collection franchise by city or town (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass.

Signed by: Senators Clarke, Day, Fleming, Foley, Gardner, Huntley, Keefe, Knoblauch, Newschwander, Peterson (Lowell), Sellar, Twigg, Walgren.

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

January 31, 1972.

SENATE BILL NO. 298, conditioning state financial assistance to local alcoholism facilities upon specified minimum local financial support (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Elicker, Greive, Holman, Keefe, Newschwander, Odegaard.

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

January 31, 1972.

SENATE BILL NO. 350, relating to budgets of school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Washington.

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

January 25, 1972.

SENATE BILL NO. 355, distributing motor fuel taxes to counties (reported by Committee on Transportation):

MAJORITY recommendation: That Substitute Senate Bill No. 355 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Donohue, Foley, Guess, Huntley, Jolly, Keefe, Knoblauch, Lewis, Peterson (Lowell), Sandison, Talley, Walgren.

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

January 31, 1972.

SENATE BILL NO. 374, relating to the state plan for vocational education (reported by Committee on Education):

MAJORITY recommendation: That Substitute Senate Bill No. 374 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Metcalf, Murray, Odegaard, Rasmussen, Ridder, Stender, Washington.

January 31, 1972.

MINORITY recommendation: Do not pass.

Signed by: Senator Peterson (Ted).

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

January 31, 1972.

SENATE BILL NO. 412, providing for the disposition of state lands (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: That Substitute Senate Bill No. 412 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Peterson (Lowell), Chairman; Bailey, Clarke, Donohue, Matson, Metcalf, Sandison.

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

January 26, 1972.

SENATE BILL NO. 420, implementing law relating to teachers' retirement (reported by Committee on Public Pensions and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Clarke, Day, Odegaard.

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

January 31, 1972.

SENATE BILL NO. 434, authorizing the conduct of predischARGE of education programs for military personnel (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Peterson (Ted), Ridder, Washington.

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

LETTER OF INFORMATION

January 31, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON

MR. PRESIDENT:

The Senate Committee on Appropriations has referred the following bills to the full Committee on Ways and Means:

SUBSTITUTE SENATE BILL NO. 37: School districts, state aid, assumed moneys.

SENATE BILL NO. 57: School districts, state funds, apportionment.

SENATE BILL NO. 247: State-wide effective employment program.

SENATE BILL NO. 252: Displaced work force, service programs.

HOUSE BILL NO. 86: Motor vehicle excise, amendment corrected.

Sincerely,

FRED H. DORE, Chairman,
Senate Appropriations Committee.

MESSAGES FROM THE HOUSE

January 29, 1972.

Mr. President: The House has passed:
 ENGROSSED HOUSE BILL NO. 44,
 ENGROSSED HOUSE BILL NO. 46,
 ENGROSSED HOUSE BILL NO. 50,
 HOUSE BILL NO. 130,
 ENGROSSED HOUSE BILL NO. 140,
 ENGROSSED HOUSE BILL NO. 147,
 HOUSE BILL NO. 158,
 ENGROSSED HOUSE BILL NO. 199,
 SUBSTITUTE HOUSE BILL NO. 365,
 SUBSTITUTE HOUSE BILL NO. 514,
 HOUSE BILL NO. 527, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

January 30, 1972.

Mr. President: The House has passed:
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 47,
 ENGROSSED HOUSE BILL NO. 98,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 106,
 HOUSE BILL NO. 173,
 ENGROSSED HOUSE BILL NO. 223,
 ENGROSSED HOUSE BILL NO. 234,
 HOUSE BILL NO. 237,
 HOUSE BILL NO. 244, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 44, by Representatives Newhouse, Flanagan, North and Haussler (by Legislative Council request):

Pertaining to the taxation of cigarettes.

Referred to Committee on Ways and Means—Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 46, by Representative Hansey:

Permitting premiums on poultry products.

Referred to Committee on Agriculture and Horticulture.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 47, by Committee on Natural Resources and Ecology (originally sponsored by Representatives Zimmerman, Thompson, Shera, Bagnariol, Paris, Smith, Juelling, Flanagan, Wanamaker, Mentor, Gilleland, Jones, Marsh, Bottiger, Martinis, Bauer, Adams, Anderson, Barden, Conway, Gallagher, Kilbury, Knowles, Kopet, McCormick, Merrill, Wojahn and Wolf):

Authorizing the burning of outdoor fires by homeowners and persons clearing land.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

ENGROSSED HOUSE BILL NO. 50, by Representatives King, Hubbard, Randall, Kilbury and Knowles (by Public Employees' Collective Bargaining Committee request):

Exempting collective bargaining of public agencies from the open meetings act.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 98, by Representatives Bottiger, Charette and Wolf (by Legislative Council request):

Providing for regulation of camping clubs.

MOTION

On motion of Senator Gissberg, Engrossed House Bill No. 98 was referred to the Judiciary Committee.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 106, by Committee on Education and Libraries (Originally sponsored by Representatives Hatfield, Luders and Brown) (by Joint Committee on Education request):

Implementing law relating to school districts whose boundaries lie within military reservations.

Referred to Committee on Education.

HOUSE BILL NO. 130, by Representatives Charnley, Kilbury, King, Douthwaite, McCormick, Bozarth, Williams, Backstrom, Merrill, Bradley, McDermott, North, Blair, Paris, Hoggins, Jones and Van Dyk:

Providing for notice to each property owner assessed by a local improvement district.

Referred to Committee on Cities, Towns and Counties.

ENGROSSED HOUSE BILL NO. 140, by Representatives Bottiger, Wolf, Williams, Moon, Perry, Sawyer, Flanagan, Haussler, McDermott, Adams, Bauer, Bledsoe, Bozarth, Ceccarelli, Charnley, Eikenberry, Gallagher, Hoggins, McCormick, Schumaker, Wojahn and Zimmerman (by Property Tax Committee request):

Amending certain provisions of the senior citizens' property tax exemption statute.

Referred to Committee on Ways and Means—Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 147, by Representatives Marsh and Julin:

Providing for alternative methods of legal aid.

Referred to Judiciary Committee.

HOUSE BILL NO. 158, by Representatives Bluechel, Randall, Zimmerman, Williams and Jones:

Providing allowances for citizen members of the state land planning commission.

Referred to Committee on State Government.

HOUSE BILL NO. 173, by Representative Kilbury (by Secretary of State request):

Changing the definition of "service voter" to include persons absent from the state and allowing absentee balloting in municipal elections as well as others.

Referred to Committee on Constitution, Elections and Legislative Processes.

ENGROSSED HOUSE BILL NO. 199, by Representatives Kirk, Kuehnle, Bottiger, Adams, Charnley, Litchman and Merrill:

Eliminating residency requirements for municipal firemen and policemen.

Referred to Committee on Cities, Towns and Counties.

ENGROSSED HOUSE BILL NO. 223, by Representatives Douthwaite, Van Dyk, Ross, Thompson, Bagnariol, Charnley, King, Maxie, Grant, Chatalas, Sawyer, Randall, Kilbury, Merrill, Rosellini, Bradley, May, Gallagher, Jastad, Kraabel, Litchman and McDermott:

Allowing hitchhiking in certain areas.

MOTION

On motion of Senator Gissberg, Engrossed House Bill No. 223 was referred to the Judiciary Committee.

ENGROSSED HOUSE BILL NO. 234, by Representatives Rabel, Sawyer and Morrison:

Authorizing certain payroll deductions for certificated employees of school districts.

Referred to Committee on Education.

HOUSE BILL NO. 237, by Representatives Hoggins, Haussler, Brouillet, Charette, Brown and Morrison:

Authorizing public libraries to offer certain materials for sale at cost to the library.

Referred to Committee on Higher Education and Libraries.

HOUSE BILL NO. 244, by Representatives Amen, Hubbard, Haussler, Bozarth, Gladder, Flanagan, Goldsworthy, Wolf, Kuehnle, Spanton, Wanamaker, Richardson, Schumaker, Bauer, Zimmerman, May, Martinis and Mentor:

Removing power of eminent domain under shoreline management act.

Referred to Committee on Natural Resources, Fisheries and Game.

SUBSTITUTE HOUSE BILL NO. 365, by Committee on Rules and Administration (originally sponsored by Representative Copeland):

Pertaining to changes in salaries of certain public officials.

Referred to Committee on State Government.

SUBSTITUTE HOUSE BILL NO. 514, by Committee on State Government (originally sponsored by Representatives Bluechel, Cunningham, Wolf and Savage):

Providing for construction of a state office building.

Referred to Committee on State Government.

HOUSE BILL NO. 527, by Representatives Zimmerman and Bauer:

Clarifying and directing collection and use of funds in fire protection projects.

Referred to Committee on Natural Resources, Fisheries and Game.

PERSONAL PRIVILEGE

Senator Bailey: "Since the Capital Business Club is here I thought maybe it might be worth while to point out that all of us received today a telegram from the Mayor of Olympia. I figure it cost about eight dollars, telling us what he thinks about a bill. A telegram from the Mayor of Olympia is a good way to communicate, I guess, but multiply that by forty, you get about three hundred and twenty dollars. There must have been about five hundred of that hard earned short city money spent on a useless telegram."

THIRD READING

ENGROSSED SENATE BILL NO. 240, by Senators Atwood, Huntley, Holman, Sandison, Stortini, Wilson, Guess, and Foley (by Joint Committee on Higher Education request):

Implementing law relating to definitions of resident and nonresident students in institutions of higher education.

MOTIONS

On motion of Senator Sandison, the rules were suspended and Engrossed Senate Bill No. 240 was returned to second reading.

On motion of Senator Sandison, the following amendments by Senators Sandison and Atwood were adopted:

On page 1, line 20 of both the printed and engrossed bills, after "and" insert "for tuition and fee paying purposes only"

On page 1, section 1, line 22 of both the printed and engrossed bills, following "state" strike "for other than educational purposes,"

On motion of Senator Francis, the following amendment was adopted:

On page 1, section 1, line 23 of both the printed and engrossed bills, strike "beyond a reasonable doubt"

On motion of Senator Atwood, the following amendment was adopted:

On page 5, section 2, line 10 of the printed bill, being line 9 of the engrossed bill, after

“institution.” insert *“Any determination of classification shall be considered a ruling on a contested case subject to review only under procedures prescribed by RCW 34.04.”*

On motion of Senator Sandison, the rules were suspended, Reengrossed Senate Bill No. 240 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Wilson: “Would Senator Sandison yield to a question? Senator, just so I may be perfectly clear, may I assume that Reengrossed Senate Bill No. 240 contains nothing which would prevent an out-of-state student from registering and voting in Washington State if he were otherwise qualified?”

Senator Sandison: “Yes, if he were otherwise qualified, there is nothing in this bill that would prevent him from doing so.”

ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 240, and the bill passed the Senate by the following vote: Yeas, 41; nays, 1; absent or not voting, 1; excused, 6.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—41.

Voting nay: Senator Francis—1.

Absent or not voting: Senator Whetzel—1.

Excused: Senators Dore, Durkan, Herr, Mardesich, Peterson (Ted), Stender—6.

REENGROSSED SENATE BILL NO. 240, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the seventh order of business.

SECOND READING

SENATE BILL NO. 4, by Senators Guess, Cooney, Keefe, Day and Twigg:

Reducing camper excise tax to one percent.

The Senate resumed consideration of Senate Bill No. 4 on second reading. Senator Rasmussen moved adoption on Saturday, January 29, 1972 of an amendment by Senators Rasmussen, Durkan and Gissberg.

POINT OF INQUIRY

Senator Canfield: “Would Senator Gissberg yield to a question? Senator Gissberg, what does it cost to buy this load—what is the load fee ranging from six to eight thousand pounds?”

Senator Gissberg: “I do not know.”

Senator Canfield: “You should know if you are going to avoid double taxation. You should know what the relative figures are.”

Senator Gissberg: “I am not talking about the practice of the thing as to the dollar amount; I am talking about the theory of it in terms of double taxation.”

The motion by Senator Rasmussen carried and the amendment by Senators Rasmussen, Durkan and Gissberg was adopted.

On motion of Senator Rasmussen, the amendment to the title by Senators Rasmussen, Durkan and Gissberg was adopted.

On motion of Senator Guess, 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.

Debate ensued.

POINT OF INQUIRY

Senator Odegaard: "Would Senator Guess yield to a question? Senator, I am not asking this question to mean that I am opposing the bill but I would like to know what the revenue loss would be to the state if we passed this bill as amended."

Senator Guess: "Senator Odegaard, I do not have a fiscal note on it but I know that the bill as it originally was would have cost four hundred and four thousand dollars of anticipated revenue. It had not been collected up until this time so that is the only fiscal note that I had."

ROLL CALL

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, 34; nays, 8; absent or not voting, 1; excused, 6.

Voting yea: Senators Andersen, Bailey, Clarke, Connor, Cooney, Day, Donohue, Elicker, Foley, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Walgren, Wilson, Woodall—34.

Voting nay: Senators Atwood, Canfield, Fleming, Francis, Murray, Newschwander, Scott, Washington—8.

Absent or not voting: Senator Whetzel—1.

Excused: Senators Dore, Durkan, Herr, Mardesich, Peterson (Ted), Stender—6.

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.

MOTION

On motion of Senator Greive, Senate Joint Resolution No. 109 and Senate Bill No. 92 were ordered placed at the end of today's second reading calendar.

SENATE BILL NO. 111, by Senators Clarke, Mardesich and Holman:

Providing for special commercial zones in which motor freight carriers can operate at prescribed rates.

The Senate resumed consideration of Senate Bill No. 111 and the committee amendment that was moved for adoption by Senator Mardesich on Saturday, January 29, 1972.

On motion of Senator Clarke, the following amendment to the committee amendment was adopted:

Amend the committee amendment to page 2, section 2, line 7, after "interdependent" insert a period and strike the remainder of the section.

The motion by Senator Mardesich carried and the committee amendment, as amended, was adopted.

MOTIONS

On motion of Senator Newschwander, Senator Andersen was excused.

On motion of Senator Matson, Senator Whetzel was excused.

On motion of Senator Clarke, the rules were suspended, Engrossed Senate Bill No. 111 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 111, and the bill passed the Senate by the following vote: Yeas, 41; excused, 8.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—41.

Excused: Senators Andersen, Dore, Durkan, Herr, Mardesich, Peterson (Ted), Stender, Whetzel—8.

ENGROSSED 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.

SENATE BILL NO. 128, by Senators Foley, Atwood and Sandison:

Protecting certain officials, employees or agents of institutions of higher education from actions arising out of their failure to perform or performance of their duties.

MOTIONS

On motion of Senator Sandison, Substitute Senate Bill No. 128 was substituted for Senate Bill No. 128 and the substitute bill was read the second time in full.

On motion of Senator Foley, the rules were suspended, Substitute Senate Bill No. 128 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 128, and the bill passed the Senate by the following vote: Yeas, 41; excused, 8.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—41.

Excused: Senators Andersen, Dore, Durkan, Herr, Mardesich, Peterson (Ted), Stender, Whetzel—8.

SUBSTITUTE SENATE BILL NO. 128, having received the 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. 423, by Senator Metcalf:

Authorizing nonprofit corporations and joint operating funds under the interlocal cooperation act.

The bill was read the second time by sections.

On motion of Senator Metcalf, the rules were suspended, Senate Bill No. 423 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 423, and the bill passed the Senate by the following vote: Yeas, 42; excused, 7.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry,

Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-42.

Excused: Senators Andersen, Dore, Durkan, Herr, Mardesich, Peterson (Ted), Stender-7.

SENATE BILL NO. 423, having received the 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. 99, by Senators Odegaard, Twigg and Day:

Exempting mobile homes and campers from use tax.

The bill was read the second time by sections.

On motion of Senator Odegaard, the following amendments were adopted:

On page 6, after line 33, insert the following:

"Sec. 2. Section 73, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.902 are each amended to read as follows:

The provisions of chapter 82.50 RCW shall remain applicable to mobile homes through December 31, 1972. All mobile homes subject to the property tax shall be listed and assessed for the first time on January 1, [1972] 1973 and such tax shall be paid during [1973] 1974 in accordance with the laws of this state."

On page 7, strike all of section 2 and insert the following:

"*NEW SECTION.* Sec. 3. This 1972 amendatory 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 as follows:

- (1) Section 1 shall take effect July 1, 1972; and
- (2) Section 2 shall take effect immediately."

POINT OF INQUIRY

Senator Bailey: "The question I want to ask of Senator Odegaard is, what happens to those people that have already paid the tax?"

Senator Odegaard: "Those who have already purchased their license you mean? Everybody would have to purchase their license for this year but there would be one year delay in placing the homes on the property tax rolls."

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Odegaard yield to a question? Senator Odegaard, does this need an additional amendment to provide that the mobile homes can get the exemption as provided for sixty-five and older, sixty-two or disabled under the property tax?"

Senator Odegaard: "Senator Rasmussen, as I understand it those who qualify on real property tax rolls, there would be no question but they would qualify for the tax exemption. Those who qualify on personal property, there is possibly some question."

The motion by Senator Atwood carried. Senate Bill No. 99, as amended by Senator Odegaard, was ordered held for the second reading calendar on Tuesday, February 1, 1972.

There being no objection, the following bill was referred directly from the Committee on Rules and Joint Rules to the Committee on Ways and Means—Appropriations.

SENATE BILL NO. 427, by Senators Peterson (Lowell) and Lewis:

Authorizing the state of Washington to economically develop state owned and managed lands.

MOTION

On motion of Senator Guess, Senate Bill No. 14 was ordered to hold its place on the second reading calendar for Tuesday, February 1, 1972.

SECOND READING

SENATE BILL NO. 7, by Senator Peterson (Lowell):
Prohibiting entrance fees to state parks.

REPORT OF STANDING COMMITTEE

January 27, 1972.

SENATE BILL NO. 7, prohibiting entrance fees to state parks (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, subsection (6), line 27, after "day" and before the period insert: "*until the Commission conducts a detailed survey of state citizens, park users, and recreation groups with regard to the user fee concept and implementation of a reservation system, which study shall be transmitted to the legislature no later than December 1, 1972; and PROVIDED FURTHER, that in no event shall entrance fees as identified above be instituted prior to January 1, 1974*"

Signed by: Senators Wilson, Chairman; Canfield, Jolly, Murray, Rasmussen, Whetzel.

The bill was read the second time by sections.

On motion of Senator Wilson, the committee amendment was adopted.

On motion of Senator Wilson, the rules were suspended, Engrossed Senate Bill No. 7 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 7, and the bill passed the Senate by the following vote: Yeas, 39; nays, 3; excused, 7.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—39.

Voting nay: Senators Atwood, Francis, Newschwander—3.

Excused: Senators Andersen, Dore, Durkan, Herr, Mardesich, Peterson (Ted), Stender—7.

ENGROSSED 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

At 12:15 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:30 p.m.

MOTION

On motion of Senator Atwood, the Senate was declared to be at ease until 2:15 p.m. President Pro Tempore Henry called the Senate to order at 2:15 p.m.

MOTION

On motion of Senator Odegaard, Senate Bill No. 158 was ordered to hold its place on the second reading calendar for Tuesday, February 1, 1972.

SECOND READING

SENATE BILL NO. 263, by Senator Gissberg:

Authorizing the issuance of revenue bonds by park and recreation districts for recreational facilities.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 263 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 263, and the bill passed the Senate by the following vote: Yeas, 42; excused, 7.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Excused: Senators Andersen, Dore, Durkan, Herr, Mardesich, Peterson (Ted), Stender—7.

SENATE BILL NO. 263, having received the 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 Peterson (Lowell), Senate Bill No. 72 was ordered placed immediately following consideration of Senate Bill No. 114 on Tuesday, February 1, 1972.

On motion of Senator Gissberg, Senate Bill No. 161 was ordered to hold its place on the second reading calendar for Tuesday, February 1, 1972.

SECOND READING

SENATE BILL NO. 61, by Senators Talley, Lewis and Odegaard:
Providing penalties for theft of dogs and cats.

REPORT OF STANDING COMMITTEE

January 29, 1972.

SENATE BILL NO. 61, providing penalties for theft of dogs and cats (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 16 strike the remainder of the section.

Signed by: Senators Gissberg, Chairman; Clarke, Durkan, Foley, Francis, Holman, Twigg, Woodall.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the committee amendment.

POINT OF INQUIRY

Senator Talley: "Would Senator Gissberg yield? Senator Gissberg, the thinking on this bill was that people would pick up a dog and keep it and not notify anybody. Is there any way that we can make it so somebody had to be notified of the fact that they have a dog?"

Senator Gissberg: "The dog's owners might like it that way but it is pretty tough when a stray dog comes into your yard and you start feeding it, to put the burden on them of knowing of this law by advertising in the newspaper that 'I have a stray dog'. And failure to do so, it becomes prima facie evidence of a crime. As a matter of fact the Senate passed this bill last time with that same language off of it and it should be off."

POINT OF INQUIRY

Senator Metcalf: "I raise a point that I do not know, and I would like to direct this question to anyone on the floor that wishes to answer it. We are making it a crime here to kill or injure any dog or cat and I am very sympathetic to the purpose of the bill and I am not being facetious at this time as I sometimes am with these questions. This is very serious. I have a particular neighbor that has a female cat. That one cat produces enough kittens to supply a whole neighborhood and then some. I think he just sort of painlessly as possible drowns them. While it sounds a little inhuman, I do not know what other choice he has. Is he a criminal under this law if we pass it? But what are we doing to him?"

Senator Gissberg: "Senator Gardner, wasn't it Parkinson's law that he was talking about, in economic matters at least? Usually you get that sort of thing during budget time and we do not spend too much time on spending maybe the first billion and one-half but then when we are going to shingle on the roof of the outhouse and there is an appropriation for that we can usually understand that so we debate those matters for a long time. This bill traditionally comes under the law of Parkinson's law of Senate debate.

"But to answer your question, I think you raised the same question last time too. That would be that if somebody did do that they would be guilty of a misdemeanor."

Senator Metcalf: "Even if they owned them?"

Senator Gissberg: "No, not if they didn't own it, but if somebody else's cat came around and you would have some problems in killing that cat because you would be then a person who with intent to deprive the owner thereof kills or injures any cat or dog unless excused by law. And you would not be excused by law if a stray cat came along and then you took it out and mercifully, as you put it, drowned the thing."

The motion by Senator Gissberg carried and the committee amendment was adopted.

MOTIONS

On motion of Senator Atwood, Senator Matson was excused.

On motion of Senator Talley, the rules were suspended, Engrossed Senate Bill No. 61 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 61, and the bill passed the Senate by the following vote: Yeas, 42; excused, 7.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Excused: Senators Dore, Durkan, Herr, Mardesich, Matson, Peterson (Ted), Stender—7.

ENGROSSED SENATE BILL NO. 61, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 3, by Senator Wilson:

Including Indian tribes within the definition of public body as term is used in marine recreation land act of 1964.

REPORT OF STANDING COMMITTEE

January 25, 1972.

SENATE BILL NO. 3, including Indian tribes within the definition of public body as term is used in marine recreation land act of 1964 (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following section 1, add two new sections as follows:

"NEW SECTION. Sec. 2. The provisions of this 1972 amendatory act are intended to be remedial and procedural and shall be construed to apply retroactively.

"NEW SECTION. Sec. 3. This 1972 amendatory 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."

On line 2 of the title, after "RCW 43.99.020" and before the period insert "adding new sections and declaring an emergency"

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Jolly, Lewis, Murray, Scott, Whetzel.

The bill was read the second time by sections.

On motion of Senator Wilson, the committee amendments were adopted.

On motion of Senator Wilson, 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.

Debate ensued.

ROLL CALL

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, 42; excused, 7.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Excused: Senators Dore, Durkan, Herr, Mardesich, Matson, Peterson (Ted), Stender—7.

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.

SENATE BILL NO. 175, by Senators Lewis, Atwood and Talley:

Providing tax exemption for unprocessed timber held in storage area.

REPORT OF STANDING COMMITTEE

January 27, 1972.

SENATE BILL NO. 175, providing tax exemption for unprocessed timber held in storage area (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 14, after "84.36.150" and before the period insert "*PROVIDED FURTHER, That the exemption provided for herein with respect to unprocessed timber shall be applicable only with respect to such timber if actually shipped to points outside the United States, its territories and possessions*"

On page 1, line 15, add the following new sections:

"Sec. 2. Section 84.36.150, chapter 15, Laws of 1961, as amended by section 32, chapter 149, Laws of 1967 ex. sess. and RCW 84.36.150 are each amended to read as follows:

All such grains and flour, fruit and fruit products, vegetables and vegetable products, *unprocessed timber*, and fish and fish products shall be listed and assessed as of January 1st

of each year, without regard to any average inventory; but the assessor shall cancel any such assessment in whole or in proportionate part upon receipt of sufficient documentary proof that the property so assessed was actually shipped to points outside the state on or before April 30th of such year: PROVIDED, That no such cancellation shall be made unless such proof be furnished to the county assessor before June 1st of such year: PROVIDED FURTHER, That any such assessment of grain shall also be subject to cancellation as provided in this section if sufficient documentary proof be so furnished that the grain so assessed was milled into flour and such flour was actually shipped to points outside the state on or before April 30th of such year.

"Sec. 3. Section 84.36.160, chapter 15, Laws of 1961 as amended by section 1, chapter 137, Laws of 1971 ex. sess. and RCW 84.36.160 are each amended to read as follows:

For the purposes of RCW 84.36.150, 84.36.160, 84.36.161 and 84.36.162:

The term "grains and flour" shall mean and include all raw whole grains in their usual marketable state; and grain flour in the hands of the first processor; but not any other grain product.

The term "fruit and fruit products" shall mean and include all raw edible fruits, berries and hops; and all processed products of fruits, berries or hops, suitable and designed for human consumption while in the hands of the first processor.

The term "vegetables and vegetable products", such as peas, beans, beets, *sugar beets*, and other vegetables; and all processed products of vegetables, suitable and designed for human consumption, while in the hands of the first processor.

The term "fish and fish products" shall mean and include all fish and fish products suitable and designed for human consumption, excluding all others.

The term "processed" shall be construed to refer to canning, barreling, bottling, preserving, refining, freezing, packing, milling or any other method employed to keep any grain, fruit, vegetables or fish in edible condition or to put them into more suitable or convenient form for consumption, storing, shipping or marketing."

Renumber section 2 to read section 4.

In line 2 of the title after "84.36.140;" and before "and declaring", insert "amending section 84.36.150, chapter 15, Laws of 1961, as amended by section 32, chapter 149, Laws of 1967 ex. sess. and RCW 84.36.150; amending section 84.36.160, chapter 15, Laws of 1961 as amended by section 1, chapter 137, Laws of 1971 ex. sess. and RCW 84.36.160 and declaring an emergency."

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Donohue, Guess, Herr, Holman, Huntley, Jolly, Metcalf, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Twigg, Washington, Woodall.

The bill was read the second time by sections.

On motion of Senator Donohue, the committee amendments were adopted.

On motion of Senator Lewis, the committee amendment to the title was adopted.

On motion of Senator Lewis, the rules were suspended, Engrossed Senate Bill No. 175 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 Donohue: "Would Senator Lewis please yield? The question was brought up in our caucus as to how do we know exactly what logs would qualify under this exemption if they are stored in one particular area. How do we know that they are going to be shipped out of state or overseas?"

Senator Lewis: "Senator Donohue, in actual practice it is done in this manner. The logs are brought in by truck to a storage area. At that time each one receives an aluminum tag which is stapled into the end of the log. At the same time the log volume is scaled and it is transferred to the exporter. Some yards carry logs for transfer to other mills within the state and these are scaled and tallied and identified separately and each yard has a tally showing those logs which are in the yard for export purposes only and which logs are identified for possible transfer to other mills within the state. So there is a very clear distinction and they

are very easily and clearly identified and I would emphasize that this bill applies only to the unprocessed timber which is headed for the export market and clearly identified for that market.”

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 175, and the bill passed the Senate by the following vote: Yeas, 42; excused, 7.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Excused: Senators Dore, Durkan, Herr, Mardesich, Matson, Peterson (Ted), Stender—7.

ENGROSSED 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. 74, by Senators Gissberg, Atwood, Dore and Holman:

Allowing for certain deductions from gross value of an estate in determining the amount of inheritance taxes due when there is no probate.

REPORT OF STANDING COMMITTEE

January 22, 1972.

SENATE BILL NO. 74, allowing for certain deductions from gross value of an estate in determining the amount of inheritance taxes due when there is no probate (reported by Committee on Judiciary):

MAJORITY recommendation: Do pass with the following amendment:

Page 1, section 1, line 14, after “unless” and before “at the” strike “the department of revenue determines that”

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Durkan, Foley, Greive, Holman, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendment was adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 74 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 Woodall: “The fee that is charged to the client for this nonprobate type is a lesser fee than the lawyer charges for the other type. Correct? So this is making it easier for the client.”

Senator Gissberg: “Yes, it does.”

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 74, and the bill passed the Senate by the following vote: Yeas, 42; excused, 7.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Excused: Senators Dore, Durkan, Herr, Mardesich, Matson, Peterson (Ted), Stender—7.

ENGROSSED SENATE BILL NO. 74, having received the 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. 276, by Senators Walgren and Andersen (by Board of Prison Terms and Paroles request):

Providing for review of convicted inmates period of confinement.

The bill was read the second time by sections.

On motion of Senator Walgren, the rules were suspended, Senate Bill No. 276 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 276, and the bill passed the Senate by the following vote: Yeas, 42; excused, 7.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Excused: Senators Dore, Durkan, Herr, Mardesich, Matson, Peterson (Ted), Stender—7.

SENATE BILL NO. 276, having received the 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 Walgren, Andersen and Odegaard (by Board of Prison Terms and Paroles request):

Altering requirements needed to change a convicted inmate's minimum sentence.

The bill was read the second time by sections.

On motion of Senator Walgren, the rules were suspended, Senate Bill No. 312 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 312, and the bill passed the Senate by the following vote: Yeas, 42; excused, 7.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Excused: Senators Dore, Durkan, Herr, Mardesich, Matson, Peterson (Ted), Stender—7.

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.

MOTIONS

On motion of Senator Greive, Senate Joint Resolution No. 109 and Senate Bill No. 92 were ordered to hold their place on the second reading calendar for Tuesday, February 1, 1972.

At 3:00 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Tuesday, February 1, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-THIRD DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, February 1, 1972.

The Senate was called to order at 10:00 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President that all Senators were present except Senators Andersen and Durkan. On motion of Senator Matson, Senator Andersen was excused. On motion of Senator Keefe, Senator Durkan was excused.

The Color Guard, consisting of Pages Fred Crisman, Color Bearer, and Katherine Hoover, presented the Colors. Reverend Robert Keller, pastor of Good Shepherd Lutheran Church of Olympia, offered prayer as follows:

“Lord God, Heavenly Father, Who in all ages have shown Your patience and steadfast love for the children of men and Who is the source of righteousness and justice and truth, grant this day to these men who have been elected to legislate for the people of the state of Washington the will to perform their tasks with a mind to righteousness, justice and truth. We pray this in Our Lord’s Name. Amen.”

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

REPORTS OF STANDING COMMITTEES

January 31, 1972.

SENATE BILL NO. 11, providing for the movement of farm vehicles upon public highways by dealers (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Guess, Herr, Huntley, Jolly, Keefe, Knoblauch, Matson, Peterson (Lowell), Sandison, Stender, Talley, Walgren.

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

January 31, 1972.

SENATE BILL NO. 21, regulating female employment (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Sellar, Stender.

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

January 31, 1972.

SENATE BILL NO. 24, exempting certain retirement pensions for unemployment compensation purposes (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Sellar, Stender, Stortini.

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

February 1, 1972.

SENATE BILL NO. 29, enacting the uniform alcoholism and intoxication treatment act (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 29 be substituted therefor and that the substitute bill do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Clarke, Foley, Holman, Twigg, Woodall.

MOTION

Senator Day moved that the rules be suspended and Senate Bill No. 29 be advanced to second reading.

Debate ensued.

The motion lost.

Senate Bill No. 29 was referred to Committee on Rules and Joint Rules for second reading.

January 31, 1972.

SENATE BILL NO. 51, limiting workmen's compensation base rate premiums paid by certain agricultural employers (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Bailey, Connor, Matson, Sellar.

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

February 1, 1972.

SENATE BILL NO. 101, providing procedures for inviting bids and awarding contracts by public utility districts (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass.

Signed by: Senators Mardesich, Chairman; Clarke, Cooney, Day, Dore, Fleming, Foley, Gissberg, Huntley, Knoblauch, Peterson (Lowell), Sellar, Walgren.

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

February 1, 1972.

SENATE BILL NO. 130, establishing eighteen as the legal age for purchasing alcoholic beverages (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Mardesich, Chairman; Andersen, Clarke, Dore, Fleming, Gardner, Huntley, Knoblauch, Peterson (Lowell), Twigg, Walgren, Whetzel.

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

January 28, 1972.

SENATE BILL NO. 140, providing for progress payments on certain public contracts (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Gardner, Jolly, Lewis.
Passed to Committee on Rules and Joint Rules for second reading.

January 31, 1972.

SENATE BILL NO. 148, implementing law relating to motor vehicle drivers' licenses and the obtaining and renewal thereof (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Guess, Herr, Jolly, Keefe, Knoblauch, Matson, Peterson (Lowell), Sandison, Stender, Talley, Walgren.

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

January 31, 1972.

SENATE BILL NO. 151, imposing additional requirements on outdoor music festivals (reported by Committee on State Government):

MAJORITY recommendation: That Substitute Senate Bill No. 151 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Day, Elicker, Gardner, Jolly, Lewis, Newschwander.

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

January 31, 1972.

SENATE BILL NO. 154, providing certain powers to state fire marshals (reported by Committee on State Government):

MAJORITY recommendation: That Substitute Senate Bill No. 154 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Day, Elicker, Gardner, Jolly, Lewis, Newschwander.

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

January 31, 1972.

SENATE BILL NO. 156, prohibiting discrimination in employment because of physical handicap (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Bailey, Connor, Ridder, Sellar, Stortini.

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

February 1, 1972.

SENATE BILL NO. 167, requiring health care service contractors to comply with certain laws under certain conditions (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Cooney, Francis, Greive, Holman, Keefe, Odegaard.

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

February 1, 1972.

SENATE BILL NO. 168, providing for the investigation of health facilities for licensing purposes (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Holman, Newschwander, Odegaard, Woodall.

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

January 31, 1972.

SENATE BILL NO. 185, setting up a state labor relations act for certain employees (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Bailey, Ridder, Stender, Stortini.

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

January 31, 1972.

SENATE BILL NO. 208, relating to public assistance (reported by Committee on Public Institutions):

MAJORITY recommendation: That Substitute Senate Bill No. 208 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Odegaard, Chairman; Clarke, Knoblauch, Sandison, Talley.

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

January 31, 1972.

SENATE BILL NO. 254, implementing law relating to credit unions (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Mardesich, Chairman; Andersen, Clarke, Day, Dore, Foley, Gardner, Gissberg, Huntley, Knoblauch, Peterson (Lowell), Sellar, Stortini, Twigg, Walgren.

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

January 31, 1972.

SENATE BILL NO. 270, providing that snowmobiles shall be registered for two years, removing the fuel tax exemption, and giving county commissioners greater flexibility in administration (reported by Committee on Transportation):

MAJORITY recommendation: That Substitute Senate Bill No. 270 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Connor, Donohue, Elicker, Guess, Huntley, Jolly, Lewis, Matson, Murray, Peterson (Lowell), Sellar, Whetzel.

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

February 1, 1972.

SENATE BILL NO. 288, providing for regulation of debenture companies and strengthening certain securities regulations (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: That Substitute Senate Bill No. 288 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Mardesich, Chairman; Clarke, Dore, Fleming, Foley, Gardner, Gissberg, Knoblauch, Peterson (Lowell), Sellar, Whetzel.

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

January 31, 1972.

SENATE BILL NO. 289, excepting certain aspects of labor negotiations from the open public meetings act (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Sellar, Stender, Stortini.

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

February 1, 1972.

SENATE BILL NO. 297, providing for expanded insurance programs for state employees and officials (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Greive, Holman, Keefe, Odegaard.

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

January 26, 1972.

SENATE BILL NO. 323, providing for the retirement of public employees (reported by Committee on Public Pensions and Social Security):

MAJORITY recommendation: That Substitute Senate Bill No. 323 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Rasmussen, Chairman; Day, Herr, Holman, Odegaard.

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

February 1, 1972.

SENATE BILL NO. 377, relating to the special fuel tax (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Francis, Greive, Holman, Keefe, Odegaard.

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

January 31, 1972.

SENATE BILL NO. 385, relating to state institutions (reported by Committee on Public Institutions):

MAJORITY recommendation: That Substitute Senate Bill No. 385 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Odegaard, Chairman; Clarke, Knoblauch, Sandison, Scott, Stortini.

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

February 1, 1972.

SENATE BILL NO. 393, relating to industrial insurance (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Connor, Matson, Sellar, Stender.

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

February 1, 1972.

SENATE BILL NO. 403, excluding patronage dividends from the definition of security sales (reported by Judiciary Committee):

MAJORITY recommendation: That Substitute Senate Bill No. 403 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Foley, Greive, Holman, Twigg.

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

January 26, 1972.

SENATE BILL NO. 414, permitting school districts to provide employees with certain pension or annuity benefits (reported by Committee on Public Pensions and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Clarke, Day, Murray, Odegaard.

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

January 31, 1972.

SENATE BILL NO. 438, relating to public employment (reported by Committee on State Government):

Recommendation: That Substitute Senate Bill No. 438 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Gardner, Gissberg, Henry, Jolly, Lewis, Newschwander.

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

February 1, 1972.

SENATE BILL NO. 439, authorizing an additional judge of the superior court for Thurston county (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Greive, Holman, Twigg, Walgren.

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

LETTER OF INFORMATION

February 1, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

SUBSTITUTE SENATE BILL NO. 397: Open spaces lands, title only.

SENATE BILL NO. 432: Property tax exemption, mail notice.

Sincerely,
HUBERT F. DONOHUE, Chairman.
Revenue and Taxation Committee

MESSAGE FROM THE HOUSE

January 31, 1972.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 186,

ENGROSSED HOUSE BILL NO. 187,

ENGROSSED HOUSE BILL NO. 190,

SUBSTITUTE HOUSE BILL NO. 381,

ENGROSSED HOUSE JOINT RESOLUTION NO. 65, and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 186, by Representatives Bluechel, Thompson, Hubbard, Curtis, Garrett, Kiskaddon, Luders, Hatfield, Hoggins, Charnley, Hansey, Haussler, Polk, Zimmerman, Brown, North, Martinis, Savage, Williams, Cunningham, Randall, Jones, Smith, Gilleland and Litchman (by executive request):

Providing for waste disposal facilities bonds.

Referred to Committee on Ways and Means—Appropriations.

ENGROSSED HOUSE BILL NO. 187, by Representatives Amen, Moon, Kopet, Hoggins, Hubbard, Haussler, Kilbury, Cunningham, Goldsworthy, Copeland, Jones and Kiskaddon (by executive request):

Providing for water supply bonds.

Referred to Committee on Ways and Means—Appropriations.

ENGROSSED HOUSE BILL NO. 190, by Representatives Farr, Conner, Kirk and Kiskaddon (by executive request):

Providing for social and health facilities bonds.

Referred to Committee on Ways and Means—Appropriations.

SUBSTITUTE HOUSE BILL NO. 381, by Committee on Higher Education (originally sponsored by Representatives Thompson, Smythe and King):
 Providing for the appropriate funding of community colleges.
 Referred to Committee on Ways and Means—Appropriations.

HOUSE JOINT RESOLUTION NO. 65, by Representatives Bledsoe, Copeland, Charette, Beck, Ross, Kiskaddon, Conway, Kraabel, Blair, Mentor, Amen, Hoggins, Jones, Moon, Bluechel, Adams, Kopet, Cunningham, Brown, Gilleland, Ceccarelli, Curtis, Litchman and North (by executive and Legislative Council request):
 Amending the Constitution to provide for annual sessions of the legislature.
 Referred to Committee on Constitution, Elections and Legislative Processes.

MOTION

On motion of Senator Odegaard, the following resolution was adopted:

SENATE RESOLUTION: 1972-20

By Senators Odegaard, Ridder and Huntley:

WHEREAS, The duties of the state board of education were substantively established by the Legislature in 1909 and their function and value have not been systematically reviewed since that time; and

WHEREAS, There are statutory inconsistencies between the rule making authority of the superintendent of public instruction and the state board of education; and

WHEREAS, The effectiveness of the current method of selecting the state board and the state superintendent should be reviewed;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the Joint Committee on Education in cooperation with the superintendent of public instruction to review the function and value of the state board of education; provide recommendations for eliminating current statutory inconsistencies between the responsibilities of the state board of education and the superintendent of public instruction; review the current state board election process, noting its effectiveness and responsiveness; review alternative methods of electing or selecting the state board of education and the superintendent of public instruction, noting the possible effectiveness and cost.

BE IT FURTHER RESOLVED, That this study and its recommendations be submitted to the Forty-third Legislature.

The following bill was referred directly from the Committee on Rules and Joint Rules to the Committee on Ways and Means—Appropriations:

SENATE BILL NO. 33, by Senators Francis and Whetzel:
 Providing for the use of highway funds for certain paths and trails.

MOTION

At 10:10 a.m., on motion of Senator Mardesich, the Senate recessed until 11:30 a.m.

SECOND MORNING SESSION

President Pro Tempore Henry called the Senate to order at 11:30 a.m.

PARLIAMENTARY INQUIRY

Senator Whetzel: "This bill, Senate Bill No. 33, is being referred to the Committee on Ways and Means—Appropriations and if that committee is unable to meet and report the bill back by the cutoff date tomorrow, will that particular bill still be alive as a revenue and appropriations measure under our joint rule for the remaining portion of the session that those bills are before us?"

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "I would believe that because it does carry an appropriation or at least a percentage appropriation that it would not fit within the cutoff date. However, the bill is now in the hands of the Committee on Ways and Means and I presume that a motion would be in order to relieve the . . ."

Senator Whetzel: "If your ruling is that this particular bill will still stay alive beyond tomorrow's cutoff, we then would have an opportunity to have the bill reported out from Ways and Means and act on it later in the session. Is that correct, Mr. President?"

President Pro Tempore Henry: "That is correct and the President so rules that it does carry an appropriation."

Senator Washington: "That is very reassuring as far as the Senate is concerned. I am wondering, we will have a problem as far as the House is concerned if we do not get a concurrence over there."

President Pro Tempore Henry: "They still have ten days from Wednesday to consider Senate bills in the House."

Senator Washington: "My point is, the Speaker might rule that this was not an appropriations bill. Would you call my attention to the portion which you think makes it an appropriation bill? I thought the Secretary might. Senate Bill No. 33 does say that one percent of the budget is to be utilized for trails, but I am not sure that is an appropriation."

President Pro Tempore Henry: "I think as you attorneys call prima facie evidence the fact that it went to the Committee on Ways and Means because it carried an appropriation, a form of an appropriation, would be evidence enough but then not being an attorney—I have enough trouble with the Senate, incidentally, without trying to rule for the House. On page 2, there is a Senate committee amendment on page 2, section 3, line 13, 'after percentage and before dollars strike one hundred and fifty and insert one thousand'. I do not think the amount is necessarily the governing factor here. The fact that there is an appropriation."

Senator Washington: "It is the one percent that would be the only thing that would carry it through. One percent of the highway budget and one percent of the funds which go to cities and counties by the gas tax allocation would have to be used. That might be considered an appropriation."

President Pro Tempore Henry: "The President rules that it does qualify as an appropriation bill and as I said before, because of prima facie evidence that it is in the Committee on Ways and Means should be sufficient."

MOTION

Senator Washington moved that the Committee on Ways and Means—Appropriations be relieved of further consideration of Senate Bill No. 33 and that the bill be rereferred to the Committee on Rules and Joint Rules.

President Pro Tempore Henry declared the question before the Senate to be the motion by Senator Washington that the Committee on Ways and Means—Appropriations be relieved of further consideration of Senate Bill No. 33 and that the bill be rereferred to the Committee on Rules and Joint Rules.

The motion failed on a rising vote.

MOTIONS

On motion of Senator Dore, the Committee on Ways and Means was relieved of further consideration of Substitute House Bill No. 381.

On motion of Senator Dore, Substitute House Bill No. 381 was referred to the Committee on Higher Education and Libraries.

On motion of Senator Bailey, Senate Bill No. 114 and Senate Bill No. 232 were made special orders of business, in that order, beginning at 3:00 p.m. today.

SECOND READING

SENATE BILL NO. 72, by Senators Henry and Peterson (Lowell):

Setting a time limit within which a local government must either accept or reject an application for a shorelines project.

REPORT OF STANDING COMMITTEE

January 28, 1972.

SENATE BILL NO. 72, setting a time limit within which a local government must either accept or reject an application for a shorelines project (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 14, after "government" strike all of the material down to the period on line 16 and insert "[or until all review proceedings are terminated if such proceedings were initiated within forty-five days from the date of final approval by the local government]"

On page 4 add two new sections following section 1 as follows:

"Sec. 2. Section 18, chapter 286, Laws of 1971 ex. sess., and RCW 90.58.180 are each amended to read as follows:

(1) Any person aggrieved by the granting or denying of a permit on shorelines of the state, or rescinding a permit pursuant to RCW 90.58.150 may seek review from the shorelines hearings board by filing a request for the same within thirty days of receipt of the final order. Concurrently with the filing of any request for review with the board as provided in this section pertaining to a final order of a local government, the requestor shall file a copy of this request with the department and the attorney general. If it appears to the department or the attorney general that the requestor has valid reasons to seek review, either the department or the attorney general may certify the request within thirty days after its receipt to the shorelines hearings board following which the board shall then, but not otherwise, review the matter covered by the requestor: PROVIDED, That the failure to obtain such certification shall not preclude the requestor from obtaining a review in the superior court under any right to review otherwise available to the requestor. The department and the attorney general may intervene to protect the public interest and insure that the provisions of this chapter are complied with at any time within forty-five days from the date of the filing of said copies by the requestor.

(2) The department or the attorney general may obtain review of any final order granting a permit, or granting or denying an application for a permit issued by a local government by filing a written request with the shorelines appeals board and the appropriate local government within forty-five days from the date the final order was filed as provided in subsection (5) of RCW 90.58.140.

(3) The review proceedings authorized in subsections (1) and (2) of this section are subject to the provisions of chapter 34.04 RCW pertaining to procedures in contested cases. The provisions of chapter 43.21B RCW and the regulations adopted pursuant thereto by the pollution control hearings board, insofar as they are not inconsistent with chapter 34.04 RCW, relating to the procedures for the conduct of hearings and judicial review thereof, shall be applicable to all requests for review as provided for in subsections (1) and (2) of this section.

(4) The filing of a request or petition for review of a local governmental order granting a permit shall not stay construction authorized by the permit. The party requesting review may apply to the shorelines hearings board or the court, as the case may be, for a temporary stay of construction pending the review of the order granting the permit. In granting or denying a temporary stay, the board or court shall consider the probability of the ultimate success or failure of the appeal, the relative importance of the interests of the parties and the interests of the public.

[4] (5) Local government may appeal to the shorelines hearing board any rules, regulations, guidelines, designations or master programs for shorelines of the state adopted or approved by the department within thirty days of the date of the adoption or approval. The board shall make a final decision within sixty days following the hearing held thereon.

(a) In an appeal relating to a master program for shorelines, the board, after full consideration of the positions of the local government and the department, shall determine the validity of the master program. If the board determines that said program:

(i) is clearly erroneous in light of the policy of this chapter; or
 (ii) constitutes an implementation of this chapter in violation of constitutional or statutory provisions; or
 (iii) is arbitrary and capricious; or
 (iv) was developed without fully considering and evaluating all proposed master programs submitted to the department by the local government; or
 (v) was not adopted in accordance with required procedures; the board shall enter a final decision declaring the program invalid, remanding the master program to the department with a statement of the reasons in support of the determination, and directing the department to adopt, after a thorough consultation with the affected local government, a new master program. Unless the board makes one or more of the determinations as hereinbefore provided, the board shall find the master program to be valid and enter a final decision to that effect.

(b) In an appeal relating to a master program for shorelines of state-wide significance the board shall approve the master program adopted by the department unless a local government shall, by clear and convincing evidence and argument, persuade the board that the master program approved by the department is inconsistent with the policy of RCW 90.58.020 and the applicable guidelines.

(c) In an appeal relating to rules, regulations, guidelines, master programs of state-wide significance and designations, the standard of review provided in RCW 34.04.070 shall apply.

[5] (6) Rules, regulations, designations, master programs and guidelines shall be subject to review in superior court, if authorized pursuant to RCW 34.04.070: PROVIDED, That no review shall be granted by a superior court on petition from a local government unless the local government shall first have obtained review under subsection [4] (5) of this section and the petition for court review is filed within three months after the date of final decision by the shorelines hearings board.

NEW SECTION. Sec. 3. This 1972 amendatory 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."

In line 2 of the title, after "RCW 90.58.140" and before the period insert "; amending section 18, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.180; and declaring an emergency"

Signed by: Senators Peterson (Lowell), Chairman; Clarke, Donohue, Gissberg, Matson, Metcalf, Peterson (Ted), Sandison.

The bill was read the second time by sections.

On motion of Senator Clarke, the committee amendment to page 2, section 1, line 14 was not adopted.

On motion of Senator Clarke, the following amendment by Senator Gissberg was immediately considered by the Senate:

On page 2, section 1, line 14, after "government or" and before "until all" insert "*except where the permit has been issued to a state agency,*"

POINT OF INQUIRY

Senator Henry: "Senator Gissberg, as the prime sponsor of the bill, may I take and exercise my prerogative and ask you the question, the original purpose for which I introduced the bill, the ninety day is still in the bill someplace?"

Senator Gissberg: "Yes, it is."

Senator Henry: "Thank you."

On motion of Senator Gissberg, the amendment was adopted.

Senator Clarke moved adoption of the committee amendment beginning on page 4.

On motion of Senator Gissberg, the following amendment to the committee amendment was adopted:

Amend the Natural Resources, Fisheries and Game Committee amendment on page 4 as follows: In section 2, subsection (4), line 3 of the subsection, after "*permit*" and before "*shall*" insert "*to any state agency*"

The motion by Senator Clarke carried and the committee amendment, as amended, was adopted.

On motion of Senator Clarke, the committee amendment to the title was adopted.

On motion of Senator Peterson (Lowell), the rules were suspended, Engrossed Senate Bill No. 72 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 72, and the bill passed the Senate by the following vote: Yeas, 41; nays, 7; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Washington, Wilson, Woodall—41.

Voting nay: Senators Elicker, Fleming, Murray, Scott, Stender, Walgren, Whetzel—7.

Excused: Senator Durkan—1.

ENGROSSED SENATE BILL NO. 72, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 99, by Senators Odegaard, Twigg and Day:

Exempting mobile homes and campers from use tax.

The Senate resumed consideration of Senate Bill No. 99 as amended by Senator Odegaard on Monday, January 31, 1972.

Senator Whetzel moved adoption of the following amendment:

On line 6 of the Odegaard amendment after "January 1," and before "and" strike "1973" and insert "1972" and on line 7 after "during" strike "1974" and insert "1973"

POINT OF ORDER

Senator Greive: "Mr. President, I have been examining the amendment and it really constitutes language in direct opposition to the language that was stricken yesterday by an amendment by Senator Odegaard. Senator Odegaard and I in discussing this thing, I called his attention to Reed's Rule 209 and there is a particular part of it and it says, 'if for example words are inserted by amendment they cannot afterwards be stricken out because being put in implies in itself that the assembly does not want them stricken out.' We inserted words here yesterday to strike a particular amendment and now there is an amendment to do the direct opposite. I would suggest that the only motion open to Senator Whetzel and the proper motion under the circumstances is reconsideration and not to attempt to do by amendment in contravention of our rules."

Senator Whetzel: "Mr. President, speaking on the amendment, I believe we are about to get ourselves in one of our famous parliamentary entanglements and I would like at least to explain to the body where we are so that other members can follow when we get into the procedural thicket where we are. Yesterday on Senate Bill No. 99, which I do not think there is any objection to that particular bill, Senator Odegaard added a new section in which he changed another law that we passed last session dealing with the taxation of mobile homes. Mobile homes were taxed with an excise tax unless they were permanently fixed to real estate in which case they were considered real property. The law that we passed said that they will no longer be subject to an excise tax after 1972 but would be taxed as personal property."

POINT OF ORDER

Senator Day: "Mr. President, I believe the same point of order applies because what in effect we are doing now is debating an amendment which should have been offered as an amendment to Senator Odegaard's amendment yesterday, and by the adoption of Senator Odegaard's amendment we have adopted a certain philosophy relative to this particular section. Now the new language that he offers would in effect change back the philosophy to something else and we just cannot do this under our rules because we would never come to any conclusion if we kept this up all week."

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "Ruling on the point of order as presented by Senator Greive and Senator Day, I think that Reed's Rule No. 136, 'If the amendment is decided in the affirmative, then the words inserted can not any of them be stricken out, except with other words, and then only when, with other words, they constitute a new proposition. These limitations rest upon the idea that when an assembly has come to a conclusion, that conclusion is not to be questioned. Otherwise nothing would stay done.' I would have to rule that the point of order is well taken and that your course of action, Senator Whetzel, would be a question of reconsideration of the vote by which the amendment was adopted yesterday."

MOTION FOR RECONSIDERATION

Senator Whetzel moved that the Senate do now reconsider the vote by which the amendment by Senator Odegaard to page 6 was adopted on Monday, January 31, 1972.

POINT OF ORDER

Senator Greive: "I do not think I recall Senator Whetzel voting upon the prevailing side on this particular amendment."

REMARKS BY SENATOR WHETZEL

Senator Whetzel: "Your memory is better than mine, Senator Greive. I am not certain I recall how I voted at all on it."

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Holman moved that the Senate immediately reconsider the vote by which the amendment by Senator Odegaard to page 6 was adopted on Monday, January 31, 1972.

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Bailey, Metcalf, Ridder, Day, Whetzel, Sandison, Rasmussen, Talley and Connor.

POINT OF INQUIRY

Senator Metcalf: "Mr. President, would Senator Whetzel yield to a question? I now understand what we did yesterday after this exchange. Now I would like to ask Senator Whetzel precisely what, if we go your way, what does your amendment propose that we do?"

Senator Whetzel: "Thank you, Senator. I thought I would never get to this point to explain what I was trying to resolve which I think gets to the heart of the problem that Senator Odegaard is addressing himself to. He is concerned that a mobile home owner in 1972, although he only pays the excise tax, has on the records this liability for the property tax due in 1973, and trying to determine what the consequence of that would be, it

appeared that there is no consequence unless there is a sale and you are trying to determine whether the buyer or the seller has the responsibility for picking up the 1973 taxes in 1972. So the purpose of my amendment is to say, contrary to the normal custom in a transaction, you are accustomed in real estate where we normally prorate in the year of payment rather than the year of liability, that we would provide by the statute that the liability for the 1973 property taxes would not attach in 1972. It would attach to the person who owned the property in 1973. This would relieve what I can see is the only possible hardship in what we have done in placing the liability for the property on as in effect in January 1, 1972.

"The other thing that we are doing by reinstating this language is that we are probably going to give the mobile home owner some tax relief sooner from the two percent excise tax that they would—we might find ourselves in a position of having to extend that two coming down another session. The real property tax probably in most instances is going to be less with the passage of the one percent constitutional amendment."

POINT OF INQUIRY

Senator Knoblauch: "Would Senator Atwood yield to a question? Senator, I probably have more mobile homes in my district than anyone in this Senate. I was off the floor when I heard you say something about the effect of this amendment on the local school districts. Would you please repeat what you said?"

Senator Atwood: "Senator Knoblauch, if you pass this in its present form it means that there will be one year missing for collection of taxes on mobile homes by virtue of his amendment. The net result is that all the other property tax owners locally will have to pick up the difference, which your school district gets a big share of them. Now to get at Senator Odegaard's problem, the only proper way to do it is by Senator Whetzel's amendment. And that is why it was reworked that way."

POINT OF INQUIRY

Senator Bailey: "Would Senator Odegaard yield? Senator, I have been with you all the time up until now and I want an answer to this question. If we hold your amendment, does this mean in the year 1973 that a mobile home owner will not pay any excise tax or property tax? I mean, during that year they will owe nothing? Is that right?"

Senator Odegaard: "They would still owe the property tax for that year but as I explained, they would pay that the next year, the following year, 1974."

Senator Bailey: "I am talking about when you pay it now. Will the mobile home owner pay any tax in the calendar year 1973?"

Senator Odegaard: "There would be nothing out of his pocket in 1973."

Senator Bailey: "In other words we are giving him a free gift that nobody else in the state is getting."

Senator Odegaard: "I would not agree with that."

MOTIONS

On motion of Senator Greive, Senate Bill No. 99 was ordered placed at the beginning of the second reading calendar for Thursday, February 3, 1972.

At 12:35 p.m., on motion of Senator Greive, the Senate recessed until 1:45 p.m.

AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 1:45 p.m.

MOTIONS

On motion of Senator Guess, Senate Bill No. 14 was ordered placed at the beginning of the second reading calendar for Wednesday, February 2, 1972.

At 1:55 p.m., on motion of Senator Greive, the Senate recessed until 2:35 p.m.

SECOND AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 2:35 p.m. Senators Greive, Cooney and Atwood 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 had previously been excused.

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

MOTION

On motion of Senator Greive, the Senate immediately commenced consideration of Senate Joint Resolution No. 109.

SENATE JOINT RESOLUTION NO. 109, by Senators Greive, Gardner, Elicker, Keefe, Peterson (Ted), Murray, Cooney, Talley and Washington (by Legislative Council and executive request):

Amending the Constitution to allow the state to lend its credit to encourage industrial expansion.

REPORT OF STANDING COMMITTEE

January 25, 1972.

SENATE JOINT RESOLUTION NO. 109, amending the Constitution to allow the state to lend its credit to encourage industrial expansion (reported by Committee on Manufacturing and Industrial Development):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 17, after "*amount*" and before "*which*" strike "*of such liability*".

On page 1, line 18, after "*state*" and before "*guarantees*" insert "*grants, loans, and*".

On page 1, line 20, after "*extended*" and before "*to any*" insert "*by state grants, loans, and guarantees*".

Signed by: Senators Gardner, Chairman; Murray, Washington, Whetzel.

The resolution was read the second time in full.

On motion of Senator Gardner, the committee amendments were adopted.

On motion of Senator Gardner, the rules were suspended, Engrossed Senate Joint Resolution No. 109 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 Woodall: "Would Senator Greive yield? Senator Greive, you mentioned something about lower interest rates. Does the state get the money at one rate and then turn around and loan it at a lower rate?"

Senator Greive: "No. Let us assume that this particular loan fell into a category prescribed by the legislature. Then you went out to borrow money. There is a guarantee by the state of Washington. Then of course the banker has the guarantee of the state of Washington and can afford to give them a lower interest rate."

Senator Woodall: "Tentatively I would like to inquire, then the types of thing that you envision are businesses which cannot on their own obtain financing. What would be the types of things that we would be guaranteeing under this fund?"

Senator Greive: "Obviously that is something the legislature has to work out over a period of time. This is not an FHA or small business loan type of operation. It is intended

for just the opposite. It is intended to encourage those who can very well finance themselves, who are very capable of financing themselves and in fact, in the other states, with the exception, and the big exception I told you about where they got into a whole new area, this is not the way the loans have been made. It is a competitive thing. It is to induce, to entice, some industry which can very well make it on its own terms, Raytheon or IBM or some firm of that caliber to locate or to expand their plant or to do some other thing which provides employment. That is the way it is used in the other states."

Senator Woodall: "Do you mean that although this firm can do its own financing we are going to have the state guarantee the loan of a company that is able to do its own financing?"

Senator Greive: "I would say, Perry, if you were a United States Senator and you were looking at the United States as a whole, the conclusion you desire to draw would be a good one, because you would say, 'What difference does it make whether this really goes to Mississippi or whether it goes to Maine or the state of Washington because I am looking at all the states.' Unless however you happen to be the Senator from Maine, Washington or Mississippi. But when you look at it from a state basis and you look at the distance that we are from transportation, where frequently the boxcars or the ships have to go one way empty, they carry to and not away from our area and you see its other competitive disadvantages. You would find that this is a very good environment. It is something that would be very helpful to bring people to our particular area. In other words, it is meant to influence them to come to our area, people who do not have to come here unless we provide them some inducement."

Senator Woodall: "How much do you envision at any one time the state's credit will be pledged?"

Senator Greive: "We have, because of the experience that was brought up in Maine, it can only be four percent of the general state revenue. This is defined by the legislature. Now if we took it as of this session it would be seventy to eighty million depending on quite how we define general state revenue, so we have every reason to believe that there could not be—you know we are going to use up this loan capacity like you do in any bank so at any future time there will not be any really large loans that can be made and in any event we got a few, or a five percent of the loan capacity at any one time which would be about three or four million dollars now."

Senator Woodall: "You mean that is all we would be on the hook for at any one time is . . ."

Senator Greive: "To any one industry, yes."

Senator Woodall: "Oh, to any one industry?"

Senator Greive: "And then all we would be on the hook for would be four percent of the general state revenue as defined by the legislature."

Senator Woodall: "So that would be roughly eighty million?"

Senator Greive: "Well, if you wanted to take the maximum. It depends on whether we define the state revenue as including the trust funds, the biggest example is the highway funds and things of that nature as part of the state budget or whether you just take the state. If you took the state general fund budget it would be seventy million dollars."

Senator Woodall: "And there is no limit as to type of businesses it can be loaned to?"

Senator Greive: "Well, that is a hard area. There certainly has been in all of the other states and there would be, I feel confident, by rule, regulation or by action of the legislature. However, when you are talking about a constitutional amendment to clutter it up with that sort of thing does not seem appropriate, you know, in this particular type of legislation."

Senators Talley, Mardesich and Holman demanded the previous question and the demand was sustained.

President Pro Tempore Henry declared the question before the Senate to be the final passage of Engrossed Senate Joint Resolution No. 109.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution

No. 109, and the resolution passed the Senate by the following vote: Yeas, 33; nays, 15; excused, 1.

Voting yea: Senators Andersen, Connor, Cooney, Day, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Walgren, Washington, Whetzel—33.

Voting nay: Senators Atwood, Bailey, Canfield, Clarke, Donohue, Guess, Huntley, Matson, Metcalf, Newschwander, Rasmussen, Stender, Twigg, Wilson, Woodall—15.

Excused: Senator Durkan—1.

ENGROSSED SENATE JOINT RESOLUTION NO. 109, having received the constitutional two-thirds majority, was declared passed.

SECOND READING

SENATE BILL NO. 92, by Senators Greive, Gardner, Cooney, Keefe, Peterson (Ted), Elicker, Holman, Murray, Washington, Fleming and Talley (by Legislative Council and executive request):

Providing for a regional economic development authority.

The bill was read the second time by sections.

On motion of Senator Matson, the following amendments were adopted:

On page 6, section 14, line 24, after "for" strike all the material down through "to manufacture") and insert "manufacturing which term shall include manufacturing, processing or packaging activities"

On page 7, section 14, line 14, after "of" strike "twenty-five" and insert "ten"

MOTIONS

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 92 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

On motion of Senator Greive, Engrossed Senate Bill No. 92 was ordered placed at the beginning of the third reading calendar for Wednesday, February 2, 1972.

SPECIAL ORDER OF BUSINESS

SECOND READING

SENATE BILL NO. 114, by Senators Stender, Keefe and Ridder:

Providing for arbitration if public employers and uniformed personnel cannot reach an agreement by collective bargaining.

The time having arrived, the Senate commenced consideration of Senate Bill No. 114.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment by Senators Mardesich and Greive:

On page 2, section 5, line 10, after "representative;" strike all the matter down to and including "board." on line 14 and insert "the two arbitrators so selected shall appoint the third arbitrator who shall be the chairman. If the two arbitrators cannot agree within five days to the appointment of a third member, either party may apply to the superior court of the county where the labor dispute exists and request that an arbitrator be appointed pursuant to the requirements of RCW 7.04.050."

POINT OF INQUIRY

Senator Woodall: "Senator Greive, how does this work? You say he appeals to the superior court. You pick out one of the judges that you want to get him to or certainly you get into the philosophies of the particular judge that you apply to. Now, how do you know which judge you are going to end up in front of?"

Senator Greive: "Senator, that is already provided for in RCW 7.04.050 and the reason this procedure was adopted was that we could not refer it to any outside agency such as the federal government. It has to be a state agency and it would have to be appointed by a state official and the superior courts are a state official and in order to make this constitutional we had to follow such a procedure. But there is a procedure already set up in which you make application. In King County I presume you would make it to the presiding judge and he would assign it out. In the one county jurisdiction, of course, a one judge jurisdiction, it goes to one judge."

Senator Woodall: "You say there is a procedure set up. Naturally when you throw up an amendment with an RCW number, none of us carry those all around in our head. So you say there is a procedure set up in larger counties then it would be whoever was the presiding judge at that time would be the one that picked who this third man was?"

Senator Greive: "They have what they call local rules and, for instance the local rules in King, Snohomish and Pierce all vary just slightly. I can tell you in King County the local rules normally would be assigned out to a judge who would hear the whole matter. In the case of, for instance, Thurston County where they have three judges, it depends on how it is filed as to which judge you get and you can in some instances select the judge you want."

The motion by Senator Mardesich carried and the amendment was adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed Senate Bill No. 114 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 114, and the bill passed the Senate by the following vote: Yeas, 27; nays, 21; excused, 1.

Voting yea: Senators Andersen, Connor, Cooney, Day, Dore, Fleming, Foley, Francis, Gardner, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Stender, Stortini, Talley, Walgren—27.

Voting nay: Senators Atwood, Bailey, Canfield, Clarke, Donohue, Elicker, Gissberg, Guess, Holman, Huntley, Lewis, Metcalf, Murray, Sandison, Scott, Sellar, Twigg, Washington, Whetzel, Wilson, Woodall—21.

Excused: Senator Durkan—1.

ENGROSSED 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. 158, by Senators Ridder, Stender and Rasmussen:

Transferring vocational rehabilitation powers and duties from department of social and health services back to the coordinating council for occupational education.

The bill was read the second time by sections.

On motion of Senator Ridder, the rules were suspended, Senate Bill No. 158 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 158, and the bill passed the Senate by the following vote: Yeas, 17; nays, 31; excused, 1.

Voting yea: Senators Bailey, Connor, Donohue, Dore, Greive, Guess, Henry, Herr, Jolly, Knoblauch, Metcalf, Rasmussen, Ridder, Stender, Stortini, Talley, Woodall—17.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Day, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Holman, Huntley, Keefe, Lewis, Mardesich, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Twigg, Walgren, Washington, Whetzel, Wilson—31.

Excused: Senator Durkan—1.

SENATE BILL NO. 158, having failed to receive the constitutional majority, was declared lost.

MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

SENATE BILL NO. 161, by Senators Andersen, Newschwander and Henry:
Providing for the recovery of stolen property from a pawnbroker.

The bill was read the second time by sections.

On motion of Senator Andersen, the following amendments were adopted:

On page 1, line 9, strike sections 1 through 5, and insert the following:

“*NEW SECTION.* Section 1. There is added to chapter 19.60 RCW a new section to read as follows:

Whenever the owner of stolen goods locates said stolen goods in the possession of a pawnbroker or secondhand dealer, and is forced to bring an action for replevin to recover possession thereof, the owner shall be entitled to reasonable attorney fees and costs in connection with said replevin action.”

On page 4, section 7, line 16, add as section 3 the following:

“*NEW SECTION.* Sec. 3. 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.”

Renumber old section 6 as section 2.

On motion of Senator Andersen, the following amendment to the title was adopted:

On page 1, line 1, after “dealers;” strike the balance of the title and insert “adding a new section to chapter 19.60 RCW; creating a new section; and declaring an emergency.”

On motion of Senator Andersen, the rules were suspended, Engrossed Senate Bill No. 161 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 161, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson—44.

Voting nay: Senator Talley—1.

Absent or not voting: Senators Connor, Matson, Woodall—3.

Excused: Senator Durkan—1.

ENGROSSED SENATE BILL NO. 161, having received the 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. 18, by Senator Metcalf:

Requiring federal legislators to disclose financial interests.

The bill was read the second time by sections.

On motion of Senator Metcalf, 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.

Debate ensued.

ROLL CALL

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, 43; nays, 2; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Day, Donohue, Dore, Elicker, Fleming, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Voting nay: Senator Foley, Talley—2.

Absent or not voting: Senators Bailey, Connor, Matson—3.

Excused: Senator Durkan—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.

SPECIAL ORDER OF BUSINESS

SECOND READING

SENATE BILL NO. 232, by Senators Durkan and Stender:

Providing for collective bargaining and labor dispute settlement in health care activities. The time having arrived, the Senate commenced consideration of Senate Bill No. 232. The bill was read the second time by sections.

On motion of Senator Stender, the following amendment was adopted:

On page 1, line 13 after the word "choosing" insert: "it is further determined that any agreements involving union security including an all-union agreement or agency agreement must safeguard the rights of nonassociation of employees, based on bona fide religious tenets or teachings of a church or religious body of which such employee is a member. Such employee must pay an amount of money equivalent to regular union dues and initiation fees and assessments, if any, to a non-religious charity or to another charitable organization mutually agreed upon by the employee affected and the representative of the labor organization to which such employee would otherwise pay dues. The employee shall furnish written proof that this has been done. If the employee and representative of the labor organization do not reach agreement of the matter, the board shall designate such organization."

Senator Mardesich moved adoption of the following amendment:

On page 2, section 3, line 32, after "units," strike the balance of the paragraph and insert "the director shall limit such units to groups consisting of registered nurses, medical technicians, therapists, licensed practical nurses or service personnel: PROVIDED, HOWEVER, That if a majority of each such classification desires inclusion within a single bargaining unit, they may combine into a single unit."

Debate ensued.

MOTION

At 5:00 p.m., on motion of Senator Greive, the Senate recessed until 8:00 p.m.

EVENING SESSION

President Pro Tempore Henry called the Senate to order at 8:00 p.m.

SECOND READING

SENATE BILL NO. 232, by Senators Durkan and Stender:

Providing for collective bargaining and labor dispute settlement in health care activities.

The Senate resumed consideration of Senate Bill No. 232, an amendment by Senator Stender to page 1, line 13 having been adopted and an amendment to page 2, section 3, line 32 by Senator Mardesich pending.

Senator Day moved adoption of the following amendment to the amendment by Senator Mardesich:

On line 5 of the Mardesich amendment to page 2, section 3, strike "therapists,"

POINT OF INQUIRY

Senator Atwood: "Would Senator Day yield? Senator Day, historically have the therapists been organized at all or are they now?"

Senator Day: "Not to my knowledge."

Senator Atwood: "Have they asked you to be excluded from this?"

Senator Day: "No, we do have a note here from the nurses though that says, 'Who are the therapists? Physical therapists, acupuncture therapists, inhalation therapists?' They are all medical technicians and we do have that particular thing here and other service personnel. I am not trying to do anything here but just get this in better working order."

The motion by Senator Day carried and the amendment to the amendment by Senator Mardesich was adopted.

The motion by Senator Mardesich carried and the amendment, as amended, was adopted.

On motion of Senator Mardesich, the following amendments were adopted:

On page 4, section 7, line 10, after "arbitrator," strike the remainder of the paragraph and insert "such arbitrator shall be appointed at the request of either party in accordance with the provisions of RCW 7.04.050 and he shall act as chairman of the arbitration board."

On page 4, section 8, line 21, strike "transcript" and insert "recording"

On page 4, section 8, line 29, strike "estify" and insert "testify"

On page 5, section 8, line 2, after "and" insert a comma.

On motion of Senator Fleming, the rules were suspended, Engrossed Senate Bill No. 232 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 232, and the bill passed the Senate by the following vote: Yeas, 26; nays, 17; absent or not voting, 5; excused, 1.

Voting yea: Senators Atwood, Bailey, Connor, Cooney, Day, Dore, Fleming, Foley, Francis, Gardner, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Stender, Stortini, Talley, Walgren, Washington—26.

Voting nay: Senators Canfield, Clarke, Donohue, Elicker, Gissberg, Guess, Holman, Huntley, Lewis, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Whetzel, Wilson—17.

Absent or not voting: Senators Andersen, Matson, Sandison, Twigg, Woodall—5.

Excused: Senator Durkan—1.

ENGROSSED SENATE BILL NO. 232, having received the 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 Francis, Ridder, Holman, Fleming, Metcalf, Gardner, Dore and Keefe (by Joint Committee on Education request):

Providing financial aid to certain students attending elementary and secondary schools within the state.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, Senate Bill No. 65 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Guess: "Would Senator Francis yield? Senator Francis, would you pick up your little red book and look at Article I, section 11 of the Constitution of the state of Washington."

Senator Francis: "I do not have a red book handy, Senator Guess. If you will ask me a question I will respond to it."

Senator Guess: "In reading from the Constitution I find, 'No public money or property shall be appropriated for or applied to any religious worship exercise or instruction or the support of any religious establishment.' Then I would invite your attention to section 7. It says, 'A state financial aid recipient under this 1972 act shall apply,' now the Constitution is very specific in saying 'No public money or property shall be applied for,' and yet the bill says that the recipient of this 1972 act 'shall apply the award solely toward the cost of tools, supplies, tuition, incidental and other fees or such other authorized expenditure,' and that is an extremely broad category there, 'as the state board of education shall deem proper.' Now how can you stand on the floor of the Senate, Senator, and put these two together and still say that this bill does not have any problem?"

Senator Francis: "Senator, I have no problem with that. I have done a lot of research on it myself. I have also reviewed the research that was done by members of the Attorney General's staff which reported to the Joint Committee on Education. As I read what you are talking about there is nothing here that says that it shall be applied to religious instruction in section 7 which you just read aloud. It does, however, give the student a right to spend his money in either a public or a private school which would be his choice. And I think you may well have a constitutional problem if you did not allow that choice, if you forbid him to spend it in a place of his choice I think you may have a constitutional problem. But the way that this bill is worded, I think you will find that it will clearly hold up under constitutional tests.

"Now, I suppose that the state board could enact regulations or put guidelines down that were unconstitutional but I do not think that is for us to try to decide in advance. If a bill is applied in an unconstitutional manner, then of course it is subject to challenge. We cannot expect that and this is something that can often come up. We have to wait in that kind of a situation and see whether such an approach is taken. I do not think it would be taken."

Senator Guess: "Senator Francis, I would not expect that the school board or the superintendent of public instruction would issue anything that would have to do with constitutionality. I would feel that it would be the responsibility of us on the floor to make that determination as we pass the legislation. But now go to the material which was the supreme court case in *Lemon vs. Kurtzman* which had to do with Pennsylvania. Did you read that in your review of the Attorney General's opinion?"

Senator Francis: "I believe I did, Senator, but I cannot be sure because I do not remember the names of all the cases that I read."

Senator Guess: "Well, the opinion of the Attorney General which I have was dated on March 3, 1971, and yet the supreme court case was decided on March 3 but the decision was not handed down until some time in August. So it appears to me that the opinion handed down by the Attorney General did not take into consideration the opinion on the Pennsylvania case and I would think that we are extremely on very tenuous ground in passing a law which flies in the face of the first article of the Constitution of the state of Washington."

Senator Francis: "On that, first you said that we have to decide on all constitutional issues and that is not entirely correct. Where you have a matter that is left up to regulations and up to decisions by any body that is subordinate to us, we cannot precisely say exactly what they are going to do. We set forth the guidelines and the principles and they are supposed to adhere to them. And the principles that are set forth in this bill are designed to prevent any unconstitutionality.

"Second, with regard to *Lemon vs. Kurtzman*, I do not agree with you that that case in itself would make this unconstitutional. I think the facts were quite different and I would be quite glad to go over them with you at any time."

MOTION

Senator Atwood moved that Senate Bill No. 65 be referred to the Committee on Ways and Means.

POINT OF INQUIRY

Senator Rasmussen: "Senator Francis, I have a question or two on this bill I wonder if you would answer? Senator Francis, on page 2, line 7, 'disadvantaged student shall mean a student attending an approved elementary or accredited secondary school who by reason of adverse cultural, educational, environmental, experimental,' now what does that mean? To be disadvantaged because of experimental?"

Senator Francis: "Senator Rasmussen, I do not recall that word being in the bill. I thought it was supposed to be 'experiential'. However, experimental also in the dictionary definition can include 'circumstances'. In other words, an environmental situation."

Senator Rasmussen: "Then over on page 3, new section 5, 'All student financial aid shall be granted by the state board of education without regard to the applicant's race, creed, color, marital status.' Marital status. This kind of stopped me. Is that a disadvantage?"

Senator Francis: "Correct. Senator Rasmussen, the reason for it being there goes to two things. Number one, this is not a list of disadvantages. This is a list of things that you cannot discriminate among students on the basis of. We had last year a situation of a Tumwater High school member of the wrestling team who was married and was kicked off the wrestling team. I could go into a long history of discrimination by schools against married students. But in many cases you will find that the young students, or pupil if you prefer, when they are in secondary school, who are married are in that kind of a situation where they are disadvantaged, maybe even because of the financial circumstances that surround their young marriage. And if it should be determined that that individual who happens to be married and because of that and because of other aspects is disadvantaged and needs scholarship aid, then they would not be discriminated against solely because of being married. That is what that section refers to is the things we are not allowed to discriminate against them on the basis of."

POINT OF INQUIRY

Senator Walgren: "Would Senator Ridder yield to a question? I understand, Senator Ridder, at the time that this bill was heard at the hearing, there was some question raised as to whether or not this was a 'back door' approach to the so-called voucher system program. Although I do not know very much about this, I do know that there are certain organizations and I think that probably you are a member of one of them that is opposed to that type of program and I would like to have you tell me whether or not this is true."

Senator Ridder: "Not to get into a discussion of the voucher program here but a voucher, you would be given a sheet of paper that would allow you to go to any school of your choice within an area, any alternative school, and this would carry the money to that school by that pupil. This certainly would stimulate the growth of many many different alternate schools and is much different than this. This program is merely to provide to those needy students who have a need in their educational program for more money, it will take students from the central area to allow them that little bit of more money to engage in education. And I think that this is a completely different concept. The money goes with the child, all taken care of by the state board of education, the definite criteria set out, this is not a voucher program in any way, sense, or being."

MOTION

Senator Greive moved that the motion by Senator Atwood to refer Senate Bill No. 65 to the Committee on Ways and Means be laid upon the table.

Senator Greive demanded a roll call and the demand was sustained by Senators Metcalf, Peterson (Lowell), Peterson (Ted), Ridder, Day, Stender, Connor, Woodall, Francis and Stortini.

ROLL CALL

The Secretary called the roll and the motion by Senator Greive failed by the following vote: Yeas, 22; nays, 25; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Dore, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Keefe, Knoblauch, Mardesich, Metcalf, Odegaard, Peterson (Lowell), Ridder, Sandison, Talley, Washington—22.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Donohue, Elicker, Gardner, Guess, Huntley, Jolly, Lewis, Matson, Murray, Newschwander, Peterson (Ted), Rasmussen, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Whetzel, Wilson, Woodall—25.

Absent or not voting: Senator Gissberg—1.

Excused: Senator Durkan—1.

Senator Greive demanded a roll call and the demand was sustained by Senators Day, Stender, Connor, Donohue, Cooney, Odegaard, Ridder, Sellar and Scott.

President Pro Tempore Henry declared the question before the Senate to be the motion by Senator Atwood to refer Senate Bill No. 65 to the Committee on Ways and Means.

ROLL CALL

The Secretary called the roll and the motion by Senator Atwood failed by the following vote: Yeas, 23; nays, 24; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Donohue, Elicker, Guess, Huntley, Jolly, Lewis, Matson, Murray, Newschwander, Peterson (Ted), Rasmussen, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Wilson, Woodall—23.

Voting nay: Senators Bailey, Connor, Cooney, Day, Dore, Fleming, Foley, Francis, Gardner, Greive, Henry, Herr, Holman, Keefe, Knoblauch, Mardesich, Metcalf, Odegaard, Peterson (Lowell), Ridder, Sandison, Talley, Washington, Whetzel—24.

Absent or not voting: Senator Gissberg—1.

Excused: Senator Durkan—1.

President Pro Tempore Henry declared the question before the Senate to be the final passage of Senate Bill No. 65.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 65, and the bill passed the Senate by the following vote: Yeas, 28; nays, 19; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Dore, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Holman, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Odegaard, Peterson (Lowell), Ridder, Sandison, Sellar, Talley, Washington, Whetzel—28.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Donohue, Elicker, Guess, Huntley, Jolly, Newschwander, Peterson (Ted), Rasmussen, Scott, Stender, Stortini, Twigg, Walgren, Wilson, Woodall—19.

Absent or not voting: Senator Matson—1.

Excused: Senator Durkan—1.

SENATE BILL NO. 65, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 169, by Senators Lewis, Talley, Foley, Stender, Stortini and Elicker (by Department of Labor and Industries request):

Creating an industrial health and safety act providing for better working conditions in all work places.

REPORT OF STANDING COMMITTEE

January 28, 1972.

SENATE BILL NO. 169, creating an industrial health and safety act providing for better working conditions in all work places (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass with the following amendments:

On page 8, section 8, line 19, after "employees" strike "or" and insert "and" also after "by" and before "posting" insert "mail and by"

On page 10, section 11, line 11, after "agent" strike "no later than"

On page 19, section 18, subsection (3), line 9, after "section" strike "6" and insert "5"

On page 20, section 18, following line 4 insert a new subsection as follows:

"(7) Any employee who willfully and repeatedly violates any of the applicable provisions of this act, or any safety and health standard promulgated pursuant to the authority of this act or any order issued pursuant to the authority of this act, shall be assessed a civil penalty of up to \$25.00 for each violation."

Renumber the remaining subsections accordingly.

On page 22, section 22, line 22, after "toxic" correct the misspelling of "materials"

On page 26, section 27, line 12, strike "49.16.040" insert "49.20.040" and on line 15, strike "49.16.050" and insert "49.20.050"

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Stender, Stortini.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendments were adopted.

Senator Fleming moved adoption of the following amendment:

On page 14, section 15, line 27, following "in" strike "any court of appeals for the district" and insert "the superior court of the county"

Debate ensued.

The motion carried and the amendment was adopted on a rising vote.

On motion of Senator Fleming, the following amendment was adopted:

On page 24, section 25, line 32, after "circumstances." strike the remainder of the paragraph.

On motion of Senator Fleming, the rules were suspended, Engrossed Senate Bill No. 169 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 Wilson: "Senator Lewis, I have no quarrel with the objective of this bill at all. I have a few questions though I would like to have clarified. On page 4, lines 3, 4, 5 and 6, can you tell me which businesses will pay fees and charges and which will not?"

Senator Lewis: "Very simply, it is my understanding, Senator Wilson, that all those businesses as required under the federal statute would pay fees under the state basis the same as they would under the federal statute. The act was written to be almost identical with the federal statute."

Senator Wilson: "As I read this, a business which is involved in the state industrial insurance program or a self insurer, neither of those classifications would pay fees under this bill. Is that correct?"

Senator Lewis: "I think that is incorrect because all businesses regardless of whether they are self insured or under the state act, must comply with safety standards. I really am not competent to deal with the technical aspects of this specific question if it goes much beyond that, Senator Wilson."

Senator Wilson: "Dropping down to line 10 on the same page, apparently it says the department would draw up its proposed rules and regulations and then conduct a public hearing before adopting these rules and regulations. My question is, is it wise to have a single public hearing on a matter of this import? For example, if the hearing were held in Olympia, would the concerned businesses and industry from Spokane and Walla Walla and Bellingham be required to come to a single public hearing before the adoption of the rules and regulations?"

Senator Lewis: "Senator Wilson, number one, the standards that will be set forth by the state must be at least as stringent as those of the federal statute. And so that any standards that were drawn up by the department would meet that federal standard which industry today is required to meet. And so it is really a repetitious type statement here but it would be done on a one meeting basis."

Senator Wilson: "Senator, could you tell me what, on page 5, starting with line 30, starting with the word 'Provided' I am a layman in this field and I am curious as to what that means."

Senator Lewis: "Senator Guess can respond to that if it is all right, Senator Wilson."

Senator Guess: "Senator Wilson, we worked over section 6 pretty thoroughly from the time that it was in the original writing. We were very much concerned over the furnishing of each employee a place of employment free from recognized hazards. Now it says in the proviso that no citation or order assessing a penalty shall be issued against an employer solely under the authority of this subsection except where no applicable rule or regulation has been adopted by the department. In other words, the inspector could not come on to the site and issue an order charging the employer with an unsafe act or an unsafe condition unless there was a rule or regulation which he could describe to the employer when he cited him. In other words, he could not come out and make something out of whole cloth or just pull some blue sky down and say that this was an unsafe act. The federal law is extremely explicit in this area and it does follow the provisions of the federal law in this regard."

MOTION

On motion of Senator Knoblauch, Senator Keefe was excused.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 169, and the bill passed the Senate by the following vote: Yeas, 44; nays, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Woodall—44.

Voting nay: Senators Huntley, Newschwander, Wilson—3.

Excused: Senators Durkan, Keefe—2.

ENGROSSED SENATE BILL NO. 169, having received the 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, Senate Bill No. 230 was ordered held on the second reading calendar for Wednesday, February 2, 1972.

SECOND READING

SENATE BILL NO. 112, by Senators Newschwander, Knoblauch, Day and Wilson:

Providing that a householder may burn leaves and trash without obtaining a pollution permit.

REPORT OF STANDING COMMITTEE

January 31, 1972.

SENATE BILL NO. 112, providing that a householder may burn leaves and trash without obtaining a pollution permit (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 15, after the period and before "Nothing" insert "*The burning of the following materials are prohibited at all times: garbage, dead animals, and materials containing asphalt, petroleum products, paints, rubber products, plastics or any substance which normally emits dense smoke or obnoxious odors.*"

Signed by: Senators Day, Chairman; Elicker, Holman, Keefe, Newschwander, Odegard, Woodall.

The bill was read the second time by sections.

Senator Newschwander moved adoption of the committee amendment.

POINT OF INQUIRY

Senator Canfield: "Will Senator Newschwander yield? Senator, I think this is a good amendment but when you burn weeds, especially if they are kind of damp, they emit a dense smoke. And if you have ever burned tumbleweeds, they get rid of a dense smoke, and I just wonder—now I am in favor of the bill, I want you to get that straight—but I just wonder if this is a little bit too narrow."

Senator Newschwander: "I think actually you can still burn weeds under this amendment, the way I look at it. There are other regulations and administrative acts that allow the burning of weeds. There is a little bit of doubt when you talk about dense smoke and I have had that trouble at my place, the dense smoke."

Senator Canfield: "I am just wondering now, it is quite true that rubber and garbage and all that other jazz you have in there, they ought to be outlawed, but I just wondered about the dense smoke from weed burning."

Senator Newschwander: "I think it can be done."

Senator Canfield: "Mr. President, I would suggest then that the legislative intent be that you can burn weeds without violating the act."

The motion by Senator Newschwander carried and the committee amendment was adopted.

Senator Scott moved adoption of the following amendments:

On page 2, section 1, line 13, after "ecology" and before "shall" insert "except RCW 70.94.710 through 70.94.730"

On line 15 before the period insert "PROVIDED FURTHER, That such combustible materials shall originate on lands immediately surrounding the householder's residence, not exceeding a square acre in area. In no case shall the householder set a fire when such fire together with other air pollution sources would prevent securing or maintaining federal or state ambient air quality standards."

POINT OF INQUIRY

Senator Donohue: "Would Senator Scott yield? The way I read this particular amendment, it would mean that on my farm a mile from my house or a half a mile from my house, when I was having problems with a certain type of weed or weed seed, that I would be unable to burn these at a critical time to stop spreading these particular weed seeds. Do you see that as your amendment causing a problem in the farming area?"

Senator Scott: "That in no way changes the situation as you now know it. This is directed strictly to the square acre around the householder's residence."

Senator Donohue: "Around the householder's residence? That is what I am concerned about. You are living up here in Seattle where an acre is a pretty good sized lot but over in Senator Canfield's area and Senator Guess' area and Senator Jolly's area and my area, you know, I kick clods that far."

Senator Scott: "Senator, that is what the exemption is for. You will be exempted from having a permit in that one acre area."

Senator Donohue: "Well, I just want to get it straight so that people over in my area are going to know that they can burn weeds along their fence rows and that they can burn any material that is going to cause a problem in the farming operation. If you think that this particular amendment does not hinder this, then I have no objection."

Senator Scott: "It makes you better off than you are now."
 Senator Donohue: "I hope so, Senator."

POINT OF INQUIRY

Senator Canfield: "Mr. President, as I read this it says these weeds shall originate on land immediately surrounding the household residence not exceeding a square acre in area. Does that mean the weeds have to come from the acre adjacent to the house, Senator Scott?"

Senator Scott: "To burn without a permit."

MOTIONS

On motion of Senator Newschwander, the amendments proposed by Senator Scott were laid upon the table.

On motion of Senator Newschwander, the rules were suspended, Engrossed Senate Bill No. 112 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 112, and the bill passed the Senate by the following vote: Yeas, 38; nays, 8; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Cooney, Day, Donohue, Dore, Fleming, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—38.

Voting nay: Senators Clarke, Elicker, Foley, Francis, Jolly, Murray, Scott, Whetzel—8.
 Absent or not voting: Senator Connor—1.

Excused: Senators Durkan, Keefe—2.

ENGROSSED SENATE BILL NO. 112, having received the 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 Atwood and Foley:
 Increasing court reporter's salaries.

The bill was read the second time by sections.

On motion of Senator Atwood, 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.

Debate ensued.

ROLL CALL

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, 32; nays, 12; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Clarke, Cooney, Day, Dore, Elicker, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Holman, Huntley, Knoblauch, Mardesich, Matson, Metcalf, Newschwander, Peterson (Lowell), Peterson (Ted), Ridder, Scott, Sellar, Stender, Talley, Twigg, Walgren, Woodall—32.

Voting nay: Senators Canfield, Donohue, Fleming, Jolly, Murray, Odegaard, Rasmussen, Sandison, Stortini, Washington, Whetzel, Wilson—12.

Absent or not voting: Senators Connor, Guess, Lewis—3.

Excused: Senators Durkan, Keefe—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.

MOTIONS

On motion of Senator Gissberg, Senate Bill No. 27 was ordered to hold its place on the second reading calendar for Wednesday, February 2, 1972.

On motion of Senator Gissberg, Senate Bill No. 90 was ordered to hold its place on the second reading calendar for Wednesday, February 2, 1972.

SECOND READING

SENATE BILL NO. 97, by Senators Atwood, Donohue and Fleming:

Changing the name of the department of civil defense to the department of emergency services.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Senate Bill No. 97 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 97, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Durkan, Keefe—2.

SENATE BILL NO. 97, having received the 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. 412, by Senator Bailey:

Providing for the disposition of state lands.

MOTIONS

On motion of Senator Peterson (Lowell), Substitute Senate Bill No. 412 was substituted for Senate Bill No. 412, the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Peterson (Lowell), the rules were suspended, Substitute Senate Bill No. 412 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 412, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray,

Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Whetzel, Wilson, Woodall—45.

Voting nay: Senators Andersen, Washington—2.

Excused: Senators Durkan, Keefe—2.

SUBSTITUTE SENATE BILL NO. 412, having received the 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. 298, by Senators Ridder, Keefe and Peterson (Ted) (by Department of Social and Health Services request):

Conditioning state financial assistance to local alcoholism facilities upon specified minimum local financial support.

The bill was read the second time by sections.

On motion of Senator Ridder, the following amendments were adopted:

On page 1, section 1, strike lines 6 through 16 and substitute the following language: "Any city, town or county not having its own facility or program for the treatment and rehabilitation of alcoholics may share in the use of a facility or program maintained by another city or county so long as it contributes no less than two percent of its share of liquor taxes and profits to the support of the same."

On page 1, section 2, line 21, after the word "profits", insert the word "to".

On page 1, section 2, line 22, after the words "alcoholism program", strike the comma and the words "such program to be".

On motion of Senator Ridder, the rules were suspended, Engrossed Senate Bill No. 298 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Bailey: "Would Senator Ridder yield? Does it say they may put in this or does it say they shall?"

Senator Ridder: "No less than two percent, contribute no less than two percent. It is dependent upon their contributing two percent in order to share in the liquor profit."

Senator Bailey: "You did not help me very much."

Senator Day: "Maybe I can answer. What this very plainly says, in order to be eligible to receive its share of the liquor taxes, a city or county shall be required to devote no less than two percent of such share of the liquor taxes and profits to the support of an alcoholism program. Now I submit to you that they are undoubtedly spending much more than two percent on some type of a program at the moment, even if it is just to put somebody in jail. So it is two percent of the actual money gleaned from the liquor taxes. So I do not think, unless they had no program at all they would certainly comply with this particular mandate."

Senator Bailey: "Mr. President, a further question. What do they contribute now? They have been down there bugging every city now and what do they contribute?"

Senator Day: "There is nothing mandated now, but the thing is that this would mandate that two percent of the liquor taxes go into such a program. Otherwise they could not get any of the taxes that are derived from liquor."

Senator Atwood: "Mr. President, answering Senator Bailey's question specifically, lots of the small cities in these joint health districts who control the alcoholism program will not contribute, and this mandates two percent of their liquor profits shall be contributed to that program and it is long overdue because lots of smaller cities and towns have been getting a free ride on this program."

POINT OF INQUIRY

Senator Woodall: "Would Senator Day yield? Seriously, you are saying that whatever they get back to the city for what the people spent for liquor, they have to give two percent back on alcoholism. Is that what the bill says?"

Senator Day: "Good alcoholism program, yes."

Senator Woodall: "Would you call that a patronage dividend?"

Senator Day: "Yes, Senator."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 298, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Voting nay: Senators Bailey, Talley—2.

Excused: Senators Durkan, Keefe—2.

ENGROSSED SENATE BILL NO. 298, having received the 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. 133, by Senators Fleming, Gissberg and Mardesich:
Pertaining to unfair practices of discrimination in insurance transactions.

The bill was read the second time by sections.

On motion of Senator Fleming, the rules were suspended, Senate Bill No. 133 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 133, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Connor, Lewis—2.

Excused: Senators Durkan, Keefe—2.

SENATE BILL NO. 133, having received the 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 Walgren and Talley:

Extending certain harbor lines.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, Senate Bill No. 23 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 23, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder,

Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Durkan, Keefe—2.

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.

SENATE BILL NO. 66, by Senators Day, Holman, Francis, Metcalf, Gardner, Dore and Ridder (by Joint Committee on Education request):

Providing that financial aid for part time students shall include ancillary services.

The bill was read the second time by sections.

On motion of Senator Day, the rules were suspended, Senate Bill No. 66 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 66, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Washington, Whetzel, Wilson, Woodall—45.

Voting nay: Senators Scott, Walgren—2.

Excused: Senators Durkan, Keefe—2.

SENATE BILL NO. 66, having received the 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. 82, by Senators Gissberg, Clarke and Talley (by Department of Social and Health Services request):

Amending regulations governing transfer of inmates from correctional to mental institutions.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Senate Bill No. 82 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 82, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Voting nay: Senator Rasmussen—1.

Absent or not voting: Senator Connor—1.

Excused: Senators Durkan, Keefe—2.

SENATE BILL NO. 82, having received the 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. 80 was ordered placed at the beginning of the second reading calendar for Wednesday, February 2, 1972.

SENATE BILL NO. 98, by Senators Scott and Wilson (by Secretary of State request):

Providing procedures in cases of candidacy voids.

The bill was read the second time by sections.

On motion of Senator Scott, 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.

ROLL CALL

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, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Durkan, Keefe—2.

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.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Mardesich served notice that he would, at the proper time, move for reconsideration of the vote by which the Senate passed Senate Bill No. 98.

SECOND READING

SENATE BILL NO. 104, by Senator Peterson (Lowell):

Providing for salary increases of county officials.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, Senate Bill No. 104 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 104, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Connor, Elicker—2.

Excused: Senators Durkan, Keefe—2.

SENATE BILL NO. 104, having received the 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. 124, by Senators Holman and Metcalf (by Secretary of State request):

Changing the definition of "service voter" to include persons absent from the state and allowing absentee balloting in municipal election as well as in others.

The bill was read the second time by sections.

On motion of Senator Holman, the rules were suspended, Senate Bill No. 124 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 124, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senator Herr—1.

Excused: Senators Durkan, Keefe—2.

SENATE BILL NO. 124, having received the 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. 131, by Senators Whetzel, Andersen, Murray and Foley:

Defining powers of a limited partner in such a partnership.

The bill was read the second time by sections.

On motion of Senator Whetzel, the rules were suspended, Senate Bill No. 131 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

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, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Connor, Herr—2.

Excused: Senators Durkan, Keefe—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.

SENATE BILL NO. 181, by Senators Foley, Atwood and Sandison:

Authorizing the governor with the concurrence of the building authority to transfer funds between particular capital building projects except as between institutions of higher education.

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended, Senate Bill No. 181 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 181, and the bill passed the Senate by the following vote: Yeas, 38; nays, 8; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Woodall—38.

Voting nay: Senators Day, Donohue, Dore, Elicker, Guess, Odegaard, Ridder, Wilson—8.

Absent or not voting: Senator Herr—1.

Excused: Senators Durkan, Keefe—2.

SENATE BILL NO. 181, having received the 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 Senator Durkan:

Expanding the definition of "child" in regard to industrial insurance.

The bill was read the second time by sections.

On motion of Senator Fleming, the rules were suspended, Senate Bill No. 246 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 246, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senator Herr—1.

Excused: Senators Durkan, Keefe—2.

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.

SENATE BILL NO. 248, by Senators Walgren and Twigg (by Municipal Committee request):

Providing for procedures for handling the forfeiture of a conveyance for violation of the controlled substances act and making other changes.

REPORT OF STANDING COMMITTEE

January 27, 1972.

SENATE BILL NO. 248, providing for procedures for handling the forfeiture of a conveyance for violation of the controlled substances act and making other changes (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 24, after "has" strike "*been found guilty of a violation of*" and insert "*violated*"

On page 2, section 2, line 19, after "*person to*" strike "[*manufacture*]" and insert "*manufacture or*"

On page 5, section 4, line 19 after "owner" and before "at least" insert "and the lien holder"

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Holman, Twigg, Walgren.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 248 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 248, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-46.

Absent or not voting: Senator Herr-1.

Excused: Senators Durkan, Keefe-2.

ENGROSSED SENATE BILL NO. 248, having received the 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 Holman and Clarke:

Allowing school districts to qualify as an exemption to garbage licensing chapter.

The bill was read the second time by sections.

On motion of Senator Holman, the rules were suspended, Senate Bill No. 287 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 287, and the bill passed the Senate by the following vote: Yeas, 40; nays, 3; absent or not voting, 4; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Dore, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall-40.

Voting nay: Senators Lewis, Rasmussen, Whetzel-3.

Absent or not voting: Senators Donohue, Elicker, Herr, Peterson (Ted)-4.

Excused: Senators Durkan, Keefe-2.

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.

SENATE BILL NO. 350, by Senator Huntley:

Relating to budgets of school districts.

REPORT OF STANDING COMMITTEE

January 31, 1972.

SENATE BILL NO. 350, relating to budgets of school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 3, strike the remainder of the act and insert:

"Section 1. Section 28A.65.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 93, Laws of 1971 ex. sess. and RCW 28A.65.170 are each amended to read as follows:

The budget as finally adopted shall constitute the appropriations of the district for the ensuing fiscal year and the board of directors shall be limited in the making of expenditures and the incurring of liabilities to the grand total of such appropriations. The board of directors shall make no expenditures nor incur any liability for any purpose not provided for in said budget, except for emergencies as hereinabove provided: PROVIDED, That no board of directors shall be prohibited from making expenditures for the payment of regular employees [and], for the necessary repairs[,] and upkeep of the school plant, *for the purchase of books and supplies, and for their participation in joint purchasing agencies authorized in RCW 28A.58.107* during the interim while the budget is being settled: PROVIDED FURTHER, That transfers between budget classes may be made by the school district's chief administrative officer or finance officer, subject to such regulations as may be imposed by the school district board of directors: PROVIDED FURTHER, That over-expenditures made in violation of this statute shall not be a liability of said district. Directors, officers or employees who knowingly or negligently violate or participate in a violation of this statute by the making of expenditures, incurring of liabilities, or issuing of warrants in excess of appropriations may be held civilly liable jointly and severally for all consequential damages, or not less than three hundred dollars as liquidated damages, for each such violation. If as a result of a civil or criminal action the violation is found to have been done knowingly, such director, officer or employee who is found to have participated in such breach shall immediately forfeit his office or employment and the judgment in such action shall so provide. Nothing in this section shall be construed to limit the duty of the attorney general to recover from any director, officer, employee, or other person in a civil action under RCW 43.09.260 as now or hereafter amended.

Sec. 2. Section 28A.65.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 93, Laws of 1971 ex. sess. and RCW 28A.65.080 are each amended to read as follows:

On the date given in said notice the board of directors shall meet at the time and place designated. Any taxpayer may appear thereat and be heard for or against any part of such budget. Such hearing may be continued not to exceed a total of two days.

Upon the conclusion of the hearing, the board of directors shall fix and determine each item or class of the budget separately and shall by resolution adopt the preliminary budget as so finally determined and enter the same in detail in the official minutes: PROVIDED, That the estimates for the expenditures depending directly upon the prospective September enrollment or appropriations yet to be made by the legislature for the support of the common schools shall be adopted tentatively subject to revision: PROVIDED FURTHER, That in all second and third class districts five copies of said preliminary budget shall be forwarded to the county or intermediate district superintendent within five days after the adoption of said preliminary budget for review, alteration, and approval by the preliminary budget review committee. Members of the preliminary budget review committee shall consist of the county or intermediate district superintendent of schools, a member of the local board of directors, a member of the county or intermediate district board of education, and a representative of the state superintendent of public instruction. The preliminary budget review committee shall fix and approve the amount of the preliminary budget on or before the thirtieth day of June. A copy of said preliminary budget shall within ten days after adoption by first class districts or approval by the preliminary budget review committee in second and third class districts be filed with the intermediate school district superintendent, the state superintendent of public instruction, and the county auditor[.]: *The preliminary budget as adopted and approved shall constitute the*

appropriations for the district for the ensuing fiscal year commencing July 1, and be in effect until final adoption of the budget.

NEW SECTION. Sec. 3. This 1972 amendatory 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."

On line 1 of the title, following "districts" and before the period insert "amending section 28A.65.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 93, Laws of 1971 ex. sess. and RCW 28A.65.170; amending section 28A.65.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 93, Laws of 1971 ex. sess. and RCW 28A.65.080; and declaring an emergency"

Signed by: Senators Francis, Chairman; Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Washington.

The bill was read the second time by sections.

On motion of Senator Huntley, the committee amendment was adopted.

On motion of Senator Huntley, the committee amendment to the title was adopted.

MOTION

On motion of Senator Bailey, Senate Bill No. 350 was ordered held on second reading to allow for preparation of an amendment.

SECOND READING

SENATE BILL NO. 386, by Senator Walgren:

Relating to defrauding an innkeeper.

MOTIONS

On motion of Senator Walgren, Substitute Senate Bill No. 386 was substituted for Senate Bill No. 386, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Walgren, the rules were suspended, Substitute Senate Bill No. 386 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 386, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Durkan, Keefe—2.

SUBSTITUTE SENATE BILL NO. 386, having received the 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 Stortini, Washington and Fleming:

Establishing procedure for lost unemployment checks.

The bill was read the second time by sections.

On motion of Senator Stortini, 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.

Debate ensued.

ROLL CALL

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, 46; nays, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Voting nay: Senator Newschwander—1.

Excused: Senators Durkan, Keefe—2.

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.

SENATE BILL NO. 221, by Senator Sandison:

Providing for a research study of Discovery Bay by the University of Washington.

MOTIONS

On motion of Senator Sandison, Substitute Senate Bill No. 221 was substituted for Senate Bill No. 221, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Sandison, the rules were suspended, Substitute Senate Bill No. 221 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 221, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Absent or not voting: Senators Connor, Francis, Herr—3.

Excused: Senators Durkan, Keefe—2.

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.

SENATE BILL NO. 203, by Senator Odegaard:

Relating to education.

MOTIONS

On motion of Senator Odegaard, Substitute Senate Bill No. 203 was substituted for Senate Bill No. 203, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Lewis, the following amendment was adopted:

On page 1, line 19, after "emergency" and before the period insert "*PROVIDED FURTHER, That said regulations shall apply to all vocational technical institutions for which funds are appropriated in chapter 275, Laws of 1971, 1st extraordinary session*"

On motion of Senator Mardesich, the following amendment was adopted:

On page 1, line 19, after “*emergency*” and before the Lewis amendment, insert “: *PROVIDED FURTHER, That such lost days shall not exceed seven in number*”

On motion of Senator Odegaard, the rules were suspended, Engrossed Substitute Senate Bill No. 203 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 203, and the bill passed the Senate by the following vote: Yeas, 37; nays, 9; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Gardner, Greive, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Matson, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—37.

Voting nay: Senators Francis, Gissberg, Mardesich, Murray, Newschwander, Peterson (Ted), Scott, Twigg, Woodall—9.

Absent or not voting: Senator Guess—1.

Excused: Senators Durkan, Keefe—2.

ENGROSSED SUBSTITUTE 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.

MOTIONS

On motion of Senator Gissberg, Senate Bill No. 253 was ordered placed at the end of the second reading calendar for Wednesday, February 2, 1972.

On motion of Senator Woodall, Senate Bill No. 230 was ordered to hold its place on the second reading calendar for Wednesday, February 2, 1972.

At 11:35 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Wednesday, February 2, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, February 2, 1972.

The Senate was called to order at 11:00 a.m. by President Pro Tempore Henry. The Secretary called the roll and announced to the President that all Senators were present except Senator Durkan. On motion of Senator Keefe, Senator Durkan was excused.

The Color Guard, consisting of Pages Richard Broddy, Color Bearer, and Mary Fleener, presented the Colors. Reverend Robert Keller, pastor of Good Shepherd Lutheran Church of Olympia, offered prayer as follows:

“Lord God, Heavenly Father, who is ever mindful of the affairs and dealings of men and who has chosen to place in our hands the responsibility of ordering our lives and our societies, we thank You for the inspiration and foresight of those who conceived a governmental process by which each individual has the right to participate in the decision-making of his own society. Help those of us who are citizens to see and use the responsibility that is ours and help these our elected officials to be faithful to the trust we have placed in them. We pray this in our Lord’s Name. Amen.”

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

REPORTS OF STANDING COMMITTEE

February 1, 1972.

SENATE BILL NO. 419, providing for a demonstration project on a unified payroll system (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Jolly, Lewis.

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

GUBERNATORIAL APPOINTMENTS

January 31, 1972.

GEORGE WILLIAM KOSS, M.D., to the position of member of the Washington State Aeronautics Commission, appointed by the Governor on September 10, 1970 for the term ending December 31, 1974, succeeding Emmett Watson (reported by the Committee on State Government):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Day, Elicker, Gardner, Jolly, Lewis, Newschwander.

Passed to Committee on Rules and Joint Rules.

January 31, 1972.

MRS. FRANCES HADDON MORGAN, to the position of member of the Washington State Canal Commission, appointed by the Governor on September 1, 1971 for the term ending June 30, 1975, succeeding Merle D. Adlum (reported by the Committee on State Government):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Day, Elicker, Gardner, Jolly, Lewis, Newschwander.

Passed to Committee on Rules and Joint Rules.

January 31, 1972.

JACK D. MULLIN, to the position of member of the Washington State Personnel Board, appointed by the Governor on July 13, 1971 for the term ending January 4, 1977, succeeding Robert H. Putman (reported by the Committee on State Government):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senator Walgren, Chairman; Day, Elicker, Gardner, Jolly, Lewis, Newschwander.

Passed to Committee on Rules and Joint Rules.

LETTER OF INFORMATION

February 1, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bill to the full Committee on Ways and Means:

*SENATE JOINT RESOLUTION NO. 123: Property, real, taxes, revaluations.

Sincerely,
HUBERT F. DONOHUE, Chairman.
Committee on Revenue and Taxation

*with amendments

MESSAGE FROM THE HOUSE

February 1, 1972.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 38,

HOUSE BILL NO. 45,

ENGROSSED HOUSE BILL NO. 53,

ENGROSSED HOUSE BILL NO. 143,

HOUSE BILL NO. 160,

ENGROSSED HOUSE BILL NO. 189,

ENGROSSED HOUSE BILL NO. 229,

HOUSE BILL NO. 241,

ENGROSSED HOUSE BILL NO. 248,

HOUSE BILL NO. 252,

ENGROSSED HOUSE BILL NO. 258,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 272,

ENGROSSED HOUSE BILL NO. 277,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 341,

SUBSTITUTE HOUSE BILL NO. 413,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 417,

SUBSTITUTE HOUSE BILL NO. 426,

ENGROSSED HOUSE BILL NO. 446,

ENGROSSED HOUSE BILL NO. 477, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 38, by Representatives Cunningham and Beck (by departmental request):

Amending the formal hearing procedures in regard to the issuance, denial, suspension or revocation of drivers' licenses.

Referred to Committee on Transportation.

HOUSE BILL NO. 45, by Representatives Hubbard, Kilbury, Benitz, Bozarth, Amen, Copeland, Morrison, Bledsoe, Flanagan and Newhouse:

Exempting sugar beets in transit from the property tax.

Referred to Committee on Ways and Means—Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 53, by Representatives Shera, Bagnariol, Smythe, Kopet, Barden, Hansey, Mentor, Anderson, Backstrom, Blair, Conway, Gallagher, Kilbury, Luders and Merrill:

Providing for a system of no-fault auto insurance.

Referred to Committee on Commerce and Regulatory Agencies.

ENGROSSED HOUSE BILL NO. 143, by Representatives Julin, Wojahn, Wolf, McDermott, Pardini, Barden, Moon, Chatalas, Hatfield, Jastad, Brown, Kiskaddon, Adams, Maxie, Conway, McCormick, Haussler, Charnley, Douthwaite, Litchman, Bagnariol, King, Kilbury, Bauer, O'Brien, Savage, Amen, Perry, Gallagher, Hurley, Kirk, Ceccarelli, Wanamaker, Blair, Martinis, Anderson, Kraabel, Brouillet, Smith, Johnson, Jones, Merrill, Rabel, Rosellini and Williams (by State Women's Council request):

Providing for the rights of married persons.

Referred to Judiciary Committee.

HOUSE BILL NO. 160, by Representatives Conner, Paris, Grant, Wanamaker, Berentson, Martinis, Hubbard, Flanagan, Kilbury, Thompson, Randall, Johnson, Newhouse, Morrison, Charette and Litchman:

Providing for elective coverage by public port districts for unemployment compensation.

Referred to Committee on Labor and Industrial Insurance.

ENGROSSED HOUSE BILL NO. 189, by Representatives North, Thompson, Cunningham, Smith, Bluechel, Ross, Zimmerman, Brouillet, Charnley, Hoggins, Jones and Kiskaddon (by executive request):

Providing for state park and recreation bonds.

Referred to Committee on Ways and Means—Appropriations.

ENGROSSED HOUSE BILL NO. 229, by Representatives Lysen, Perry, Bagnariol, Chatalas, Douthwaite, Van Dyk, Maxie, Ross, Grant, Williams, Smythe, Litchman, Merrill and McDermott:

Authorizing cities and towns to participate in and implement federal grant-in-aid programs.

Referred to Committee on Cities, Towns and Counties.

HOUSE BILL NO. 241, by Representatives Bledsoe, Julin, Rabel and Hubbard:

Providing for the rights of a limited partner in a partnership.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 248, by Representatives Brown, Charette, Rabel, Ceccarelli, Blair, North, Kraabel, Jones, Barden, Paris, Kiskaddon, Bledsoe, Charnley, Douthwaite, Maxie, Bradley, Curtis, Gilleland and Hoggins (by executive and Secretary of State request):

Providing for the regulation and reporting of campaign contributions and expenditures.

Referred to Committee on Constitution, Elections and Legislative Processes.

HOUSE BILL NO. 252, by Representatives Johnson, Bledsoe, Kilbury and Benitz:
Expanding membership of the Washington horse racing commission.
Referred to Committee on Commerce and Regulatory Agencies.

ENGROSSED HOUSE BILL NO. 258, by Representatives Pardini and Merrill:
Providing for changes in the terms of insurance contracts and allowing a person insured under a group insurance policy to assign all incidents of such ownership.
Referred to Committee on Commerce and Regulatory Agencies.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 272, by Committee on Higher Education (Originally sponsored by Representatives Barden, Gallagher, Polk, Litchman, Benitz, King, Jueling and Bagnariol):
Giving consideration to investing certain funds in vocational training loans.
Referred to Committee on Higher Education and Libraries.

ENGROSSED HOUSE BILL NO. 277, by Representatives Hubbard, Grant, Newhouse, Morrison, King, Perry, Chatalas, Charette, Rosellini, Sawyer, Merrill, O'Brien and Litchman (by Department of Labor and Industries request):
Removing employment class distinctions, and providing for assessment of delinquent employer payments, and making procedural changes in the industrial insurance act.
Referred to Committee on Labor and Industrial Insurance.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 341, by Committee on State Government (Originally sponsored by Representatives Perry, Paris, Hurley, Farr, Ceccarelli, Hoggins, Kraabel and Litchman (by Joint Committee on Legislative Ethics request):
Regulating lobbyists.
Referred to Committee on Constitution, Elections and Legislative Processes.

SUBSTITUTE HOUSE BILL NO. 413, by Committee on Education and Libraries (Originally sponsored by Representatives Brown and Thompson):
Authorizing school districts to purchase insurance or otherwise hold harmless directors from actions arising out of the performance or failure of performance of their duties.
Referred to Committee on Education.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 417, by Committee on Business and Professions (Originally sponsored by Representatives Kuehnle, Chatalas, Copeland, Litchman, Morrison, Sawyer and Wolf):
Implementing provisions of the franchise investment protection act.
Referred to Committee on Commerce and Regulatory Agencies.

SUBSTITUTE HOUSE BILL NO. 426, by Committee on Natural Resources and Ecology (Originally sponsored by Representatives Smythe, Zimmerman and Lysen):
Relating to litter control.
Referred to Committee on Natural Resources, Fisheries and Game.

ENGROSSED HOUSE BILL NO. 446, by Representatives Mentor, Newhouse and Gallagher:
Providing for the election of the state committee and enumerating its powers.
Referred to Committee on Constitution, Elections and Legislative Processes.

ENGROSSED HOUSE BILL NO. 477, by Representatives Bauer, Van Dyk, Zimmerman and Haussler:
Providing for a nonresident personal use salmon license for fresh-water fishing.
Referred to Committee on Natural Resources, Fisheries and Game.

THIRD READING

ENGROSSED SENATE BILL NO. 92, by Senators Greive, Gardner, Cooney, Keefe,

Peterson (Ted), Elicker, Holman, Murray, Washington, Fleming and Talley (by Legislative Council and executive request):

Providing for a regional economic development authority.

The bill was read the third time and placed on final passage.

Debate ensued.

POINT OF INQUIRY

Senator Francis: "Will Senator Greive yield to a question? Senator Greive, is this measure designed primarily to broaden the economic base of this state so as to stabilize the economy and reduce the dependency on the aerospace industry?"

Senator Greive: "Yes, it is. It is designed to bring in industries a good deal smaller than aerospace and to more or less populate the state if possible with industries which we would consider large but maybe in the lexicon of giants such as Boeing."

POINT OF INQUIRY

Senator Rasmussen: "Mr. President, would Senator Greive yield to a question? Senator Greive, I see that this authorizes the authority to provide technical assistance to organizations or associations in alleviating or preventing conditions of excessive unemployment or underemployment. Could you explain underemployment? What do you propose to do?"

Senator Greive: "Basically the technical assistance provisions of this act are window dressing. We are doing it now. I do not think that there is any person that wants to come to the state of Washington and has any reason to believe that they can locate in the state of Washington reasonably; in other words, the raw materials, transportation and other things are here, that does not receive a great deal of help from the Department of Commerce. Now underemployment, that is a question of distribution. Let us assume that we have an area that for years has exported its young people, where the town does not grow or gets smaller. I think Senator Washington really would be more of an expert on this than I am because he has always insisted that these provisions be in. They may need some help as to what kind of an industry would go well in say a rural area or an area where the growth rate has not kept pace with the others or where the growth rate has actually been in reverse. So I think that is the term of underemployment as defined in the act."

Senator Rasmussen: "One other question. It provides that any loan secured by a first mortgage insured by the authority shall be a legal investment. For whom?"

Senator Greive: "There are a variety of various people who want to loan. Let us assume that you were to build a factory or wanted to build a factory in any particular place or you wanted to take and remodel an existing factory and there were going to be some guarantees made as to the loan so that you could be sure to pay it back. Then you would have to go off to a bank, to a private investor, and the private investor of course would be the people who lent you the money. Generally it would be a bank or it would be a savings and loan or a mutual savings bank or one of those. In order to do that you want to be sure that it is a legal investment, because there are some state statutes that restrict just how a bank can lend. It is a very good investment because it is guaranteed and the banks cannot lose, so that they might give a favorable interest rate, but because of the state banking laws, particularly where we have state banks or the mutual savings banks which are all state institutions, they may have to have this provision so that they could make the loan."

POINT OF INQUIRY

Senator Woodall: "Would Senator Greive yield to a question? Senator Greive, I notice in section 4, these eleven members, it says none of them can participate in giving a loan to any or a grant to any concern in which they have an interest."

Senator Greive: "That is correct."

Senator Woodall: "Do you interpret grant the way I do, that a grant is an out and out gift with no obligations to repay a loan?"

Senator Greive: "I think that term was used simply surplus. If you would like to put an amendment up to knock the word 'grant' I do not think there would be any objection. I think when the bill was written, the bill drafters as we all know have a tendency to combine certain combinations of words. Grant is not intended a part of this. Now there may very well be, the commission of course, if the total program were passed, would include the Jobs Now and the Washington Futures program because it would be the same commission. And I suppose the reason they put it in there is that the same wording is going to be repeated in the other acts if and when they are passed so that it would be uniform because they would be in a position in the Jobs Now or the Washington Futures program to make grants. And so they just put it in here. But if you feel, for the purposes of this act, you would feel more comfortable I would be glad to have a recess and have you take the word grant out."

Senator Woodall: "Well, don't you think in an act of this kind you ought to eliminate all doubt that you can make a grant to a private firm which is a gift?"

Senator Greive: "If I might be permitted to do things improperly but I think maybe we could do it, merely scratch, make the little amendment up there to knock out the word grant. I do not think it has to be here. It will have to be repeated, however, and when we get to the other bills if they come to the floor."

Senator Woodall: "Well that is one small improvement."

MOTIONS

On motion of Senator Greive, the rules were suspended and Engrossed Senate Bill No. 92 was returned to second reading.

On motion of Senator Greive, the following amendment was adopted:

On page 2, section 4, line 29, after "way of" and before "loan" strike "grant,"

POINT OF INQUIRY

Senator Canfield: "I have two or three questions I would like to direct to Senator Greive, if I may. The testimony given in the Appropriations Committee did not indicate that control of these bond issues would be under the control of the committee. The testimony given was that this was for Jobs Now and that the bond issues under the Washington Future would be under the various controls depending on the type of bonds. Would you answer that, my first question?"

Senator Greive: "I think as originally conceived certainly, and I was not at the Appropriations Committee, I am not in any position at this particular time to tell you exactly what the conception and what you were considering and there is more than one bill. It is my understanding that the eleven man committee would be the final arbiter as to where the money from the bond issues as well as the money from Jobs Now would be placed. That is all that I can say."

Senator Canfield: "I wish you would check on that because that is not my understanding I got from Mr. Hemstead."

Senator Greive: "It would not be the first time that I am in error. I have been in error other times in my life."

Senator Canfield: "At any rate, my second question is, does this bill provide any source of money?"

Senator Greive: "No, and I think we have to say in passing and I will elaborate on it down a little later but I think maybe Senator Washington's concept of what this bill would do and mine are a little different. But basically this does not provide anything. It provides that if a particular measure or a particular loan is one that meets the various qualifications then this eleven man committee will merely vote to guarantee it. This is what has been used in some nine states and there has been no losses with the one exception that I explained yesterday."

Senator Canfield: "Well first, there is the question of control, secondly there is no source of money indicated here, and my third question is, that the authority is still given to allocate contracts and moneys even though the money has not been appropriated or designated and you also have an emergency clause on here that as soon as it passes the

legislature and signed by the Governor, it gives all the powers to this committee without any money and therefore would imply that they could use it out of current revenue."

Senator Greive: "I think, Senator, you are very much in error. In the first place this bill could not go into effect until such time as the constitutional amendment went into effect so it is at least two years off. In the second place it does not contemplate any general fund revenues as such. The only thing it does is permit us to guarantee loans for which a fee would be paid. You understand that there is going to be a fee paid to guarantee these loans so that there would be an insurance program set up so that the state would not lose any money."

Senator Canfield: "Yes, but Senator Greive, if there is no money source indicated in the bill and yet section 33 says this will take effect immediately, it does not say after November elections, it says immediately. I think that means immediately, doesn't it?"

Senator Greive: "Senator Gardner has just pointed something out to me that I overlooked. We also have as a part of this bill, and the reason why it goes into effect right away is because of the tax deferral part of the bill. If you will recall this sets up a three year deferral of the sales tax that would be paid back over the next five years and that is the reason for the immediate implementation of the bill."

POINT OF INQUIRY

Senator Guess: "Would Senator Woodall yield to a question? Senator Woodall, you mentioned the SBA loan a minute ago. Can you tell me some of the supporting data that a person who gets an SBA loan has to supply?"

Senator Woodall: "Yes, the first thing you have to do is have two letters from two lending institutions that you are such a poor risk that neither one of those institutions will lend to you. That is the first prerequisite."

Senator Guess: "Now the National Report just very recently gave a figure of the number of bad debts that the SBA incurred last year. Can you give me that figure?"

Senator Woodall: "One hundred and seventy million bad debts the SBA had."

POINT OF INQUIRY

Senator Stender: "Mr. President, the more I hear from the proponents of this bill, the more I believe it is just plain window dressing for the voters. Everyone knows that preparations are expanding, have set aside capital funds that they have for those purposes and if this particular measure were to become effective I suppose they would have to take advantage of this cheap money while they take their own and loan it out for eight, nine or ten percent that is available in the money market today.

"Now I have a question to the sales tax question that Senator Greive perhaps could answer me if he will. In regard to this measure, if SJR 109 fails at the polls, which it should, does this provision as to the relief of sales tax take effect in the interim prior to the voting in November?"

Senator Greive: "Number one, you have misconceived the relief of the sales tax. What it says is that a person has to contract to pay back the sales tax, which after all cannot be more than five percent of the total cost so you have got a pretty good hold on them and as far as lien is concerned so you know you are going to collect it but it in effect gives them eight years. They get three years before they have to pay it back, then they have to pay it back in a scale starting at ten percent, ending up with thirty percent in the end of the five year period. Now this would go into effect regardless of whether or not the people voted up or down the other measure."

Senator Stender: "Now this measure, along with being the window dressing also has in it a proviso that the sales tax on any companies that are building would be waived for a period of up to what, five years?"

Senator Greive: "It would be deferred for three years and they would have five years to pay it back and there is a scale set out on page 8 as to how it would be paid back."

Senator Stender: "In other words, that section of the bill would be effective regardless of whether the voters approved 109."

Senator Greive: "That is correct. That is what I said earlier."

Senator Stender: "Why is it in the same bill? Why would not that be a separate bill rather than. . ."

Senator Greive: "As a practical matter, it was in a separate bill and I do not know that you voted for it but it went through, only we gave them much more generous relief last session. But the Governor and his staff felt that it really fit well with the mortgage guarantee provision and should fit in here. If the Governor felt that this was the proper way to do it, at least the staff did, we could not see why it should not be in here and so we put it in."

Senators Greive, Connor and Gissberg demanded the previous question.

Senators Greive, Whetzel and Odegaard 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 had previously been excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

On motion of Senator Greive, the rules were suspended, Reengrossed Senate Bill No. 92 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 92, and the bill passed the Senate by the following vote: Yeas, 32; nays, 16; excused, 1.

Voting yea: Senators Andersen, Bailey, Connor, Cooney, Day, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Sellar, Stortini, Talley, Walgren, Washington, Whetzel—32.

Voting nay: Senators Atwood, Canfield, Clarke, Donohue, Guess, Huntley, Mardesich, Matson, Metcalf, Newschwander, Rasmussen, Scott, Stender, Twigg, Wilson, Woodall—16.

Excused: Senator Durkan—1.

REENGROSSED 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.

MOTIONS

On motion of Senator Greive, Reengrossed Senate Bill No. 92 was ordered immediately transmitted to the House.

On motion of Senator Woodall, Senate Bill No. 230 was made a special order of business for 2:00 p.m. today.

There being no objection, the Senate returned to the seventh order of business.

SECOND READING

SENATE BILL NO. 27, by Senators Gissberg and Andersen:
Providing for changes in judges' salaries.

REPORT OF STANDING COMMITTEE

January 29, 1972.

SENATE BILL NO. 27, providing for changes in judges' salaries (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 1, strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. Section 1, chapter 144, Laws of 1953 as last amended by section 1, chapter 127, Laws of 1965 ex. sess. and RCW 2.04.090 are each amended to read as follows:

Each [judge] *justice* of the supreme court shall receive an annual salary of [twenty-seven thousand five hundred] *thirty-three thousand* dollars, but no salary warrant shall be issued to any judge of the supreme court until he shall have made and filed with the state auditor an affidavit that no matter referred to him for opinion or decision has been uncompleted or undecided by him for more than six months.

Sec. 2. Section 6, chapter 221, Laws of 1969 ex. sess. and RCW 2.06.060 are each amended to read as follows:

Each judge of the court shall receive an annual salary of [twenty-five] *thirty* thousand dollars [until subsequently increased by the legislature], but no salary warrant shall be issued to any judge until he shall have made and filed with the state auditor an affidavit that no matter referred to him for opinion or decision has been uncompleted by him for more than three months.

Sec. 3. Section 2, chapter 144, Laws of 1953 as last amended by section 1, chapter 65, Laws of 1967 and RCW 2.08.090 are each amended to read as follows:

Each judge of the superior court shall receive an annual salary of [twenty-two thousand five hundred] *twenty-seven thousand* dollars."

In line 2 of the title after "superior court judges;" strike the remainder of the title and insert "amending section 1, chapter 144, Laws of 1953 as last amended by section 1, chapter 127, Laws of 1965 ex. sess. and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. and RCW 2.06.060; and amending section 2, chapter 144, Laws of 1953 as last amended by section 1, chapter 65, Laws of 1967 and RCW 2.08.090."

Signed by: Senators Gissberg, Chairman; Clarke, Foley, Francis, Greive, Twigg, Woodall.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the committee amendment beginning on page 1.

Senator Holman moved adoption of the following amendment to the committee amendment by Senators Holman, Walgren and Dore:

Amend the committee amendment at the end of section 3, inserting a new section to be known as section 4 as follows:

"Section 4. Section 100, chapter 299, Laws of 1961 as last amended by section 1, chapter 52, Laws of 1969 and RCW 3.58.010 are each amended to read as follows: The annual salary of each full time justice of the peace shall be [twenty] *twenty-two* thousand dollars: PROVIDED, 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: PROVIDED FURTHER, That no full time justice of the peace shall receive any fees or emoluments for the solemnization of civil marriages during court house hours or during scheduled sessions of the court."

Debate ensued.

POINT OF INQUIRY

Senator Bailey: "Mr. President, would Senator Holman yield? Senator Holman, I heard you and Senator Gissberg talk about putting this over until a little later for some reason. Is the intention to take further action a little later today?"

Senator Holman: "I believe, Senator Bailey, that Senator Gissberg simply wanted to get the amendments worked out now and then hold it over to third reading until this afternoon so that Senator Durkan could be here. You had better ask your question of Senator Gissberg."

PARLIAMENTARY INQUIRY

Senator Bailey: "Mr. President, would there be any objection to holding this bill on second reading until this afternoon?"

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "No, there would not, assuming that we treat these amendments at least. We want to keep working on it however now, unless there is some misunderstanding with respect to this amendment."

REMARKS BY SENATOR BAILEY

Senator Bailey: "The reason I ask these questions is that when we talked this over, some of us were of the opinion they would not put the justices on the judges' bills. I am heartily in favor of this but I do not want to close the door on a group that you have totally ignored and that is some of these part-time justices that are spending almost full time on the job now that are so called part-time in the smaller counties that they have not been raised for a good many years whereas we took care of the full-time justices two years ago.

"Now if by waiting over until afternoon I could look into an amendment and this would not preclude my right to put an amendment on there if possible, I would go along with Senator Holman's amendment but I would like to not have that door closed if we go ahead now. What would be the ruling of the Chair if we proposed an amendment later as relates to part-time justices?"

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "The Chair would rule, of course that you can hold on second reading and offer any contending amendments that have not been previously acted on or delete but the Chair is going to take a little poetic license here as far as this amendment is concerned.

"Some of you read in the paper a few months ago that I criticized severely certain sections of our judicial system for not reporting drunken drivers so that they could be ruled off the highways. The testimony before my committee recently, and I have not had the notes transcribed yet, is that they felt that the legislature had no right to impose mandatory sentences upon them and for that reason they felt that reporting convictions for drunken driving to the department of motor vehicles so these people could be taken off the road was in effect proposing a mandatory sentence and for that reason a great number of them have not been conforming. Until they conform with the oath of their office and do what they have been directed to do, I personally will vote against this amendment."

POINT OF ORDER

Senator Andersen: "I would respectfully make the point of order as to scope and object of this amendment. As one of the sponsors of this bill, it could not relate to district justice court salaries at all because that was before us two years and the judges' salaries that this bill relates to have not been raised since 1965, so I do make a point of order that the amendment exceeds the scope and object of the bill."

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.
At 12:40 p.m., on motion of Senator Greive, the Senate recessed until 2:05 p.m.

AFTERNOON SESSION

President Pro Tempore Henry called the Senate to order at 2:05 p.m.

MOTION

On motion of Senator Keefe, Senator Gardner was excused.

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "In ruling on the point of order as raised by Senator Andersen, the President finds that the amendment proposed by Senators Holman, Walgren and Dore to Senate Bill No. 27 does increase the scope and object of the bill which deals with the salaries of judges of the superior court, court of appeals and the supreme court. Therefore the point of order is well taken."

The amendment by Senators Holman, Walgren and Dore to the committee amendment was ruled out of order.

The motion by Senator Gissberg carried and the committee amendment was adopted.

On motion of Senator Gissberg, the following amendment was adopted:

Following section 3 of the Judiciary Committee amendment, add two new sections as follows:

"*NEW SECTION.* Sec. 4. There is hereby appropriated from the state general fund to carry out the purposes of this act for the fiscal year commencing July 1, 1972 and ending June 30, 1973 the following amounts:

FOR THE SUPREME COURT	\$ 55,440
FOR THE COURT OF APPEALS	67,200
FOR THE COURT ADMINISTRATOR	
for Superior Court Judges	231,840

NEW SECTION. Sec. 5. This act shall take effect on July 1, 1972."

Senator Gissberg moved adoption of the committee amendment to the title.

On motion of Senator Gissberg, the following amendment to the committee amendment to the title was adopted:

In the last line of the Judiciary Committee amendment to the title, after "RCW 2.08.090" and before the period insert "; making appropriations; and declaring an effective date"

The committee amendment to the title, as amended, was adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 27 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

MOTION

Senator Ridder moved that Engrossed Senate Bill No. 27 be referred to the Committee on Ways and Means—Appropriations.

Debate ensued.

Senators Mardesich, Dore and Gissberg demanded the previous question and the demand was sustained.

Senator Ridder demanded a roll call and the demand was sustained by Senators Stender, Francis, Guess, Woodall, Odegaard, Metcalf, Walgren, Clarke and Connor.

The President declared the question before the Senate to be the motion by Senator Ridder that Engrossed Senate Bill No. 27 be referred to the Committee on Ways and Means—Appropriations.

ROLL CALL

The Secretary called the roll and the motion by Senator Ridder failed by the following vote: Yeas, 10; nays, 38; excused, 1.

Voting yea: Senators Durkan, Fleming, Guess, Jolly, Odegaard, Peterson (Ted), Rasmussen, Ridder, Scott, Washington—10.

Voting nay: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Whetzel, Wilson, Woodall—38.

Excused: Senator Gardner—1.

POINT OF INQUIRY

Senator Odegaard: "Mr. President, would Senator Gissberg yield to a question? Senator Gissberg, I commend you for having a bill to follow this that would, you say, pay for the increases for these salaries. But how do you know for sure that enough fees will come in during the period of time allotted for this that when we come back next January that there will be enough funds to take care of this program?"

Senator Gissberg: "At the present time there are eighty-one thousand seven hundred and seventy-five filings per year. It is something that can be mechanically computed. The budget committee itself has that information. As a matter of fact, they estimate that there will be in excess of eighty-five thousand filings during this first year that this salary would go into effect. We have the estimates based on that, it is a simple multiplication. It is not a mysterious figure at all. It is a matter of fact, not fancy or the figment of anyone's imagination. And it will bring in sufficient revenue. As a matter of fact we know that we are faced every day with increased work load in our courts, not less work load. We are faced every session of the legislature with creating additional judgeships to take care of that additional work load. Consequently these are good sound hard figures."

Senator Odegaard: "Also, Senator, is there any particular reason why these two bills were not tied in together?"

Senator Gissberg: "Yes, I do not think they could have been. That is the only reason they are not."

POINT OF INQUIRY

Senator Woodall: "Would Senator Ridder yield? It is quite commendable, Senator Ridder, your stand. Will you join with me in a measure to cut back to the judges pay all teachers' salaries presently being paid in the state of Washington higher than the judges are getting. Will you join with me in such a move?"

Senator Ridder: "I think Senator Dore and I last time made the move to not grant any pay raises to anybody in education over fifteen thousand, and we stood on this. And I will continue to stand on it. If a man is making fifteen thousand dollars a year he can hold his belt, but the guy making seventy-two hundred cannot."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 27, and the bill passed the Senate by the following vote: Yeas, 36; nays, 11; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Dore, Elicker, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Peterson (Lowell), Rasmussen, Sandison, Sellar, Stender, Twigg, Walgren, Washington, Whetzel, Woodall—36.

Voting nay: Senators Donohue, Durkan, Fleming, Guess, Murray, Odegaard, Peterson (Ted), Ridder, Scott, Stortini, Wilson—11.

Absent or not voting: Senator Talley—1.

Excused: Senator Gardner—1.

ENGROSSED 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.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Huntley served notice that he would, at the proper time, move for reconsideration of the vote by which the Senate passed Engrossed Senate Bill No. 27.

PARLIAMENTARY INQUIRY

Senator Mardesich: "Does the Chair take the position that a motion for reconsideration though taken after 6:00 p.m. this evening would fall within the deadline of Senate Concurrent Resolution No. 2?"

Senator Gissberg: "I do not think you are going to get a right answer on all of these because this is now an appropriation measure so that the Chair's ruling will not affect reconsideration of any other kind of bill but it will allow the fee bill to be passed at least."

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "Senator Gissberg's point is well taken."

SECOND READING

SENATE BILL NO. 90, by Senators Andersen, Day and Sandison:

Increasing certain filing fees charged by the clerks of the superior courts and allocating increase to payment of judicial salaries.

REPORT OF STANDING COMMITTEE

January 29, 1972.

SENATE BILL NO. 90, increasing certain filing fees charged by the clerks of the superior courts and allocating increase to payment of judicial salaries (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16 strike "*thirty-five*" and insert "*thirty*"

On page 1, section 1, line 19 after "[twenty-five]" and before "dollars." strike "*thirty-five*" and insert "*thirty*"

On page 2, section 1, line 25 after "[twenty-five]" and before "dollars" strike "*thirty-five*" and insert "*thirty*"

On page 2, section 1, line 30 after "[twenty-five]" and before "dollars." strike "*thirty-five*" and insert "*thirty*"

On page 3, section 2, line 17, after "equal to" and before "dollars" strike "ten" and insert "five"

On page 3, section 2, line 22, after "(1)" strike "Five dollars" and insert "Two dollars and fifty cents"

On page 3, section 2, line 25, after "(2)" strike "Five dollars" and insert "Two dollars and fifty cents"

Signed by: Senators Gissberg, Chairman; Andersen, Clarke, Foley, Francis, Twigg, Woodall.

The bill was read the second time by sections.

The rules were suspended, and on motion of Senator Gissberg, the committee amendments were not adopted.

On motion of Senator Gissberg, the rules were suspended and the following amendments were adopted in toto:

On page 1, section 1, line 16, after "*thirty-*" strike "*five*" and insert "*two*"

On page 1, section 1, line 19, after "*thirty-*" strike "*five*" and insert "*two*"

On page 2, section 1, line 25, after "*thirty-*" strike "*five*" and insert "*two*"

On page 2, section 1, line 30, after "*thirty-*" strike "*five*" and insert "*two*"

On page 3, section 2, line 17, after "equal to" strike "ten" and insert "seven"

On page 3, section 2, line 22, after "(1)" strike "Five" and insert "Three"

On page 3, section 2, line 25, after "(2)" strike "Five" and insert "Four"

On page 3, after line 29, add a new section to read as follows:

"*NEW SECTION*. Sec. 3. This act shall take effect July 1, 1972."

On motion of Senator Gissberg, the following amendment to the title was adopted:

On page 1, line 6 of the title, after "RCW" and before the period insert "; and establishing an effective date"

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 90 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 Peterson (Ted): "I would like to ask Senator Gissberg a question if I may. Senator Gissberg, on these fees now, who is it that actually pays the fee? Is it the taxpayer that pays the fee? Of course it is business whoever comes before the court but who is it that is paying the fee?"

Senator Gissberg: "The litigant."

Senator Peterson (Ted): "Who is the litigant?"

Senator Gissberg: "The litigant is the one who commences a lawsuit."

Senator Peterson (Ted): "Then it could be a taxpayer, a homeowner or whoever it might be, right?"

Senator Gissberg: "Yes, I would presume that some kind of human being."

Further debate ensued.

Senators Talley, Guess and Donohue demanded the previous question and the demand was sustained.

The Secretary declared the question to be the final passage of Engrossed Senate Bill No. 90.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 90, and the bill passed the Senate by the following vote: Yeas, 36; nays, 11; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Day, Elicker, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Peterson (Lowell), Rasmussen, Sandison, Sellar, Stender, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—36.

Voting nay: Senators Donohue, Dore, Durkan, Fleming, Guess, Murray, Odegaard, Peterson (Ted), Ridder, Scott, Stortini—11.

Absent or not voting: Senator Cooney—1.

Excused: Senator Gardner—1.

ENGROSSED 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.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Woodall served notice that he would, at the proper time, move for reconsideration of the vote by which the Senate passed Engrossed Senate Bill No. 90.

SPECIAL ORDER OF BUSINESS

SECOND READING

SENATE BILL NO. 230, by Senators Durkan and Woodall:

Prohibiting employers from hiring aliens not entitled to residence in the United States if such employment would have an adverse effect on lawful resident workers.

The time having arrived, the Senate commenced consideration of Senate Bill No. 230 on second reading.

REPORT OF STANDING COMMITTEE

January 28, 1972.

SENATE BILL NO. 230, prohibiting employers from hiring aliens not entitled to residence in the United States if such employment would have an adverse effect on lawful resident workers (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass with the following amendment:

In section 1, line 5, after "United States" insert a period and strike the remainder of the section.

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Stender, Stortini.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendment was adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 230, and the bill passed the Senate by the following vote: Yeas, 41; nays, 7; excused, 1.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—41.

Voting nay: Senators Atwood, Guess, Matson, Newschwander, Sellar, Twigg, Woodall—7.

Excused: Senator Gardner—1.

ENGROSSED 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.

MOTION

On motion of Senator Bailey, three minute speeches will be allowed on each issue, one per person and no yields for the remainder of this day.

NOTICE OF INTENT TO FILE EXPLANATION OF VOTE

Senator Woodall served notice that he would insert in the Senate Journal an explanation of his vote on Engrossed Senate Bill No. 230.

SECOND READING

SENATE BILL NO. 350, by Senator Huntley:

Relating to budgets of school districts.

The Senate resumed consideration of Senate Bill No. 350, the committee amendments having been adopted on February 1, 1972.

On motion of Senator Huntley, the rules were suspended, Engrossed Senate Bill No. 350 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 350, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson—47.

Absent or not voting: Senator Woodall—1.

Excused: Senator Gardner—1.

ENGROSSED SENATE BILL NO. 350, having received the 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. 253, by Senator Gissberg:

Pertaining to board of governors of the state bar association.

REPORT OF STANDING COMMITTEE

January 27, 1972.

SENATE BILL NO. 253, pertaining to board of governors of the state bar association (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

Page 1, section 1, beginning on line 10 after "members" strike "[residing in each congressional district now or hereafter existing in the state]" and insert "residing in each congressional district now or hereafter existing in the state *and not more than seven members elected*"

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Atwood, Francis, Twigg, Woodall.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendment was not adopted.

On motion of Senator Gissberg, the following amendment was adopted:

On page 1, section 1, line 6, beginning with "There is" strike all of section 1 and insert: "There is hereby constituted a board of governors of the state bar[,] which shall consist of *not more than fifteen members, to include:* the president of the state bar [as an ex officio member, and of] *elected as provided by the bylaws of the association, one member from each congressional district now or hereafter existing in the state* elected by secret ballot by mail by the active members residing [in each congressional district now or hereafter existing in the state] *therein, and such additional members elected as provided by the bylaws of the association.* The members of the board of governors shall hold office for three years and until their successors are elected and qualified: PROVIDED, HOWEVER, That the *present* members of the board of governors [elected to constitute the first board shall, at their first meeting so classify themselves by lot that two members thereof] *in office on the effective date of this 1972 amendatory act* shall hold office for [one year only and two others for two years only] *their remaining terms* and until their successors are elected and qualified. *Any vacancies in [said] the board of governors shall be filled by the continuing members of the board until the next [district] election, held in accordance with the [rules hereinafter provided for] bylaws of the association.*

On motion of Senator Gissberg, the rules were suspended, Engrossed Senate Bill No. 253 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 253, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman,

Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson—43.

Absent or not voting: Senators Dore, Fleming, Francis, Scott, Woodall—5.

Excused: Senator Gardner—1.

ENGROSSED SENATE BILL NO. 253, having received the 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 Guess, Walgren, Talley and Wilson:
Repealing the all-terrain vehicle act.

MOTION

On motion of Senator Wilson, Senate Bill No. 14 was referred to the Committee on Rules and Joint Rules.

SECOND READING

SENATE BILL NO. 80, by Senators Francis, Foley and Holman:

Providing court appointed interpreters to aid persons unable to readily understand the English language.

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended and the following amendments by Senators Foley and Francis were adopted in toto:

On page 1, section 1, line 6, after the word "hearing," and before the word "speaking" insert the word "or"; and after the word "speaking" strike the remainder of the line.

On page 1, section 1, line 7, after the word "impairment" and before the word ", are" insert the following: "resulting from defective hearing"; and after "communicate" strike the word "the"

On page 1, section 1, line 8, strike the words "English language" before the word ", cannot"

On page 1, section 2, line 16, after the word "person," and before the word "or", strike the following: "a deaf mute,"

On page 1, section 2, line 17, before the word "speaking" and before the word "impairment", strike "or other"; and after "impairment" and before "cannot" insert the following: "resulting from defective hearing"

On page 1, section 2, line 18, strike the words "the English language" before the word ", where"

On page 2, section 2, subsection (1), line 4, after the word "hearing," and before the word "speaking" insert the word "or"; after the word "speaking" and before the word "impairment" strike the words ", or other"; and after the word "impairment" and before the word ", cannot" insert the words "resulting from defective hearing"

On page 2, section 2, subsection (1), line 5, after the word "communicate" and before the word ", the" strike the words: "the English language"

On page 2, section 2, subsection (2), line 14, after the word "hearing," and before the word "speaking:" insert the word "or"; after the word "speaking" and before the word "impairment" strike the words ", or other" and after the word "impairment" and before the word "cannot" insert the words "resulting from defective hearing,"

On page 2, section 2, subsection (2), line 15, after the word "communicate" strike the words "the English language"

On page 2, section 2, subsection (3), line 16, after the word "person," and before the word "or" strike the words "deaf mute,"

On page 2, section 2, subsection (3), line 17, after the word "hearing," and before the word "speaking" insert "or"; after the word "speaking" and before the word "impairment" strike the words ", or other"; and after the word "impairment" and before the word "cannot" insert the words "resulting from defective hearing,"

On page 2, section 2, subsection (3), line 18, after the word "communicate" and before the word "is" strike the words: "the English language"

On page 2, section 3, line 27, after the word "deaf," and before the word "or" strike the words "deaf mute,"

On page 3, section 6, line 13, after the word "courts" and before the word "in" insert the words ", boards, commissions, agencies, and licensing bodies"

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

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 80, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-46.

Absent or not voting: Senators Donohue, Matson-2.

Excused: Senator Gardner-1.

ENGROSSED 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.

SECOND READING

SENATE BILL NO. 200, by Senator Peterson (Lowell):

Relating to food fish and shellfish.

MOTIONS

On motion of Senator Peterson (Lowell), Substitute Senate Bill No. 200 was substituted for Senate Bill No. 200 and the substitute bill was read the second time in full.

On motion of Senator Peterson (Lowell), Substitute Senate Bill No. 200 was ordered placed on the second reading calendar for today immediately following consideration of Senate Bill No. 184.

SENATE BILL NO. 355, by Senators Huntley and Washington:

Relating to distribution of motor vehicle fuel taxes.

MOTIONS

On motion of Senator Washington, Substitute Senate Bill No. 355 was substituted for Senate Bill No. 355 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Washington, the rules were suspended, Substitute Senate Bill No. 355 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 355, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—44.

Voting nay: Senator Whetzel—1.

Absent or not voting: Senators Andersen, Gissberg, Newschwander—3.

Excused: Senator Gardner—1.

SUBSTITUTE SENATE BILL NO. 355, having received the 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. 241, by Senators Gissberg, Andersen and Mardesich:
Providing that mutual savings banks may act as trustees and executors of estates.

MOTION

Senator Mardesich moved that Senate Bill No. 241 be ordered placed on today's second reading calendar for consideration immediately following Senate Bill No. 29.

Debate ensued.

Senator Greive demanded a roll call and the demand was sustained by Senators Ridder, Foley, Washington, Cooney, Woodall, Guess, Huntley, Metcalf and Connor.

ROLL CALL

The Secretary called the roll and the motion by Senator Mardesich carried by the following vote: Yeas, 36; nays, 12; excused, 1.

Voting yea: Senators Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Elicker, Fleming, Francis, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stortini, Talley, Twigg, Washington, Whetzel, Wilson, Woodall—36.

Voting nay: Senators Andersen, Atwood, Bailey, Cooney, Foley, Gissberg, Greive, Herr, Murray, Scott, Stender, Walgren—12.

Excused: Senator Gardner—1.

The motion by Senator Mardesich carried and Senate Bill No. 241 was placed on today's second reading calendar immediately following consideration of Senate Bill No. 29.

MOTION

Senator Mardesich moved that all bills now remaining on the second reading calendar be returned to the Committee on Rules and Joint Rules and a new calendar prepared.

Debate ensued.

The motion lost.

SECOND READING

SENATE BILL NO. 184, by Senators Lewis, Washington and Foley:
Authorizing certain payroll deductions for certificated employees of school districts.

REPORT OF STANDING COMMITTEE

January 31, 1972.

SENATE BILL NO. 184, authorizing certain payroll deductions for certificated employees of school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendments:

Add a new section following section 1 as follows:

“NEW SECTION. Sec. 2. Nothing in section 1 of this 1972 act shall be construed to annul or modify any lawful agreement heretofore entered into between any school district and any representative of its employees or other existing lawful agreements and obligations in effect on the effective date of this 1972 act.”

In line 2 of the title after the semicolon and before “and adding” insert “creating a new section;”

Signed by: Senators Francis, Chairman; Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Washington.

The bill was read the second time by sections.

On motion of Senator Lewis, the committee amendment was adopted.

On motion of Senator Lewis, the committee amendment to the title was adopted.

On motion of Senator Lewis, the rules were suspended, Engrossed Senate Bill No. 184 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 184, and the bill passed the Senate by the following vote: Yeas, 42; nays, 5; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson—42.

Voting nay: Senators Day, Guess, Matson, Whetzel, Woodall—5.

Absent or not voting: Senator Elicker—1.

Excused: Senator Gardner—1.

ENGROSSED 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.

SUBSTITUTE SENATE BILL NO. 200, by Senator Peterson (Lowell):

Relating to food fish and shellfish.

The Senate resumed consideration of Substitute Senate Bill No. 200 on second reading.

On motion of Senator Peterson (Lowell), the following amendments were adopted:

On page 3, section 11, line 29, following “Sec. 11.” strike the remainder of the section and insert the following: “This act shall remain effective only during the period of time that the present law or regulation of Canada and/or of the Province of British Columbia, and any amendment or reenactment of such law or regulation, and any restatement of a similar licensing or like restrictive law or regulation, continues in full force and effect against residents of any state, territory or possession of the United States of America or against American vessels operated by such residents in Canadian waters.

NEW SECTION. Sec. 12. 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.”

On motion of Senator Peterson (Lowell), the following amendment to the title was adopted:

On line 5 of the title after “penalties;” and before the period strike “and making an effective date” and insert “and declaring an emergency”

On motion of Senator Peterson (Lowell), the rules were suspended, Engrossed Substitute Senate Bill No. 200 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill

No. 200, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Bailey, Dore, Matson—3.

Excused: Senator Gardner—1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 200, having received the 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. 272, by Senators Gissberg and Metcalf:
Regulating the intergovernmental disposition of property.

MOTIONS

On motion of Senator Gissberg, Substitute Senate Bill No. 272 was substituted for Senate Bill No. 272, and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Gissberg, the rules were suspended, Substitute Senate Bill No. 272 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 272, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Excused: Senator Gardner—1.

SUBSTITUTE SENATE BILL NO. 272, having received the 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 Senator Francis:

Permitting school districts to provide employees with certain pension or annuity benefits.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, Senate Bill No. 414 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 414, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray,

Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson—45.

Absent or not voting: Senators Connor, Matson, Woodall—3.

Excused: Senator Gardner—1.

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.

SENATE JOINT RESOLUTION NO. 101, by Senators Durkan, Day, Ridder, Dore, Talley, Greive and Odegaard:

Constitutionally mandating the funding of certain pension funds.

MOTIONS

On motion of Senator Rasmussen, Substitute Senate Joint Resolution No. 101 was substituted for Senate Joint Resolution No. 101 and the substitute resolution was placed on second reading and read the second time in full.

Senator Atwood moved adoption of the following amendment:

On page 2, section 2, line 1, strike sections 2, 3 and 4.

Renumber section 5 as section 2.

Debate ensued.

Senator Mardesich demanded a roll call and the demand was sustained by Senators Greive, Durkan, Atwood, Woodall, Odegaard, Metcalf, Cooney, Day and Connor.

ROLL CALL

The Secretary called the roll and the amendment by Senator Atwood was not adopted by the following vote: Yeas, 19; nays, 29; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Gissberg, Guess, Holman, Huntley, Lewis, Mardesich, Matson, Newschwander, Peterson (Ted), Sellar, Stender, Twigg, Whetzel, Woodall—19.

Voting nay: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Metcalf, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Walgren, Washington, Wilson—29.

Excused: Senator Gardner—1.

On motion of Senator Ridder, the rules were suspended, Substitute Senate Joint Resolution No. 101 was advanced to third reading, the second reading considered the third, and the resolution was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Joint Resolution No. 101, and the resolution failed to pass the Senate by the following vote: Yeas, 31; nays, 16; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Metcalf, Murray, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Walgren, Washington, Wilson—31.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Gissberg, Guess, Huntley, Lewis, Mardesich, Newschwander, Peterson (Ted), Stender, Twigg, Whetzel, Woodall—16.

Absent or not voting: Senator Matson—1.

Excused: Senator Gardner—1.

SUBSTITUTE SENATE JOINT RESOLUTION NO. 101, having failed to receive the constitutional two-thirds majority, was declared lost.

PARLIAMENTARY INQUIRY

Senator Mardesich: "The other day we passed a bill relating to election laws and I served notice of reconsideration. Does the Chair take the position that the final passage yesterday would put that bill within the six o'clock deadline and the motion may be made to reconsider at an hour subsequent to six or if I fail to make the motion before six, is the measure dead?"

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "Senator Mardesich, if you fail to make the motion to reconsider, the bill is very much alive and will be transmitted to the House."

Senator Mardesich: "Is that a final vote, yesterday's vote? Or if I move after six o'clock does it fall within the six o'clock limitation on the Concurrent Resolution is my question."

President Pro Tempore Henry: "You cannot make your motion after six o'clock because I am going to adjourn at six o'clock. Does that answer your question?"

MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having given prior notice, Senator Mardesich moved that the Senate do now reconsider the vote by which Senate Bill No. 98 passed the Senate.

Senator Mardesich: "Mr. President and gentlemen of the Senate, I asked that question because Senate Bill 98 is an extremely important election bill and I would not particularly like to kill that measure simply by letting the hour of six o'clock pass and so I make that motion for reconsideration. And the reason I want to reconsider the bill is because it has the title which would enable me to affix an amendment relating to the presidential primary."

Senator Scott: "It is my understanding the purpose of reconsidering a bill is just that, to reconsider the substance of a bill that has been passed and the contents thereof. A bill is not be reconsidered for the purposes of suspending the rules and moving it back to second reading or any other purpose."

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "I think, Senator, that in the first place Senator Mardesich has the right to explain his reasons. Number two, if we reconsider the vote the bill is back before the body and any action the body wishes to take is in order at that time. You may continue, Senator Mardesich."

Senator Mardesich: "The President states the rule correctly as usual."

Senator Mardesich demanded a roll call and the demand was sustained by Senators Day, Woodall, Talley, Twigg, Odegaard, Wilson, Huntley, Fleming and Donohue.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion for reconsideration carried by the following vote: Yeas, 25; nays, 21; absent or not voting, 2; excused, 1.

Voting yea: Senators Canfield, Connor, Cooney, Day, Donohue, Dore, Fleming, Foley, Gissberg, Guess, Henry, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Stender, Twigg, Walgren, Woodall—25.

Voting nay: Senators Andersen, Atwood, Bailey, Clarke, Elicker, Francis, Greive, Holman, Matson, Metcalf, Murray, Newschwander, Odegaard, Ridder, Scott, Sellar, Stortini, Talley, Washington, Whetzel, Wilson—21.

Absent or not voting: Senators Durkan, Herr—2.

Excused: Senator Gardner—1.

MOTION

Senator Greive moved that reconsideration on Senate Bill No. 98 be made a special order of business for 5:59 p.m. today.

Debate ensued.

RULING BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "If it will make anybody any easier, the Chair will rule that any bill we started on prior to six o'clock will be completed, if it takes till six in the morning."

The motion by Senator Greive carried. Senate Bill No. 98 was made a special order of business for 5:59 p.m. today."

SECOND READING

SENATE BILL NO. 438, by Senators Lewis, Rasmussen, Walgren, Knoblauch and Durkan:

Relating to public employment.

MOTIONS

On motion of Senator Lewis, Substitute Senate Bill No. 438 was substituted for Senate Bill No. 438 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Atwood, the following amendment was adopted:

On page 10, section 3, line 4, after "*benefits*" insert "*pursuant to 10 USC 3911 or 3914, as now or hereafter amended*"

On motion of Senator Lewis, the rules were suspended, Engrossed Substitute Senate Bill No. 438 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 438, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-48.

Excused: Senator Gardner-1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 438, having received the 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 Jolly, Sellar and Talley:

Providing procedures for inviting bids and awarding contracts by public utility districts. The bill was read the second time by sections.

Senator Andersen moved adoption of the following amendment:

On page 3, section 1, strike the last sentence of the bill.

MOTION

Senator Mardesich moved that Senate Bill No. 101 and the pending amendment by Senator Andersen be placed at the end of today's second reading calendar.

Debate ensued.

The motion by Senator Mardesich carried. Senate Bill No. 101 was placed at the end of today's second reading calendar.

SENATE BILL NO. 29, by Senators Holman, Day and Dore:
Enacting the uniform alcoholism and intoxication treatment act.

MOTION

On motion of Senator Gissberg, Substitute Senate Bill No. 29 was substituted for Senate Bill No. 29 and the substitute bill was placed on second reading.

REPORT OF STANDING COMMITTEE

February 1, 1972.

SENATE BILL NO. 29, enacting the uniform alcoholism and intoxication treatment act (reported by Judiciary Committee):

MAJORITY recommendation: That substitute Senate Bill No. 29 be substituted therefor and that the substitute bill pass with the following amendments:

On page 2, section 1, line 13 after "prosecution" and before "because" insert "solely"

On page 3, section 2, line 7 after "alcohol" and before "has" insert a comma

On page 3, section 2, line 9 after "treatment" and before the semicolon insert "and constitutes a danger to himself, to any other person, or to property"

On page 6, section 6, line 31 after "designee, the" and before "of the" strike "chief" and insert "executive secretary" and after "state" and before "or his" strike "patrol" and insert "law enforcement training commission"

On page 12, section 12, line 26 after "patrol" and before "who" insert a comma and on line 27 after "this" and before "are" strike "section" and insert "act." and after "are" and before "in the" strike "acting" and insert "performing"

On page 14, section 14, line 19 beginning with "(a) has threatened," strike all of the material down to and including "; or (b)" on line 21

On page 14, section 14, line 33 after "no" and before "than ten" strike "later" and insert "less than five and no more"

On page 14, section 14, line 33 after "filed" and before the period insert ": PROVIDED, That, the court may, upon motion of the person whose committment is sought and upon good cause shown, extend the date for the hearing"

On page 15, section 14, line 15 beginning with "The court" strike all the material down to and including "or if" and insert "If deemed"; and on line 16 after "advisable" and before "examines" strike "shall" and insert "the court may" and on line 17 after "of" and before the period strike "court" and insert "courtroom"

On page 16, section 14, line 23 after "no" and before "than ten" strike "later" and insert "less than five and no more"

On page 16, section 14, line 24 after "filed" and before the period insert ": PROVIDED, That, the court may, upon motion of the person whose committment is sought and upon good cause shown, extend the date for the hearing"

On page 18, section 17, line 31 after "and" and before "transport" on line 32 strike "shall" and insert "may"

On page 19, section 17, line 1 after "rules" and before "for" insert "pursuant to chapter 34.04 RCW"

On page 19, section 17, line 2 after "patrols" and before the period on line 3 strike "pursuant to chapter 34.04 RCW"

On page 20, section 19, line 5 after "persons" and before the period insert "; nor shall evidence of intoxication affect, other than as a defense, the application of any law, ordinance, resolution, or rule to conduct otherwise establishing the elements of an offense"

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Clarke, Foley, Holman, Twigg, Woodall.

The bill was read the second time in full.

On motion of Senator Gissberg, the committee amendment to page 2 was adopted.

Senator Gissberg moved that the rules be suspended and the remainder of the committee amendments be adopted in toto.

POINT OF INQUIRY

Senator Guess: "Would Senator Gissberg yield? Senator Gissberg, would you describe how we are going to keep the drunks on skid road off of the streets now that we no longer will have under this law the procedure for arresting them and putting them in jail? This is a rather new departure and I think that the people are going to have to be protected from these people. Is there going to be some civil rights procedure where they can challenge this thing and they can say that we did not pass a proper bill?"

Senator Gissberg: "You have asked a couple of questions. Number one, Senator Holman I think can more adequately describe the first because he has gone into this, and Senator Day has gone into this question rather deeply. But just rather quickly, the state of Oregon has passed this act as has the District of Columbia. From what I have been able to read and I have done a substantial amount of reading on it to satisfy myself as well, including numerous Law Review articles treating this subject. There are provisions in it so that when some person appears to be intoxicated on the streets that he is taken by a police officer or by a member of a so-called emergency squad or emergency patrol, to a facility which would detoxify him and lend assistance to him and keep him there for a maximum of five days. And then if it is thought that he is an alcoholic he may be kept there longer than five days after going through a judicial process. In doing that he can then be kept there for an additional one hundred and fifty days through a court order. If he is not satisfactorily treated at that time then through another judicial process he can be kept there for an additional period of time. But these questions, other than the amendment, should be directed to Senator Holman and to Senator Day rather than myself although I subscribe to the general principle. It is going to have, in some future date, the effective date of this bill is extended to July 1, 1973, but when and if it does go into effect it will require that a substantial expenditure of state funds to implement this act. Now I cannot tell you how substantial but it is going to be into the millions and millions of dollars because you are going to treat alcoholics as no longer violating the criminal statutes in this state except in the case of drunk driving which is not removed at all. To provide the funds to provide separate facilities and approved facilities in terms of hospitalization and so on is going to require some money to do it but I subscribe to the whole concept that there should not be criminal sanctions against a person who is ill."

The motion by Senator Gissberg carried and the committee amendments were adopted.

On motion of Senator Day, the rules were suspended, Engrossed Substitute Senate Bill No. 29 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 Guess: "Would Senator Day yield? Senator Day, would you describe to us how the funding procedure is going to be set up on this?"

Senator Day: "We passed a bill this morning that will begin to do something about funding. There are some federal funds available. There are some projections relative to the cost of the bill which are really badly done. They do not take into consideration moneys that are presently being expended on alcoholism and those are quite extensive, Senator. This bill of course will require some funding because as Senator Gissberg has said, we are going to start dealing with alcoholics as a sick person, rather than throwing him in a drunk tank and then three weeks later repeat the performance. What we are attempting to do here is to get at the problem in a manner that will actually eventually should reduce the number of drunks that we have to handle and of course the funding eventually would have to come, some of it, from the general fund."

Senator Guess: "Senator Day, I envision for instance the very small towns in the area south of Spokane where they are not going to have a sufficient amount of money to build

the facilities. What happens when a bunch of drunks go out on the town and start breaking up windows and they only have one night sheriff? Is it no longer going to be a crime to be drunk in these small towns that do not have these facilities?"

Senator Day: "Senator, I will defer to my lawyer and ask Senator Holman to answer those questions."

Senator Holman: "Mr. President and Senator Guess, the answer to your question is yes, it will not be a crime. We are removing drunkenness as such from the criminal statutes and treating it as an illness. Now if your question is what will happen in the small town which does not have accredited facilities when a person is found in a drunken condition. Well, this bill is very broad and in that case the police or the emergency service patrol if there were one, there probably would not be one in a small town, would take him home or take him to a hospital or any facility which the town can have. We do not have the naivete to think that all of a sudden this thing is going to spring full grown into the type of things that maybe twenty years from now we may have, but the town will just have to do the best it can. It does that now. Possibly it has a single cell which is not very commodious and is not any way to take care of these drunks. But the thing is, the main thrust of the bill is to finally state that society as represented here has decided to take a new handle on alcoholism and treat it as a sickness which it undoubtedly is. As far as the funding is concerned, frankly I would have to point out that the reason we made this bill not take effect until the next biennium is because we need to take a look at this and see how far we can start. We cannot possibly fully fund this thing for quite some time. In addition to that we have to wait to see what Congress does under the Hughes Act which is now in the appropriations stage in Congress. This will fund these programs for those states which adopt this act. So I cannot honestly say just how it would be taken care of but I am sure it would be taken care of by the time we get to that operation."

Senator Guess: "I would like to go back to one more point, Senator Holman. When the small town peace officer picks up a man and he is drunk and unmanageable, and he takes him down and lodges him in the single cell, is he going to be in danger of being charged with false arrest?"

Senator Holman: "No, he is not. We specifically cover that in the bill."

POINT OF INQUIRY

Senator Rasmussen: "Will Senator Holman yield? Did I understand you correctly that a bunch of the boys get whooping it up, breaking things up, and all that police officer is expected to do is take them by the hand and take them home and put them to bed and not in the calaboose? I thought that is what I heard you say but I could not believe it."

Senator Holman: "Senator Rasmussen, I am trying to differentiate between some one of the boys whooping it up and an alcoholic whooping it up. This bill is not for any normal person who goes out on a party and gets intoxicated unless at the same time he is a danger to himself and the rest of society. Then he would come under this act, but anybody just whooping it up if he is not committing some other crime, this bill is not for him."

POINT OF INQUIRY

Senator Washington: "Senator Holman, if someone is intoxicated and still commits a crime, whether they commit assault or whether they commit battery, whether they rob or are violent and commit crimes in that fashion, this is not going to be a defense of that crime. They can still be arrested for a particular crime. The usual drunk and disorderly would perhaps be out the window. But these violent things I think that Senator Rasmussen is talking about certainly would still be crimes."

Senator Holman: "You are correct."

POINT OF INQUIRY

Senator Wilson: "Would Senator Holman yield please? Senator, I think this is very progressive and admirable legislation. I am bothered considerably by the same points that

Senator Guess has been trying to express. When I think of the dozens of small cities and towns in my area and how they could possibly cope with the mandates and intents of this legislation, nor at the moment does there seem to be any possibility or any assurance of any kind that state or federal assistance would be provided to them. The single night marshal in a small isolated town without a hospital or without a treatment facility, cannot leave the town and drive this person to another community because thereby he would leave the community unprotected and would be facing an almost insoluble problem. Now this very worthwhile legislation has an effective date of July 1, 1973. My question is, why are we passing this now? Can we work out the practical details of implementation during the next two days rather than working out the details of implementation in company with the legislation so that we would know it would be workable and enforceable when it does become law?"

Senator Holman: "Senator Wilson, your first question was how are going to take care of them in the small towns and I could answer that by asking how you do it now. The reason for asking the consent of the legislature to this act now is, number one, to adopt a policy that we are going to move towards this way of handling alcoholism as a sickness and not necessarily a crime. Even more importantly to indicate to other states and to the Congress that this state is moving in this direction so we will become eligible for the help that the federal law is going to give us to implement it. Now during the next several months and before the next biennial budget is prepared, we should know a great deal more about what we are going to have to do in a minimum way to get started. And the federal funds will be available. We have had four hundred and forty-three thousand dollars tentatively allocated to this state right now under the current fiscal 1972 appropriation by Congress, if we pass this bill. So I say you have to take one step at a time. We get the bill. The Department of Social and Health Services can get ready to implement it; this bill very carefully covers how they will do it and then by 1973 we should be able to make a modest beginning. I do not fully expect that this will be a panacea in the next year and one-half or maybe not in the next five years but we have to move and I think we should move now."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 29, and the bill passed the Senate by the following vote: Yeas, 38; nays, 8; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Ridder, Sandison, Scott, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Woodall—38.

Voting nay: Senators Canfield, Greive, Huntley, Newschwander, Rasmussen, Sellar, Talley, Wilson—8.

Absent or not voting: Senators Mardesich, Peterson (Ted)—2.

Excused: Senator Gardner—1.

ENGROSSED SUBSTITUTE 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.

SENATE BILL NO. 241, by Senators Gissberg, Andersen and Mardesich:
Providing that mutual savings banks may act as trustees and executors of estates.
The Senate commenced consideration of Senate Bill No. 241 on second reading.

REPORT OF STANDING COMMITTEE

January 2, 1972.

SENATE BILL NO. 241, providing that mutual savings banks may act as trustees and executors of estates (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 13 insert a new paragraph as follows:

“Before engaging in trust business pursuant to this 1972 amendatory act, a mutual savings bank shall apply to the supervisor of banking on such form as he shall determine and shall pay the same investigation fee required of a bank which makes application to engage in a trust business. In considering such application the supervisor shall ascertain from the best source of information at his command and by such investigation as he may deem necessary whether the management and personnel of the mutual savings bank are such as to command confidence and warrant belief that the trust business will be adequately and efficiently conducted in accordance with law, whether the resources in the neighborhood of such place and in the surrounding country afford a reasonable promise of adequate support for the proposed trust business and whether the resources of the mutual savings bank are sufficient to support the conduct of such trust business. Within 60 days after receipt of such application, the supervisor shall either approve or refuse the same and forthwith return to the mutual savings bank a copy of the application upon which his decision has been endorsed: PROVIDED, That the supervisor shall not be required to approve or refuse an application until 30 days after any appropriate approval has been obtained from a federal regulatory agency.”

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Clarke, Foley, Francis, Greive.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the committee amendment.

MOTIONS

On motion of Senator Woodall, Senator Peterson (Ted) was excused.

On motion of Senator Holman, the following amendment to the committee amendment was adopted:

On line 1 of the Committee amendment, delete “1972 amendatory act” and insert “section”

The motion by Senator Gissberg carried and the committee amendment, as amended, was adopted.

Senator Gissberg moved that the rules be suspended and Engrossed Senate Bill No. 241 be advanced to third reading.

Debate ensued.

Senator Gissberg demanded a roll call and the demand was sustained by Senators Foley, Dore, Greive, Scott, Rasmussen, Donohue, Huntley, Holman and Connor.

PARLIAMENTARY INQUIRY

Senator Greive: “If I recall Rule 28, it is suspended by a simple majority. Isn’t that correct?”

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: “A suspension of the rules, as I understand it, requires a two-thirds majority. Rule 28, Senator Greive, as I am sure you are aware of by now, applies only to legislative congressional reapportionment.”

ROLL CALL

The Secretary called the roll and the motion to suspend the rules and advance Engrossed Senate Bill No. 241 to third reading failed by the following vote: Yeas, 19; nays, 26; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Connor, Dore, Foley, Francis, Gissberg, Greive, Herr, Jolly, Metcalf, Murray, Peterson (Lowell), Rasmussen, Scott, Stender, Stortini, Whetzel—19.

Voting nay: Senators Canfield, Clarke, Cooney, Day, Donohue, Elicker, Fleming,

Guess, Henry, Holman, Huntley, Keefe, Knoblauch, Lewis, Mardesich, Matson, Newschwander, Odegaard, Ridder, Sandison, Sellar, Twigg, Walgren, Washington, Wilson, Woodall—26.

Absent or not voting: Senators Durkan, Talley—2.

Excused: Senators Gardner, Peterson (Ted)—2.

Engrossed Senate Bill No. 241 was passed to third reading.

SECOND READING

SENATE BILL NO. 403, by Senators Dore and Mardesich:

Excluding patronage dividends from the definition of security sales.

MOTIONS

On motion of Senator Dore, Substitute Senate Bill No. 403 was substituted for Senate Bill No. 403 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Dore, the rules were suspended, Substitute Senate Bill No. 403 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 403, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Gardner, Peterson (Ted)—2.

SUBSTITUTE SENATE BILL NO. 403, having received the 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. 146, by Senators Walgren, Twigg, Andersen and Odegaard (by executive request and Municipal Committee request):

Creating a section of criminal identification within the Washington state patrol.

MOTION

On motion of Senator Bailey, Senate Bill No. 146 was referred to the Committee on Ways and Means.

SENATE BILL NO. 374, by Senators Odegaard, Ridder, Canfield, Stortini and Guess: Implementing law respecting state plan for vocational education.

MOTIONS

On motion of Senator Odegaard, Substitute Senate Bill No. 374 was substituted for Senate Bill No. 374 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Odegaard, the rules were suspended, Substitute Senate Bill No. 374 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 374, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Absent or not voting: Senators Connor, Dore, Huntley—3.

Excused: Senators Gardner, Peterson (Ted)—2.

SUBSTITUTE 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. 185, by Senators Greive, Stender, Fleming, Ridder, Herr, Cooney and Rasmussen:

Setting up a state labor relations act for certain employees.

REPORT OF STANDING COMMITTEE

January 31, 1972.

SENATE BILL NO. 185, setting up a state labor relations act for certain employees (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, line 3, after "organization;" strike "individual employed in agriculture;"

Signed by: Senators Fleming, Chairman; Bailey, Ridder, Stender, Stortini.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendment was adopted.

On motion of Senator Greive, 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.

Debate ensued.

ROLL CALL

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, 29; nays, 18; excused, 2.

Voting yea: Senators Bailey, Connor, Cooney, Day, Dore, Durkan, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Walgren, Washington—29.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Donohue, Elicker, Guess, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Sellar, Twigg, Whetzel, Wilson, Woodall—18.

Excused: Senators Gardner, Peterson (Ted)—2.

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.

SENATE BILL NO. 151, by Senators Walgren and Twigg (by Municipal Committee request):

Imposing additional requirements on outdoor music festivals.

MOTIONS

On motion of Senator Walgren, Substitute Senate Bill No. 151 was substituted for

Senate Bill No. 151 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Walgren, the rules were suspended, Substitute Senate Bill No. 151 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 151, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Gardner, Peterson (Ted)—2.

SUBSTITUTE SENATE BILL NO. 151, having received the 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. 261, by Senators Mardesich, Peterson (Ted) and Durkan:
Licensing journeymen plumbers.

MOTION

Senator Durkan moved that Senate Bill No. 261 be referred to the Committee on Ways and Means with instructions to report back within ten days.

POINT OF ORDER

Senator Woodall: "Senate Bill 261 is not a matter relating to appropriations, fiscal matters."

Senator Durkan: "Mr. President, I have been in touch with the department. This is a new state-wide licensing bill. They informed me that there is a fiscal impact on it of substantial nature and therefore under the rules which we have always had on the floor of the Senate, the bill properly belongs in the Senate Ways and Means Committee."

Senator Woodall: "Fiscal impact on what? Cities, towns?"

Senator Durkan: "On the general fund for the administration of the new act, Senator."

Senator Woodall: "Mr. Chairman, speaking to my point of order. He said there will be a fiscal impact if it passes. Well of course then it obviously does not have a fiscal impact at this time and does not fall within the category that properly would be held over and contained afterwards."

Debate ensued.

POINT OF ORDER

Senator Woodall: "My point of order is that that motion is out of order, that this matter is not carrying a fiscal impact at this time but properly falls in the category of those which die as of one minute to six."

The motion by Senator Durkan carried. Senate Bill No. 261 was referred to the Committee on Ways and Means with instructions.

SECOND READING

SENATE BILL NO. 270, by Senators Henry, Donohue and Guess:

Providing that snowmobiles shall be registered for two years, removing the fuel tax exception, and giving county commissioners greater flexibility in administration.

MOTIONS

On motion of Senator Guess, Substitute Senate Bill No. 270 was substituted for Senate Bill No. 270 and the substitute bill was placed on second reading and read the second time in full.

On motion of Senator Guess, the rules were suspended, Substitute Senate Bill No. 270 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 270, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Gardner, Peterson (Ted)—2.

SUBSTITUTE SENATE BILL NO. 270, having received the 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. 439, by Senators Lewis, Mardesich and Twigg:

Authorizing an additional judge of the superior court for Thurston county.

MOTION

On motion of Senator Lewis, Senate Bill No. 439 was referred to the Committee on Ways and Means with instructions to report back within ten days.

SENATE BILL NO. 393, by Senator Fleming:

Relating to industrial insurance.

REPORT OF STANDING COMMITTEE

January 31, 1972.

SENATE BILL NO. 393, relating to industrial insurance (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

“NEW SECTION. Section 1. There is added to chapter 51.48 RCW a new section to read as follows:

The penalties provided under this title for failure to apply for coverage for employees as required by the provisions of Title 51 RCW, the workmen’s compensation law, shall not be applicable prior to March 1, 1972, as to any employer whose work first became subject to this title on or after January 1, 1972.”

On line 1 of the title after “insurance” and before the period insert “; and adding a new section to chapter 51.48 RCW”

Signed by: Senators Fleming, Chairman; Connor, Matson, Sellar, Stender.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendment was adopted.

On motion of Senator Fleming, the committee amendment to the title was adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed Senate Bill No. 393 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 393, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Gardner, Peterson (Ted)—2.

ENGROSSED SENATE BILL NO. 393, having received the 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

THIRD READING

SENATE BILL NO. 98, by Senators Scott and Wilson (by Secretary of State request): Providing procedures in cases of candidacy voids.

The Senate resumed consideration of Senate Bill No. 98 on third reading, the motion for reconsideration by Senator Mardesich having carried and Senate Bill No. 98 was made a special order of business for 5:59 p.m. today.

MOTION

Senator Mardesich moved that the rules be suspended and Senate Bill No. 98 be returned to second reading.

Debate ensued.

Senator Mardesich demanded a roll call and the demand was sustained by Senators Atwood, Andersen, Woodall, Greive, Connor, Foley, Bailey, Peterson (Lowell), Keefe and Odegaard.

ROLL CALL

The Secretary called the roll and the motion by Senator Mardesich to suspend the rules and return Senate Bill No. 98 to second reading failed by the following vote: Yeas, 26; nays, 19; absent or not voting, 2; excused, 2.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Fleming, Foley, Gissberg, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—26.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Guess, Holman, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Scott, Sellar, Stender, Twigg, Whetzel, Woodall—19.

Absent or not voting: Senators Durkan, Francis—2.

Excused: Senators Gardner, Peterson (Ted)—2.

The President declared the question before the Senate to be the final passage of Senate Bill No. 98, on reconsideration.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 98, and the bill, on reconsideration, passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Gardner, Peterson (Ted)—2.

SENATE BILL NO. 98, having received the constitutional majority, on reconsideration, 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 Mardesich: "Mr. President and gentlemen of the Senate, outside of the fact that I have always favored presidential primaries, I do feel that somewhere along the line we should forget politics as such. Since I do not know when this state for some long time to come will ever have the opportunity to have a candidate for the presidency, at least a serious candidate. I proposed this amendment without consulting Senator Jackson. He has not spoken to me about it and I have not spoken to him about it. His own staff, they have indicated to me, are divided on the question. But I do feel that once this state has had an opportunity that it may never have again for years, we might have risen above petty politics to do something for the state in general. I get the feeling that this is somehow a slap at a very distinguished legislator."

PERSONAL PRIVILEGE

Senator Scott: "I am very sad that this became a for or against Scoop vote if that is what it was. The fact of the matter is it would cost the state about eight hundred thousand dollars. According to the Secretary of State's office you would have to mail out between now and May one point six million hand addressed ballots, about twenty percent of which would not get to the voter because of the outdatedness of the registration. It is pretty obvious that President Nixon is going to be the nominee on one side, so you can have a person, if he wants to cause the Democratic party difficulty, petition with as little as one percent of the vote in the race concerned last time in this state, ten thousand signatures put any screwball who wants to on the ballot. I fail to see on that ballot how the Democratic party would come out ahead or how Scoop Jackson's popularity would be enhanced. Thirdly, there is the matter that you would be frightening off money as has already happened in other states. You put on a presidential primary that would prove what we already know; and lastly if the amendment had been tacked it would have been stopped in the House and there is no pressure I can conceive of that would have changed the House's mind. Senate Bill No. 98, in short, would have been encumbered as it was last time and gone down and a very badly needed set of new mechanical revisions to the election law would have again been bypassed when they are very much needed. Thank you."

PERSONAL PRIVILEGE

Senator Canfield: "In spite of what Senator Mardesich said, I would like to say that my vote was not directed against Senator Jackson, who is a very fine gentleman and a good personal friend. Thank you."

MOTION

At 6:15 p.m., on motion of Senator Greive, the Senate adjourned until 11:30 p.m., Thursday, February 3, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, February 3, 1972.

The Senate was called to order at 11:30 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Andersen, Elicker, Francis, Gardner and Holman. On motion of Senator Knoblauch, Senators Francis and Gardner were excused. On motion of Senator Matson, Senators Andersen, Elicker and Holman were excused.

The Color Guard, consisting of Pages Perry Huston, Color Bearer, and Dorothy McLeod, presented the Colors. Reverend Louis Gaffney, President of Seattle University, offered prayer as follows:

“God, our Heavenly Father, we recognize with gratitude Your blessings on our country which with all its problems and tensions, has most likely shared more of the good things of earth with more of its people than any culture in recorded history. But we also confess with sorrow that we are still freighted with the problems of our human condition, that sadness and want still stalk the lives of many; and inequities clamor for a hopeful solution.

“Grant us, we pray, the courage of Job in facing a world still enveloped in its problems, the determination of Jeremiah in seeking the rights of the needy and downtrodden; the sorrow of a Peter for our weaknesses and betrayals. But most of all we pray for the wisdom of Solomon in discerning what is most just and equitable for all our citizens and the grace always to deal gently with the people of God. And may people here and everywhere learn to live in peace and happiness. We ask this humbly, beseeching Your blessing on all our work. Amen.”

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

REPORTS OF STANDING COMMITTEE

January 31, 1972.

HOUSE BILL NO. 90, establishing minimum number of days for kindergarten years (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming; Gardner, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Ridder.

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

January 31, 1972.

ENGROSSED HOUSE BILL NO. 105, providing that financial aid for part time students shall include ancillary services (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Gardner, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Ridder.

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

January 31, 1972.

ENGROSSED HOUSE BILL NO. 234, relating to payroll deductions for certificated employees of school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Gardner, Metcalf, Murray, Odegaard, Peterson (Ted), Ridder.

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

LETTER OF INFORMATION

February 2, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON 98504

MR. PRESIDENT:

The Senate Committee on Appropriations has referred the following bills to the full Committee on Ways and Means:

HOUSE BILL NO. 187: Water Supply Bonds.

HOUSE BILL NO. 186: Waste Disposal Bonds.

HOUSE BILL NO. 189: State Parks and Recreation Bonds.

Sincerely,
FRED H. DORE, Chairman,
Senate Appropriations Committee.

MESSAGES FROM THE HOUSE

February 2, 1972.

Mr. President: The House has passed:

ENGROSSED HOUSE BILL NO. 5,

ENGROSSED HOUSE BILL NO. 9,

SUBSTITUTE HOUSE BILL NO. 13,

SUBSTITUTE HOUSE BILL NO. 14,

ENGROSSED HOUSE BILL NO. 20,

SUBSTITUTE HOUSE BILL NO. 29,

ENGROSSED HOUSE BILL NO. 33,

HOUSE BILL NO. 42,

ENGROSSED HOUSE BILL NO. 62,

HOUSE BILL NO. 76,

HOUSE BILL NO. 79,

ENGROSSED HOUSE BILL NO. 92,

ENGROSSED HOUSE BILL NO. 108,

ENGROSSED HOUSE BILL NO. 109,

HOUSE BILL NO. 110,

SUBSTITUTE HOUSE BILL NO. 111,

HOUSE BILL NO. 113,

ENGROSSED HOUSE BILL NO. 159,

ENGROSSED HOUSE BILL NO. 164,

ENGROSSED HOUSE BILL NO. 194,

SUBSTITUTE HOUSE BILL NO. 196, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 2, 1972.

Mr. President: The House has passed:

HOUSE BILL NO. 210,

HOUSE BILL NO. 228,

ENGROSSED HOUSE BILL NO. 233,

ENGROSSED HOUSE BILL NO. 240,

ENGROSSED HOUSE BILL NO. 243,

HOUSE BILL NO. 249,
 HOUSE BILL NO. 254,
 ENGROSSED HOUSE BILL NO. 270,
 HOUSE BILL NO. 275,
 HOUSE BILL NO. 289,
 HOUSE BILL NO. 291,
 HOUSE BILL NO. 299,
 SUBSTITUTE HOUSE BILL NO. 318,
 SUBSTITUTE HOUSE BILL NO. 323,
 ENGROSSED HOUSE BILL NO. 348,
 HOUSE BILL NO. 349,
 ENGROSSED HOUSE BILL NO. 397,
 SUBSTITUTE HOUSE BILL NO. 411,
 ENGROSSED HOUSE BILL NO. 438,
 ENGROSSED HOUSE BILL NO. 439,
 ENGROSSED HOUSE BILL NO. 444,
 SUBSTITUTE HOUSE BILL NO. 454,
 ENGROSSED HOUSE BILL NO. 468, and the same are herewith transmitted.
 MALCOLM McBEATH, Chief Clerk.

February 2, 1972.

Mr. President: The House has passed:
 ENGROSSED HOUSE BILL NO. 469,
 HOUSE BILL NO. 482,
 SUBSTITUTE HOUSE BILL NO. 508,
 HOUSE BILL NO. 512,
 HOUSE BILL NO. 521,
 ENGROSSED HOUSE BILL NO. 528,
 HOUSE BILL NO. 537,
 SUBSTITUTE HOUSE BILL NO. 542,
 HOUSE BILL NO. 555,
 HOUSE BILL NO. 558,
 ENGROSSED HOUSE JOINT MEMORIAL NO. 2,
 ENGROSSED HOUSE JOINT MEMORIAL NO. 5,
 HOUSE CONCURRENT RESOLUTION NO. 10, and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed Senators Guess and Keefe to escort the Honorable Al Henry, President Pro Tempore of the Senate to the rostrum.

PRESIDENT'S PRIVILEGE

The President: "Mr. President, members of the Senate, ladies and gentlemen, the President wishes to express his sincere thanks and appreciation to Senator Al Henry for the magnificent manner in which he has conducted the affairs of the Senate for the past several days and for the many times in the past when he has acted so nobly in his capacity as President Pro Tempore. And Al, as a small token of the respect, admiration and affection that the members and the President have for you, it is my privilege in behalf of the Senators and the President to present you this gavel which is inscribed 'President Pro Tem Al Henry for parliamentary excellence, Washington State Senate, Lieutenant Governor John Cherberg.' Congratulations, Al."

REMARKS BY SENATOR HENRY

Senator Henry: "Lieutenant Governor and fellow members, I think if I had a railroad cap maybe it would better fit the occasion, but this is a very beautiful gavel. I had a little

preview of it but I had no idea that he was going to make a ceremony out of this. All I can say is that if I stepped on anybody's toes deliberately, if I said anything that I am sorry for I am glad of it. But I want to apologize for fracturing most of Roberts Rules of Order in the interests of trying to get to my snowmobile bill yesterday, it will be a real pleasure to be presided over again by Lieutenant Governor Cherberg who, because he is a state-wide figure, it is a little more necessary that he have a little more dignity than I do. Thank you."

MOTION

On motion of Senator Talley, the following resolution was adopted:

SENATE RESOLUTION: 1972-21

By Senator Talley:

WHEREAS, Since the inception of commercial fishing in the Columbia River, gillnet licensees have organized for the purpose of improving and maintaining specific fishing areas known as "drifts"; and

WHEREAS, Such organizations recognize the rights of the members thereof to rights in such drifts; and

WHEREAS, The protection and guarantee of these rights is of paramount interest to the fishing industry of this state;

NOW, THEREFORE, BE IT RESOLVED, By The Senate, that the Interim Committee on Fisheries, Game and Game Fish be authorized and requested to undertake a study on the proprietary interests of gillnetters in drift areas, and to determine whether legislation could be introduced in the next session of the legislature to define and protect such interests; and

BE IT FURTHER RESOLVED, That the committee present its findings and recommendations from such study to the next regular session of the legislature.

MOTION

Senator Huntley moved adoption of the following resolution:

SENATE RESOLUTION: 1972-22

By Senators Huntley, Scott, Jolly, Murray, Donohue, Washington and Peterson (Lowell):

WHEREAS, Sediment eroding from the croplands of Eastern Washington, North Central Oregon, and parts of Idaho is one of the largest single sources of water pollution in the tri-state area; and

WHEREAS, This sediment is discharging into the storage areas of 15 multi-purpose dams on the Columbia and Snake rivers, destroying water based recreational sites at each side-stream estuary, damaging fisheries, and shortening the longevity of the useful life of the various dams; and

WHEREAS, The eroding croplands themselves, are being damaged to the extent of losing productive potential for food and fiber production at an alarming rate; and

WHEREAS, Land treatment measures can be installed that can adequately reduce erosion and sedimentation damage at a comparatively low cost in relation to the value of the resources they would protect; and

WHEREAS, The cost of needed conservation measures to the owners and operators of these croplands would seriously disrupt the economic stability of their enterprises, even while making use of existing programs; and

WHEREAS, House Bill No. 12694 provides authority to the Secretary of Agriculture to enter into agreements with landowners and operators of sediment producing lands and share the cost of permanent conservation practices and needed land use changes;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, that the Soil Conservation and Domestic Allotment Act, as amended, be amended to provide for a Columbia-Snake-Palouse Conservation Program by passage of House Bill No. 12694; and

BE IT FURTHER RESOLVED, That copies of this resolution be directed immediately to President Richard M. Nixon, to the President of the Senate, the Speaker of the House of Representatives, and to the members of the Congressional delegation from Washington State.

POINT OF INQUIRY

Senator Donohue: "Mr. President, would Senator Huntley yield? Senator Huntley, does Congressman Foley's bill mandate that farms come under this?"

Senator Huntley: "No, I do not think that it does, Senator Donohue. In fact if it did I would not be in favor of this resolution or the legislation pending in Congress. I think it is one of those things that they can or cannot get into it."

POINT OF INQUIRY

Senator Stender: "Would Senator Huntley yield? I am no expert on this but if it is a voluntary thing how could it go to the problem of pollution, if anybody just does as they choose?"

Senator Huntley: "Well, Senator Stender, those people over there are not asleep. They understand what is going on and they want to do something towards the control of pollution and to control the soil. It is just a matter of fact that they have to live off of this land and unless there is some help forthcoming from some source they are not going to take the land out of production to do the job in controlling the pollution that needs to be done. I think that you will find very good cooperation from the farmer in this regard."

POINT OF INQUIRY

Senator Guess: "Senator Huntley, I have observed down in Asotin County the very thorough job that has been done in contour plowing and cultivation, and find that in that particular area they have done a real outstanding job. There and in Pomeroy. Now does this bill continue that type of a program or have you read the bill so you can assure us that it will not be a detrimental bill?"

Senator Huntley: "I am sorry to say, Senator, that I have not had the chance to read the bill as it has been introduced. I have seen the rough draft and it certainly would no way inhibit the present practices that they are using."

POINT OF INQUIRY

Senator Peterson (Ted): "Mr. President, would Senator Huntley yield further? I have not had a chance to look at this and when I think of the Shoreline Management Act and I am not sure just how far back from the river are you going to keep the waters clean?"

Senator Huntley: "Just as far as is necessary. Anything that is a contributory to the river."

The motion by Senator Huntley carried and the resolution was adopted.

MOTION

On motion of Senator Metcalf, the following resolution was adopted:

SENATE RESOLUTION: 1972-23

By Senators Metcalf, Odegaard, Murray, Ridder and Stortini:

WHEREAS, Public education is of paramount importance to the people of the state of Washington; and

WHEREAS, In order to maintain the highest possible quality of education in our public schools, it is increasingly necessary for all certified teachers to achieve and thereafter maintain a level of competence, commensurate with the highest standards possible; and

WHEREAS, In order for teachers to achieve such a level of competence, it is necessary that all instructors in the field of education and teaching methods in this state's institutions of higher education maintain not only the highest standards of academic excellence, but also that such instructors should strive to maintain a continuing awareness of the practical problems which confront the classroom teacher; and

WHEREAS, Many such instructors of higher education have had only limited experience in actual classroom teaching in public schools, and that many have had no actual classroom experience in public schools in the last seven years or more;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests that the superintendent of public instruction study the feasibility of implementing teacher training programs which are field oriented and which require the instructors of K-12 teachers to maintain continued contact with classroom teaching, such contact to be the equivalent of one school year of classroom instruction every seven years. The study should include a review of several different alternatives, the problems of implementations, the costs of implementation and should conclude with recommendations and a report to the Joint Committee on Education by November 1, 1972.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 5, by Representatives Smythe and Zimmerman:

Allowing certain police officers of cities and towns to transfer to county sheriff's office.

Referred to Committee on Cities, Towns and Counties.

ENGROSSED HOUSE BILL NO. 9, by Representatives Bottiger, Julin, Sawyer, Kilbury, Marzano and Shinpoch:

Providing wife may become manager of community property when husband missing in action or prisoner of war.

Referred to Judiciary Committee.

SUBSTITUTE HOUSE BILL NO. 13, by Committee on Local Government (Originally sponsored by: Representatives Cunningham and Hoggins):

Providing for the return of property wrongfully sold to satisfy a tax lien.

Referred to Judiciary Committee.

SUBSTITUTE HOUSE BILL NO. 14, by Committee on Local Government (Originally sponsored by: Representatives Zimmerman, Smythe, Wolf and Bottiger):

Enumerating amounts of bonds required for outdoor music festivals.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 20, by Representatives May, Adams, Anderson, Bottiger, Douthwaite, Gallagher, Grant, Haussler, Hurley, Kilbury, Luders, Martinis, Marzano, McCormick and O'Brien:

Providing for appeal to local county court and payment of attorneys' fees in certain appeals from decisions of the board of industrial insurance appeals.

Referred to Committee on Labor and Industrial Insurance.

SUBSTITUTE HOUSE BILL NO. 29, by Committee on Natural Resources and Ecology (Originally sponsored by Representative Bradley):

Transferring administration of all terrain vehicle law from department of motor vehicles to inter-agency committee.

Referred to Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs.

ENGROSSED HOUSE BILL NO. 33, by Representatives Wolf, May, Zimmerman, Cunningham and Hoggins:

Providing school districts create reserve funds for equipment depreciation reimbursement.

Referred to Committee on Education.

HOUSE BILL NO. 42, by Representatives Newhouse, North, Moon and Smith (by Legislative Council request):

Providing that telegraph companies be taxed on the basis of the situs of equipment.
Referred to Committee on Ways and Means—Revenue and Taxation.

ENGROSSED HOUSE BILL NO. 62, by Representatives Copeland, Cunningham and Charette (by Legislative Council request):

Providing for uniform per diem payments.
Referred to Committee on State Government.

HOUSE BILL NO. 76, by Representatives Bluechel, Perry and Cunningham (by Secretary of State request):

Changing filing procedures for nonprofit corporations.
Referred to Judiciary Committee.

HOUSE BILL NO. 79, by Representatives Charette, Juelling, Grant, Anderson and Knowles (by Legislative Council request):

Exempting ordinary hot water tanks from inspection by the department of labor and industries.
Referred to Committee on Labor and Industrial Insurance.

ENGROSSED HOUSE BILL NO. 92, by Representatives Bluechel and Cunningham (by Secretary of State request):

Permitting fees to be charged for publications of the secretary of state.
Referred to Committee on Ways and Means—Appropriations.

ENGROSSED HOUSE BILL NO. 108, by Representatives Julin, Bottiger and Eikenberry:

Allowing trust funds to be invested in life insurance made upon the life of a beneficiary.
Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 109, by Representatives Julin, Bottiger and Eikenberry:

Allowing beneficiary under will or through intestacy to disclaim his interest.
Referred to Judiciary Committee.

HOUSE BILL NO. 110, by Representatives Kuehnle, Haussler, Hatfield and Pardini:
Pertaining to sale or disposal of abandoned irrigation district right of way.
Referred to Committee on Agriculture and Horticulture.

SUBSTITUTE HOUSE BILL NO. 111, by Committee on Local Government (Originally sponsored by Representatives Benitz, Johnson, Kilbury and Bledsoe:

Permitting mosquito control districts to give notice by publication.
Referred to Committee on Agriculture and Horticulture.

HOUSE BILL NO. 113, by Representatives Julin, Hubbard, Wojahn, Curtis, Sawyer, Rabel, Eikenberry, Kiskaddon, Spanton, Bottiger, Smythe, Marsh, Polk, Knowles, Gladder, Brown, Ross, Litchman, Charette, Kopet, North, Juelling, Wolf, Bluechel, Wanamaker, Rosellini, Jones, Kraabel and Maxie (by Judicial Council request):

Providing new probate procedures.
Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 159, by Representatives Juelling and Grant (by Legislative Council request):

Authorizing the department of labor and industries to charge a fee for explosives user's and purchaser's licenses.
Referred to Committee on Labor and Industrial Insurance.

ENGROSSED HOUSE BILL NO. 164, by Representatives Berentson, Bozarth, Conner, Hansey, Amen, Wanamaker, Bauer and Gilleland:

Providing for a compact among certain western states to study feasibility of short haul air transportation among them.

Referred to Committee on Transportation.

ENGROSSED HOUSE BILL NO. 194, by Representatives Polk, Bottiger, Julin and Spanton:

Providing for contractors bonds.

Referred to Judiciary Committee.

SUBSTITUTE HOUSE BILL NO. 196, by Committee on Agriculture (Originally sponsored by Representatives Amen, Bozarth, Copeland, Goldsworthy and Kilbury):

Removing certain restrictions on agricultural commission members and providing a means of filling vacancies on such commissions.

Referred to Committee on Agriculture and Horticulture.

HOUSE BILL NO. 210, by Representatives Hansey and Haussler:

Authorizing counties to establish ambulance service.

Referred to Committee on Cities, Towns and Counties.

HOUSE BILL NO. 228, by Representatives Kuehnle, Ceccarelli, Garrett, Gilleland, Wanamaker and Wolf:

Proposing amendments to real estate license law.

Referred to Committee on Commerce and Regulatory Agencies.

ENGROSSED HOUSE BILL NO. 233, by Representatives Jones, Perry, Gilleland, Polk, Brouillet, Bluechel, Julin and Litchman:

Providing for special commercial zones in which motor freight carriers can operate at prescribed rates.

Referred to Committee on Commerce and Regulatory Agencies.

ENGROSSED HOUSE BILL NO. 240, by Representatives Marsh, Kirk and Farr (by Department of Social and Health Services request):

Providing wage rate exemptions for vocationally handicapped on public works.

Referred to Committee on Labor and Industrial Insurance.

ENGROSSED HOUSE BILL NO. 243, by Representatives Zimmerman, Maxie, Kiskaddon and Backstrom (by Department of Social and Health Services request):

Extending industrial insurance to inmates employed in an industrial enterprise or at honor camps.

Referred to Committee on Labor and Industrial Insurance.

HOUSE BILL NO. 249, by Representatives Martinis, Charette, Wolf and Conner:

Limiting the number of commercial salmon licenses.

Referred to Committee on Natural Resources, Fisheries and Game.

HOUSE BILL NO. 254, by Representatives Charette, Zimmerman, Perry and Kilbury:

Providing procedures for inviting bids and awarding contracts by public utility districts.

Referred to Committee on Commerce and Regulatory Agencies.

ENGROSSED HOUSE BILL NO. 270, by Representatives Kopet, Marsh, Goldsworthy and Thompson:

Establishing requirements for the executive budget proposal.

Referred to Committee on Ways and Means—Appropriations.

HOUSE BILL NO. 275, by Representatives Kopet, Backstrom and Bluechel:

Authorizing the transfer of funds from the state trade fair fund to the general fund.

Referred to Committee on Ways and Means—Appropriations.

HOUSE BILL NO. 289, by Representatives Jastad, Moon, Marzano, Haussler, Adams, Martinis, Ceccarelli and Merrill:

Defining dognapping as a crime and prescribing penalties therefor.

Referred to Judiciary Committee.

HOUSE BILL NO. 291, by Representatives Wanamaker, Beck, Berentson and Costanti (by Legislative Transportation Committee request):

Providing financial support for the Puget Sound ferry system.

Referred to Committee on Transportation.

HOUSE BILL NO. 299, by Representatives Randall, Smythe and Brown (by Superintendent of Public Instruction request):

Allowing receivables collectible in future fiscal years to be included in preliminary budgets of school districts.

Referred to Committee on Education.

SUBSTITUTE HOUSE BILL NO. 318, by Committee on Education and Libraries (Originally sponsored by Representative Mentor):

Changing application of chapter 28A.57 RCW.

Referred to Committee on Education.

SUBSTITUTE HOUSE BILL NO. 323, by Committee on State Government (Originally sponsored by Representative Bluechel):

Relating to state government.

Referred to Committee on Commerce and Regulatory Agencies.

ENGROSSED HOUSE BILL NO. 348, by Representatives Mentor, Conner, Backstrom, Copeland, Costanti, Cunningham, Farr, Gallagher, Gilleland, Hansey, Jastad, Jones, Martinis, Perry and Savage:

Relating to ferry routes and operations.

Referred to Committee on Transportation.

HOUSE BILL NO. 349, by Representative Eikenberry:

Relating to landlords' liens.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 397, by Representative Charnley:

Authorizing the highway commission to erect along roads commercial signs pertaining to gas, food, and lodging.

Referred to Committee on Transportation.

SUBSTITUTE HOUSE BILL NO. 411, by Committee on Business and Professions (Originally sponsored by: Representatives Kuehnle, Bagnariol and Litchman):

Implementing law relating to authorizing gambling.

Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 438, by Representative Kopet:

Creating a priority list of persons who may give consent to an autopsy in any particular case.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

ENGROSSED HOUSE BILL NO. 439, by Representative Kopet:

Creating state and local improvements revolving account in state general fund.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 444, by Representatives Marsh and Farr (by Department of Social and Health Services request):

Establishing an office of the public administrator within the attorney general's office.
Referred to Judiciary Committee.

SUBSTITUTE HOUSE BILL NO. 454, by Committee on Business and Professions
(Originally sponsored by: Representatives Curtis and Merrill):

Providing penalties for taking beer kegs and casks.
Referred to Judiciary Committee.

ENGROSSED HOUSE BILL NO. 468, by Representatives Farr, Ceccarelli, Rabel,
King, Maxie and Ross:

Providing that doctors shall have previous medical histories in child abuse cases.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water
Pollution.

ENGROSSED HOUSE BILL NO. 469, by Representative Lysen:

Limiting the amount of smoke discharge from motor vehicles.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water
Pollution.

HOUSE BILL NO. 482, by Representatives North, Moon and Cunningham:

Providing for the establishment and the administration of certain natural area
preserves.

Referred to Committee on Natural Resources, Fisheries and Game.

SUBSTITUTE HOUSE BILL NO. 508, by Committee on Business and Professions
(Originally sponsored by Representative Bottiger):

Amending certain provisions of the retail installment credit contract.

Referred to Judiciary Committee.

HOUSE BILL NO. 512, by Representatives Ross and Maxie (by Secretary of State
request):

Providing for publication of notice of certain elections in non-English newspapers.

Referred to Committee on Constitution, Elections and Legislative Processes.

HOUSE BILL NO. 521, by Representatives Kopet and Gladder (by Department of
Social and Health Services request):

Providing tuberculosis treatment of persons unable to pay.

Referred to Committee on Medicine, Dentistry and Health Care, Air and Water
Pollution.

ENGROSSED HOUSE BILL NO. 528, by Representative Spanton:

Changing registration period, registration display, and age requirements on
snowmobiles.

Referred to Committee on Transportation.

HOUSE BILL NO. 537, by Representatives Kopet, Pardini and Curtis (by Department
of Social and Health Services request):

Shortening time for declaration of undisclosed income or resources to department of
public assistance by persons receiving such assistance.

Referred to Committee on Public Institutions.

SUBSTITUTE HOUSE BILL NO. 542, by Committee on Social and Health Services
(Originally sponsored by Representatives Pardini and Kopet—by Department of Social and
Health Services request):

Providing child support relief.

Referred to Committee on Public Institutions.

HOUSE BILL NO. 555, by Representative Shera (by Department of Personnel request):

Providing for expanded insurance programs for state employees and officials.

MOTION

Senator Mardesich moved that House Bill No. 555 be referred to the Committee on State Government.

Debate ensued.

The motion by Senator Mardesich failed. House Bill No. 555 was referred to the Committee on Medicine, Dentistry and Health Care, Air and Water Pollution.

HOUSE BILL NO. 558, by Representative Morrison:

Determining who shall sign certificate for the expenses of the legislature.

Referred to Committee on State Government.

ENGROSSED HOUSE JOINT MEMORIAL NO. 2, by Representatives Berentson, Wanamaker, Amen, Bauer, Bozarth, Gilleland and Hansey:

Providing for implementation of interstate short-haul air compact.

Referred to Committee on Transportation.

ENGROSSED HOUSE JOINT MEMORIAL NO. 5, by Representative Conway:

Petitioning Congress to authorize public service employment programs for recipients of public assistance.

Referred to Committee on Public Institutions.

HOUSE CONCURRENT RESOLUTION NO. 10, by Representatives Backstrom, Goldsworthy, Chatalas, Marsh, Moon, Bagnariol, Shera, Kopet and Grant:

Authorizing the continued study of alternative methods for funding various retirement systems.

Referred to Committee on Public Pensions and Social Security.

MOTIONS

On motion of Senator Odegaard, Senate Bill No. 99 was ordered to hold its place on the second reading calendar for Monday, February 7, 1972.

At 12:40 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Friday, February 4, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, February 4, 1972.

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 Elicker, Herr, Newschwander and Whetzel. On motion of Senator Matson, Senators Elicker, Newschwander and Whetzel were excused. On motion of Senator Mardesich, Senator Herr was excused.

The Color Guard, consisting of Pages Randy Sellar, Color Bearer, and Julie Jessen, presented the Colors. Doctor Maurice R. Holt, pastor of First Presbyterian Church of Omak preceded the prayer with the following remarks:

"May I first take a moment to say 'thank you' to the Honorable Bruce Wilson, Senator from our District, to the President of the Senate, the Honorable John Cherberg, our Lieutenant Governor, and to the Senators of our State, for the kind invitation to be here today, and to share with you in this way by asking God's blessing on this session. It is not often that we who are at a distance from our State Capitol, even have the chance to attend a session, and this privilege of opening the session with prayer is one I value very much. I bring to you the greetings from the pastors of the Okanogan Valley. Know that you do have a place in our prayers, and that we appreciate what you do here. Thank you.

"O God, our gracious and loving Heavenly Father, we present ourselves before You again at the opening of another session of the Senate of this State. In these critical, yet exciting days in which we live, we would seek divine wisdom, and direction from our Lord Jesus Christ, as important decisions must be made daily, which can affect the lives of many people. We must look on the outside, when we know that You can look on the heart, and we ask for special guidance that what we do may be right and good.

"We give thanks for all the great mercies of life; for life itself, and for all the beauty which surrounds us. You have given to us such a beautiful land; You have given to us understanding hearts so that we might live in peace in this land; yet we have followed so often our own ways, and sought for that which was pleasing only to ourselves. May we learn to look for wisdom and direction to You Who knows all things. May we see beyond the moment, to a future that can be glorious if we but open our hearts to Your presence, may we be guided so that what You know is best, may be what we seek.

"Give to all these, our Senators, a special blessing and direction. May we see across the things that divide us, to the goal of a future bright for all our people. May we learn to follow our Master, and to learn to walk humbly, yet fearlessly, in the ways that are right. May we learn to seek, not what we might wish personally, but what we know is Your will and purpose, and thus best for all. And grant to each one here today, a rich blessing, we pray, that we may know with real assurance that we walk our way with a constant Companion Who loves us, and Who gave Himself for us, that we might live eternally. These things we ask, with thanksgiving, in the blessed Name of Jesus Christ our Lord and Saviour. Amen."

MOTION

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

REPORT OF STANDING COMMITTEE

LETTER OF INFORMATION

February 3, 1972.

HONORABLE JOHN CHERBERG
 PRESIDENT OF THE SENATE
 LEGISLATIVE BUILDING
 OLYMPIA, WASHINGTON 98504

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bill to the full Committee on Ways and Means:

*SENATE BILL NO. 360: Relating to revenue and tax on cigars.

Sincerely,
 HUBERT F. DONOHUE, Chairman,
 Committee on Revenue and Taxation.

*With amendment

PROTEST

We, the undersigned, explaining our "No" vote on SJR 101, protest the form, content and philosophy of the measure. SJR 101 complicates rather than simplifies. It is over long, and poorly drafted, incapable of understanding by the voters.

We are shocked that sophisticated legislators would promote abdication of the legislature's role as fiscal managers of the people's business by limiting future legislature's options of dealing with current problems.

Constitutionally mandating future governments to fund unfunded liabilities will inhibit future legislators from responding to the needs of pensioners for incremental and cost of living adjustments.

Historically, business cycles produce more than two years of serious fiscal crisis in any forty year span. SJR 101, unrealistically ignores economics.

The full faith and credit of the state of Washington is behind the pensions. That should be sufficient security and guaranty of payment.

Dated this 4th day of February, 1972.

Signed by: Senators Clarke, Atwood, Lewis and Huntley.

MOTION

At 10:15 a.m., on motion of Senator Bailey, the Senate was declared to be at ease until 12:00 noon.

SECOND MORNING SESSION

The President called the Senate to order at 12:00 noon.

MOTION

At 12:05 p.m., on motion of Senator Greive, the Senate adjourned until 12:00 noon, Monday, February 7, 1972.

JOHN A. CHERBERG, President of the Senate.
 SIDNEY R. SNYDER, Secretary of the Senate.

TWENTY-NINTH DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Monday, February 7, 1972.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Dore. On motion of Senator Knoblauch, Senator Dore was excused.

The Color Guard, consisting of Scout Peter Sikov of Richland, Color Bearer, and Scout Paul Ried of Kent, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered prayer as follows:

“Our Heavenly Father, thank You for this great day! It is just good to be alive, and to be in the position of serving our fellow man. We thank You for this lofty position You have called us to, that of being a representative of government. The scriptures teach us that ‘the powers that be are ordained of God’. We express in our prayer time at the beginning of another week, our absolute dependence upon You, Lord, in carrying out the work of this legislative body. We thank You for the challenges before this group, challenges that at the outset appear as problems, troubles, or difficulties, but nothing is impossible when You are in it. We remember the Possibility Thinker’s Creed as we face the mountain of work today: ‘When faced with a mountain I will not quit! I will keep on striving until I climb over, find a pass through, tunnel underneath or simply stay and turn the mountain into a gold mine, with God’s help!’ For that great possibility, through Jesus Christ our Lord, we commit ourselves. In His Name, Amen.”

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

REPORTS OF STANDING COMMITTEES

February 4, 1972.

SUBSTITUTE HOUSE BILL NO. 8, repealing certain employee restrictions on public works (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Sellar.

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

February 4, 1972.

ENGROSSED HOUSE BILL NO. 126, authorizing vocational rehabilitation services payments out of federal or other funding only (reported by Committee on Public Institutions):

Recommendation: Do pass.

Signed by: Senators Odegaard, Chairman; Clarke, Guess, Knoblauch, Sandison, Scott, Stortini, Talley, Twigg.

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

February 4, 1972.

HOUSE BILL NO. 160, providing for elective coverage by public port districts for unemployment compensation (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Sellar.

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

February 4, 1972.

ENGROSSED HOUSE JOINT RESOLUTION NO. 61, providing for equality of rights regardless of sex (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Bailey, Matson, Ridder, Sellar.

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

MESSAGE FROM THE GOVERNOR

GUBERNATORIAL APPOINTMENT

Office of the Governor, January 31, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Sam Kinville, appointed January 21, 1972 for a term ending January 4, 1973, succeeding Lou Hashman as a member of the State Personnel Board.

Sincerely,

DANIEL J. EVANS
Governor.

MESSAGE FROM THE HOUSE

January 27, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 45 with the following amendments:

On page 1, line 3 of the title following "28A.48.010;" insert "adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW;"

On page 2, line 28 following section 1, add a new section to read as follows:

"*NEW SECTION.* Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

Each school district shall estimate and report to the superintendent of public instruction by May 1, of each year such amount of moneys the district will fail to receive during their present fiscal year due to the nonpayment of local property taxes within the district; such estimate shall be based fundamentally upon the amount of moneys the district failed to receive because of nonpayment of such property taxes during the first six months of the then fiscal year and during the last six months of the preceding fiscal year. The superintendent, in presenting his budget to the governor, shall include therein an amount sufficient to reimburse the school districts for moneys lost due to such nonpayment of taxes, which moneys shall be deemed amounts needed for state support to the common schools under RCW 28A.41.050. In their computation, school districts shall offset any estimate of loss of tax moneys with an estimate of tax moneys to be received during such period from delinquent tax payments."

Renumber the remaining section consecutively, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Greive, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 45 and asks the House to recede therefrom.

MOTION

Senator Mardesich moved adoption of the following resolution:

SENATE RESOLUTION: 1972-24

By Senator Mardesich:

WHEREAS, The public's interest in state monopolistic liquor control practices is reflected by increasing public opinion on the subject; and

WHEREAS, The legislature enacted the basic liquor control act in 1933; and

WHEREAS, The legislature should receive and consider all available information before enacting any new legislation on liquor control; and

WHEREAS, The type, scope, controls and administration of any proposed changes in existing liquor control laws should be carefully prescribed in any new legislation on the subject;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Interim Committee on Banking, Insurance, and Utility Regulation is authorized and requested to undertake a study of the possibilities and problems involved in enacting new liquor control legislation.

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the next regular session of the legislature for its consideration.

POINT OF INQUIRY

Senator Greive: "Would Senator Mardesich yield to a question? Senator, would you have any objection to holding this over for a day and drafting an amendment that would also have your committee come back with an alternate source of revenue for any revenue loss to say for the \$36 million so that when we considered we would have the entire package rather than merely saying that somebody did us out of a business without supplying alternate source of revenue."

Senator Mardesich: "It would be perfectly satisfactory. As a matter of fact, our greatest concern among the committee members who appeared at the hearing of the liquor bills relating to this subject, the greatest concern expressed was the question of the finances and the revenue to the state so I would have no objection to that."

MOTION

On motion of Senator Greive, Senate Resolution 1972-24 was ordered placed at the beginning of the sixth order of business for Tuesday, February 8, 1972.

MOTION

On motion of Senator Durkan, the following resolution was adopted:

SENATE RESOLUTION: 1972-25

By Senators Durkan, Andersen, Gissberg, Walgren, Lieutenant Governor Cherberg, Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Washington, Whetzel, Wilson and Woodall:

WHEREAS, The entire State of Washington has been grieved by the death of one of our State Patrolmen, Trooper C. Frank Noble; and

WHEREAS, Trooper Noble had a distinguished record in his twelve years of service with the State Patrol; and

WHEREAS, His untimely death, under still unexplained circumstances, has pointed up the dedication and service rendered by the members of the law enforcement profession to the citizens of the State of Washington; and

WHEREAS, The Senate of the State of Washington wishes to extend its deepest sympathy to his widow, Marie, and family and express its appreciation for his service and dedication to the citizens of our state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington that this expression of sympathy be presented to Mrs. C. Frank Noble and family.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to Mrs. Noble and members of the immediate family, the Honorable Daniel J. Evans, Governor of the State of Washington, and O. C. Furseth, Chief of the Washington State Patrol.

SECOND READING

SENATE BILL NO. 99, by Senators Odegaard, Twigg and Day:

Exempting mobile homes and campers from use tax.

The Senate resumed consideration of Senate Bill No. 99 on second reading and the pending motion by Senator Holman to reconsider adoption of the amendment by Senator Odegaard to page 6.

Debate ensued.

The motion for reconsideration carried.

The President declared the question before the Senate to be reconsideration of adoption of the amendment by Senator Odegaard to page 6.

There being no objection, the amendment by Senator Odegaard was withdrawn.

Senator Odegaard moved adoption of the following amendment:

On page 7, strike all of section 2 and insert the following:

"*NEW SECTION.* Sec. 3. This 1972 amendatory 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 as follows:

(1) Section 1 shall take effect July 1, 1972; and

(2) Section 2 shall take effect immediately."

Debate ensued.

POINT OF INQUIRY

Senator Atwood: "Would Senator Odegaard yield? Senator Odegaard, the effect of your amendment as it is now worded is to relieve mobile homes from any property tax or excise tax in the year 1973, is that correct?"

Senator Odegaard: "The payment of the property taxes would be due in 1974."

Senator Atwood: "What taxes, if any, will be received by the taxing districts by virtue of your amendment in the year 1973?"

Senator Odegaard: "There would be none in 1973."

Senator Atwood: "There would be no taxes at all received from mobile homes in 1973, is that correct?"

Senator Odegaard: "That is correct."

Senator Atwood: "What is the fiscal impact to the state general fund and to the local school districts and other taxing districts that depend upon property tax and excise tax?"

Senator Odegaard: "Senator Atwood, I think you know that."

Senator Atwood: "I want it here in the record, Senator."

Senator Odegaard: "The \$1.8 million state and local government and of that \$1.8 million, that is about \$738,000 to the state, a little over a half a million."

POINT OF INQUIRY

Senator Bailey: "Mr. President, I would like to ask a question of somebody who knows something about property taxes. Senator Holman, are these taxes on personal property subject to a special levy?"

Senator Holman: "Yes, indeed."

POINT OF INQUIRY

Senator Bailey: "Mr. President, I would like to ask Senator Odegaard a question then. Senator Odegaard, this is one of the reasons that we wanted to put mobile homes on the

personal property tax so that we could also have these people paying some of the special levies in the school districts that they were not paying before. Do you have a fiscal note on how much dollar loss would be involved in the special levy situation that would come up in the school districts if we excuse these people of one tax, a complete tax exemption for one year?"

Senator Odegaard: "Senator Bailey, I don't have any note on that. I would like to state that discussing the amendment by Senator Whetzel that is on the Secretary's desk, in great lengths last Friday afternoon with Tim Malone, of the Department of Revenue and the Code Revisor's Office, that they concluded that his amendment is not needed, that under present law what he is trying to do is done. He said you could put Senator Whetzel's amendment on, if you like, but it won't change anything."

MOTIONS

On motion of Senator Woodall, Senate Bill No. 99, and the pending amendment by Senator Odegaard, was ordered held on the second reading calendar for Tuesday, February 8, 1972.

At 12:50 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Tuesday, February 8, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, February 8, 1972.

The Senate was called to order at 11:00 a.m., by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Knoblauch. On motion of Senator Keefe, Senator Knoblauch was excused.

The Color Guard, consisting of Pages Mark Munson, Color Bearer, and Dannette Cornwall, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered prayer as follows:

"Father, in Jesus' Name, we turn this hall, designed for the purpose of legislative business, into a place of prayer, of communion, for this brief moment. Whether this moment will have any effect upon us, whether it will help us in our day's work, depends upon our attitude toward this moment. So we pray, free us from every wrong attitude and thought that has imprisoned us and dulled our spirits. Lord, You meant that our spirits should be alive and vital, gloriously enthusiastic. Give us today this burst of new life and light and power. Do it right now, as we stand with bowed heads. And then, dear Lord, may we transmit it, through the power of Your Spirit, through our words, our conduct, and our dealings with others, all day long. May we enter into the challenging opportunities of the day with creative power, because greater the faith, the greater the victory. So, we commit ourselves to Thee in this moment of faith, through 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.

REPORTS OF STANDING COMMITTEES

February 8, 1972.

ENGROSSED HOUSE BILL NO. 20, providing for appeal to local county court and payment of attorneys' fees in certain appeals from decisions of the board of industrial insurance appeals (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Matson, Ridder, Sellar, Stender, Stortini.

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

February 8, 1972.

ENGROSSED HOUSE BILL NO. 46, permitting premiums on poultry products (reported by Committee on Agriculture and Horticulture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Canfield, Day, Huntley, Matson, Sellar, Wilson.

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

February 8, 1972.

HOUSE BILL NO. 57, providing for the distribution of funds for educational opportunities of secondary school pupils residing in nonhigh school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Washington.

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

February 8, 1972.

HOUSE BILL NO. 79, exempting ordinary hot water tanks from inspection by the department of labor and industries (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Matson, Ridder, Sellar, Stender, Stortini.

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

February 7, 1972.

HOUSE BILL NO. 80, correcting erroneous amendment to RCW 15.63.240 (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Francis, Holman, Twigg.

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

February 7, 1972.

HOUSE BILL NO. 81, correcting double amendments to RCW 18.64.080 (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Francis, Holman, Twigg.

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

February 7, 1972.

HOUSE BILL NO. 82, correcting double amendments to RCW 28A.13.020, 28A.27.081 and 28A.58.100 (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Francis, Holman, Twigg.

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

February 7, 1972.

HOUSE BILL NO. 83, correcting multiple amendments to RCW 41.06.070 (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Francis, Holman, Twigg.

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

February 7, 1972.

HOUSE BILL NO. 84, correcting double amendment to RCW 43.08.020 (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Francis, Holman, Twigg.

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

February 7, 1972.

HOUSE BILL NO. 85, correcting inadvertent amendment to RCW 22.02.100 (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Francis, Holman, Twigg.

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

February 8, 1972.

HOUSE BILL NO. 110, pertaining to sale or disposal of abandoned irrigation district right of way (reported by Committee on Agriculture and Horticulture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Canfield, Day, Huntley, Matson, Sellar, Wilson.
Passed to Committee on Rules and Joint Rules for second reading.

February 8, 1972.

ENGROSSED HOUSE BILL NO. 155, including land contracts in the term "mortgage" (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Foley, Francis, Twigg, Woodall.

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

February 8, 1972.

SUBSTITUTE HOUSE BILL NO. 196, removing certain restrictions on agricultural commission members and providing a means of filling vacancies on such commissions (reported by Committee on Agriculture and Horticulture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Canfield, Day, Huntley, Matson, Sellar, Wilson.
Passed to Committee on Rules and Joint Rules for second reading.

February 8, 1972.

ENGROSSED HOUSE BILL NO. 277, removing employment class distinctions, and providing for assessment of delinquent employer payments, and making procedural changes in the industrial insurance act (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Matson, Ridder, Sellar, Stender, Stortini.
Passed to Committee on Rules and Joint Rules for second reading.

February 8, 1972.

HOUSE CONCURRENT RESOLUTION NO. 7, providing program relating to insuring of school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Washington.

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

MESSAGE FROM THE GOVERNOR

Office of the Governor, February 4, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 3, 1972, Governor Evans approved the following Senate Bill, entitled:

SENATE BILL NO. 47: Striking obsolete sections relating to special levy study commission from code.

Sincerely,

CHARLES B. WIGGINS,

Legislative Counsel to the Governor.

MESSAGES FROM THE HOUSE

February 7, 1972.

Mr. President: The House has passed ENGROSSED HOUSE BILL NO. 142, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

February 7, 1972.

Mr. President: The House has passed:
 ENGROSSED SENATE BILL NO. 88,
 SENATE BILL NO. 97, and the same are herewith transmitted. DONALD R. WILSON,
 Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED HOUSE BILL NO. 142, by Representatives Newhouse, Williams, Moon, Perry, Bledsoe and North (by Legislative Council request):
 Providing for payments in lieu of property taxes upon the university tract properties.
 Referred to Committee on Ways and Means—Revenue and Taxation.

SPECIAL ORDER OF BUSINESS

The Senate resumed consideration of Senate Resolution 1972-24 which was moved for adoption by Senator Mardesich on Monday, February 7, 1972.

On motion of Senator Mardesich, the following amendment was adopted:

After "legislation" on line 15 strike the period, insert a semicolon and insert a new paragraph as follows:

"BE IT FURTHER RESOLVED, That such study shall encompass all aspects of the question, including the revenue impact and possible sources for replacement of any revenue losses to the state of Washington."

The motion by Senator Mardesich carried. Senate Resolution 1972-24, as amended, was adopted.

SIGNED BY THE PRESIDENT

The President signed:
 SENATE BILL NO. 88,
 SENATE BILL NO. 97.

MOTION

On motion of Senator Lewis, the following resolution was adopted:

SENATE RESOLUTION: 1972-26

By Senators Lewis, Wilson, Greive, Peterson (Lowell), Knoblauch, Bailey, Sandison, Woodall, Elicker, Metcalf and Atwood:

WHEREAS, For more than one hundred fifty years throughout their common history, Canada, the United States of America, the province of British Columbia, and the state of Washington, as allies in war and associates in peace, in matters requiring joint, cooperative, coordinated effort, have dealt with common problems by searching out and developing workable solutions beneficial to each; and

WHEREAS, Cultural, economic, geographical, historical, political sociological factors have generated cooperative action in the past; and

WHEREAS, The technological advances of this age have resulted in shrinking distances in time and space, expanding intercommunication between Washington and British Columbia, and have accelerated the need to develop more effective procedures for dealing with the proliferating occasions for joint action in dealing with each other as well as with their respective central governments in matters affecting each; and

WHEREAS, The past is but a prologue to the future, as indicated by the inscription "the children of a common mother" living together in unity "aspire to keep invisible the border that separates the two great powers that these gates may never close" inscribed on the Peace Arch at the Blaine-Cloverdale border crossing, referring to the citizens of British Columbia and the state of Washington; and

WHEREAS, Common needs dictate common action; and

WHEREAS, The legislative bodies of the state and province, have interest, concern, information gathering expertise, and, the ability to develop new procedures to develop methods of identifying and solving common problems; and

WHEREAS, The state of Washington and the province of British Columbia share an extensive interrelated business and agricultural relationship along our common border; and

WHEREAS, Business, commerce, trade and population continue to increase on both sides of that border it becomes more and more significant, desirable, and necessary to solve problems of transportation, commerce and agricultural regulation and growth with a coordinated effort on the part of state and local governments in Washington and provincial and local governments in British Columbia; and

WHEREAS, Article I, Section 10 of the Constitution of the United States places certain restrictions on the power of a state to enter into agreements or compacts without the consent of Congress; and

WHEREAS, Organizations are in existence which have the potential authority or means for dealing with international problems of business, commerce and trade; and

WHEREAS, One such organization is the International Boundary Commission composed of representatives of the Canadian government and of the department of state of the United States; and

WHEREAS, Other existing organizations, or an organization specially created, may be found to be more proper and effective organizations for dealing with problems of business, commerce, and trade as those problems relate to Washington and British Columbia; and

WHEREAS, A thorough analysis of the problem and full coordination and cooperation between the many governmental and private entities involved is necessary if the broadest possible utilization of facilities and resources are to be effective and of the fullest mutual benefit to the two areas;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Legislative Council is authorized and requested to undertake a study of the ways and means of developing procedures for dealing with problems of the state of Washington and its citizens arising from interaction with the citizens of British Columbia.

BE IT FURTHER RESOLVED, That the Council is authorized to cooperate fully with any similar study conducted by the British Columbia parliament or its representative.

BE IT FURTHER RESOLVED, By the Senate, That the Legislative Council is further authorized and requested to undertake a study of the problems of business, commerce, and trade development along the border between the state of Washington and the province of British Columbia, the study to be made in the greatest possible cooperation with the local governments and all affected departments of state government in Washington, the local and provincial governments of British Columbia, the appropriate agencies or departments of the governments of Canada and of the United States, and any existing organizations having relevant authority or experience in the field of international business, commerce and trade development, and any other appropriate persons or organizations.

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the Honorable Daniel J. Evans, governor of the state of Washington, and to the Honorable W.A.C. Bennett, premier of British Columbia, to the secretary of state of the United States, to each member of Congress from this state, and to such other persons as the Legislative Council may deem necessary in order to evidence its authority to undertake the study herein requested.

AND BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the next regular session of the legislature for its consideration.

Senators Greive, Ridder 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, all members being present except Senator Knoblauch who

had previously been excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The Secretary read the following resolution:

SENATE RESOLUTION: 1972-27

By Senator Newschwander:

WHEREAS, the failure of the Legislature to come to agreement on redistricting within the fourteen days allocated thereto by SCR 2 requires a fresh approach to legislative redistricting; and

WHEREAS, the Legislature's professional redistricting staff has developed a competence in dealing with the technical aspects and a familiarity with constitutional guidelines which should allow them to produce a viable bill within a reasonable time;

WHEREAS, a viable bill would be one which would produce 49 legislative districts having a population 68,100 each, one-third of which districts would be Democrat; one-third of which districts would be Republican; and one-third of which districts would be swing districts; and

WHEREAS, the staff could produce such a bill if given such an assignment and left to their own expertise unhampered by legislative direction and counter-direction;

NOW, THEREFORE, BE IT RESOLVED, by the Senate, that the House be urged to join in a plan whereby the two Democratic caucuses and the two Republican caucuses of this Legislature shall each designate one member of the Legislative staff to constitute the official redistricting staff charged by resolution with the duty of producing a proposed redistricting bill with each legislative district having a population of 68,100 and the political complexions of one-third of them Democratic; one-third on them being Republican; and one-third of them being swing districts; and

BE IT FURTHER RESOLVED, that the plan further provide that each of the caucuses of this Legislature shall also designate one legislator from each of the aforesaid caucuses to be a liaison officer to his or her caucus charged with the duty of monitoring the progress of the professional staff but with no right to interfere with the work of the staff and to the end that each liaison officer only monitor the progress of the staff and report back on the progress of the redistricting plan to his or her respective caucus; and

BE IT FURTHER RESOLVED, that the plan further provide that any such liaison officer shall be a legislator who has had no prior assignment as a principal negotiator in connection with the redistricting issue; and

BE IT FURTHER RESOLVED, that the plan further provide that the said professional redistricting staff shall simultaneously turn over its total statewide redistricting work product in the form of a substitute bill to the respective caucuses appointing them within seven days of the date of final passage of this resolution.

MOTION

Senator Newschwander moved that Senate Resolution 1972-27 be considered under the sixth order of business on Wednesday, February 9, 1972.

Debate ensued.

POINT OF INQUIRY

Senator Bailey: "Will Senator Newschwander yield? Senator, which district did you represent?"

Senator Newschwander: "The twenty-eighth."

MOTION

Senator Greive moved that the motion by Senator Newschwander be laid upon the table.

Senator Newschwander demanded a roll call and the demand was sustained by Senators Holman, Lewis, Woodall, Bailey, Clarke, Andersen, Scott, Murray and Sellar.

ROLL CALL

The Secretary called the roll and the motion by Senator Greive carried by the following vote: Yeas, 28; nays, 20; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Jolly, Keefe, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—28.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Guess, Holman, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Whetzel, Woodall—20.

Excused: Senator Knoblauch—1.

MOTION

Senator Bailey moved that Senate Resolution 1972-27 be referred to the Committee on Constitution, Elections and Legislative Processes.

Debate ensued.

Senator Holman demanded a roll call and the demand was sustained by Senators Newschwander, Metcalf, Matson, Bailey, Sellar, Whetzel, Twigg, Connor, Wilson and Gardner.

ROLL CALL

The Secretary called the roll and the motion by Senator Bailey carried by the following vote: Yeas, 27; nays, 21; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Jolly, Keefe, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Wilson—27.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Guess, Holman, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Washington, Whetzel, Woodall—21.

Excused: Senator Knoblauch—1.

Senate Resolution 1972-27 was referred to the Committee on Constitution, Elections and Legislative Processes.

POINT OF INQUIRY

Senator Peterson (Ted): "I wonder if Senator Cooney would rise to a question?"

The President: "Would Senator Cooney yield?"

Senator Cooney: "No."

Senator Peterson (Ted): "Let me pose my question then. As long as you have the bill in the committee now, when do you propose . . ."

POINT OF ORDER

Senator Greive: "Mr. President, I would suggest that Senator Ted Peterson knows that there is a proper way to address his remarks and if somebody desires to yield, that is their privilege and if he doesn't, under rule 16, I would have to ask that disciplinary measures be invoked unless he does it properly, the proper way is to say everything he wants but not address questions at people unless people desire to answer them."

RULING BY THE PRESIDENT

The President: "Senator Greive's point is well taken, Senator Peterson."

POINT OF INQUIRY

Senator Peterson (Ted): "Will Senator Cooney yield?"
 Senator Cooney: "No."

POINT OF INQUIRY

Senator Atwood: "Will Senator Greive yield?"
 Senator Greive: "No."

PERSONAL PRIVILEGE

Senator Atwood: "Speaking on a point of personal privilege, I just wanted to find out when Senator Greive was going to authorize Senator Cooney to have a committee meeting."

PARLIAMENTARY INQUIRY

Senator Rasmussen: "Under rule 3, would it be the President's determination that we had violated the Senate rules? I call your attention to the fact that no Senator shall be allowed to vote except when within the bar of the Senate upon any question upon which he is in any way personally or directly interested. Would it be your determination that the Senators are personally interested in the question that is before the body?"

REPLY BY THE PRESIDENT

The President: "It largely depends upon the individual senator, Senator Rasmussen. The President does not have any way, means or method of determining whether each individual senator has a personal interest in redistricting."

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 7, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 83 with the following amendment:

On page 1, section 1, line 27 of the engrossed bill, being line 26 of the printed bill, after "veterán" insert ", nor shall this act apply to estates larger than \$7500", and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTIONS

On motion of Senator Woodall, the Senate dispensed with the Call of the Senate.

On motion of Senator Gissberg, the Senate concurred in the House amendment to Engrossed Senate Bill No. 83.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 83, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guss, Henry, Herr, Holman, Huntley, Jolly, Keefe, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Excused: Senator Knoblauch—1.

ENGROSSED SENATE BILL NO. 83, 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 Odegaard, Senate Bill No. 99 was ordered to hold its place on the second reading calendar for Wednesday, February 9, 1972.

CONFIRMATION OF GUBERNATORIAL APPOINTMENT

MOTION

Senator Walgren moved that the appointment of MRS. FRANCES HADDON MORGAN as a member of the Washington State Canal Commission be confirmed.

POINT OF INQUIRY

Senator Canfield: "I would like to ask Senator Walgren a question, if he would yield. Mrs. Morgan was surely a very gracious lady. I know that when I was in the House I would come over in the Senate and she used to sit back in here and she was a real fighter for the things she believed in and she wouldn't take 'no' from any mere man if she believed that she was fighting for principle and I am glad to see her proposed for this position.

"When I was looking over the names of these recommendations, I looked in the budget book and I think I saw that the canal commission was discontinued. I wanted to know what the status is of the canal commission at this time."

Senator Walgren: "I think Senator Dore can best answer but my understanding is that the commission is still in existence although not funded."

Senator Dore: "In answer to Senator Canfield's question, the commission was abolished during half of last session but just before the end it was reinstated to the tune of fifty percent of its minimum appropriation and I noticed in the supplemental budget, the money we didn't give them last time, the other fifty percent is now being requested by the Governor. So it may be back to flying high again, I don't know."

POINT OF INQUIRY

Senator Woodall: "Would Senator Elicker yield? Senator, you said a moment ago a lot of people in your district would like to see Senator Morgan back. Are you sure they were thinking of Senator Walgren or possibly they might have been thinking of you."

Senator Elicker: "Senator Woodall, until we have voted on Engrossed House Joint Resolution No. 61, equal rights amendment, I respectfully decline to answer that question."

Senator Walgren: "There are times when I would just as soon have Senator Morgan back here in the Senate."

The motion by Senator Walgren carried and the appointment was confirmed.

APPOINTMENT OF MRS. FRANCES HADDON MORGAN

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Excused: Senator Knoblauch—1.

MOTIONS

On motion of Senator Guess, Substitute House Bill No. 8 was placed at the end of today's second reading calendar.

At 12:25 p.m., on motion of Senator Greive, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:30 p.m.

MOTIONS

On motion of Senator Matson, Senator Whetzel was excused.

On motion of Senator Atwood, Senator Andersen was excused.

On motion of Senator Fleming, House Bill No. 160 was ordered to hold its place on the second reading calendar for Wednesday, February 9, 1972.

SECOND READING

ENGROSSED HOUSE BILL NO. 105, by Representatives O'Brien, Pardini, Maxie, Perry, Ross, Knowles, Bagnariol, Ceccarelli, Litchman and Merrill (by Joint Committee on Education request):

Providing that financial aid for part time students shall include ancillary services.

The bill was read the second time by sections.

On motion of Senator Francis, the rules were suspended, Engrossed House Bill No. 105 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 Peterson (Lowell): "Would Senator Francis yield to a question? Would you elaborate a little bit on 'ancillary services'?"

Senator Francis: "Senator Peterson, thank you for doing that since I took the trouble of obtaining a list what could be included. Some examples of ancillary services that could be provided by agreement with the school district would include things like general counseling and guidance, where that was not available. Remember, these are all things that are not available in the private schools. There could be a test even on a reading test or physical examinations, if those were not available. Hearing and speech therapy, remedial reading, if it is a course that is a class and that is already provided in the law, but if there were some special type of facility required. There might be other kinds of things that we don't even know about and probably the best way to find out would be to check the school budget of the school district as to what they have listed under 'ancillary services'."

Senator Peterson (Lowell): "Senator Francis, does this mean that we are opening the door wide open? Are we providing remedial services or are we opening the door to perhaps the raw category in the sense that we are combining the two systems?"

Senator Francis: "No, we are not opening the door to combined systems. Quite the contrary. It is only where the school authorities, that is the board of directors, allows it and provides for it that they would provide the ancillary services and this is only where they have concluded that these are not available for the students and then there will be individual students. The courses themselves, the classes themselves, have been in the law since 1969, haven't been used much."

Senator Peterson (Lowell): "Then Senator Francis, just to pursue it one more point. Will, this be up to the local authorities to make their determination?"

Senator Francis: "That is my understanding of the bill."

POINT OF INQUIRY

Senator Stortini: "Would Senator Francis yield? Senator, I would assume this would include extracurricular sports then too?"

Senator Francis: "My opinion is that it would. If these were unavailable to the student and that student wanted to learn karate which was made available in the public school or some other sport, I think that would be ancillary service. That is my interpretation."

Senator Stortini: "Then I would also assume that in Tacoma, where we have five schools and one is a private school, they have no intra-school swimming program. Could those young men then go to any of the other public schools and compete in intra-city competition?"

Senator Francis: "That isn't set forth in the statute as such. I would hope that it would include that. It is my opinion that it ought to because I think that a student whose parents are paying full tax load for them to be going to the public school full time ought to be able to make use of these ancillary services."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 105, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—45.

Absent or not voting: Senator Dore—1.

Excused: Senators Andersen, Knoblauch, Whetzel—3.

ENGROSSED HOUSE 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.

SECOND READING

ENGROSSED HOUSE JOINT RESOLUTION NO. 61, by Representatives North, Charette, Wolf, Adams, Charnley, Kilbury, Litchman, Martinis, Maxie and Smith (by State Women's Council request):

Providing for equality of rights regardless of sex.

The resolution was read the second time in full.

Senator Stender moved adoption of the following amendment:

On page 1, section 2, line 11, strike all of lines 11 and 12.

Debate ensued.

On motion of Senator Talley, the amendment by Senator Stender was laid upon the table.

On motion of Senator Francis, the rules were suspended, Engrossed House Joint Resolution No. 61 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 Woodall: "Would Senator Francis yield? Senator, what does this do which is not now contained in existing law?"

Senator Francis: "Right now there is no law that states that it is unconstitutional or denial of equal protection law or any other way you want to put it, to discriminate on the basis of sex. In other words, up until now it has been presumed that a distinction on the basis of sex alone, not on the basis of characteristics, but simply on the basis of whether you are male or female is an allowable distinction, it is not arbitrary. This changes that and shifts

the burden so that a great many discriminatory laws will be regarded as unconstitutional. Also, it would apply to discriminatory practices such as I think Senator Ridder was pointing out earlier that in custody cases and divorce action it is presumed that the mother is the one that ought to have the children. This isn't written into the law but it is the way it works and this presumption I think by this constitutional amendment would be out the window and a man would have an equal chance with a woman to have custody of his children."

Senator Woodall: "At the present time you are able to make a job distinction under certain types of professions. Under this proposed constitutional amendment, certain types of employment such as chambermaids, masseuses, certain of those types of professions, as this is now written, you could make no differential as between sex, is that correct? You could not ask, advertise that you want a certain person to attend a rest room, women only need apply, under this constitutional amendment you could no longer do that, could you?"

Senator Francis: "I think 'yes' but not for the reason that may be implicit in what you are saying. We start with the fact that a year ago we passed a law which said that you cannot discriminate in jobs on the basis of sex. So we already have that. But nevertheless if there is a valid reason for a distinction, it isn't simply a matter of the sex of the person but if it involves an invasion of privacy or some other function obviously wet nurses, only women need apply, and so forth. These are distinctions that are valid but other than that if it is just purely that you think you want to classify women in one group or if you don't want male secretaries and therefore you are not going to allow them to apply, that would be out the window under this constitutional amendment. But there will still be some sexual distinction that will be valid and will not be arbitrary."

Senator Woodall: "Where is it spelled out in this amendment that you can make any exception?"

Senator Francis: "I don't think it needs to spell it out. It says equality of rights and responsibilities and maybe that needs to be delineated on a case by case basis. But what we are saying is that sexes are equal."

POINT OF INQUIRY

Senator Peterson (Lowell): "Would Senator Stender yield to a question? Sitting on the same side of the aisle as you and sharing many of your views and you being a so-called representative of labor, which you do very aptly, do you have any applications from the fairer sex for hod carriers?"

Senator Stender: "We do have. In all due fairness to the question, Senator, there are a number of the female sex that do participate in the trades. I think the record shows that where they are able and willing and can do the job, they do participate in the trades. The boilermakers trade during the war and since the war have a number of females that are members of our organization and do a good job in the trade."

Senator Peterson (Lowell): "Then would I take it you advocate that we do put women in as hod carriers, steel workers, heavy construction work and this type of motivation in order to promote women's lib, so-called?"

Senator Stender: "I don't think that question is involved. I think the rights of a female is safeguarded today under the state law and I see nothing wrong with the female working in areas where she is able. But I have to agree with Senator Woodall to put the thing in the Constitution creates some very untenable positions."

Senator Peterson (Lowell): Senator Stender, that is what I wanted you to say."

POINT OF INQUIRY

Senator Mardesich: "Specifically I rise to ask Senator Francis a question. Senator Francis, I would assume that you would accept the proposition that sex is a matter of right, individual rights, for that matter?"

Senator Francis: "Senator, is that a facetious question?"

Senator Mardesich: "No, that is a very serious question."

Senator Francis: "I am asking you that simply to clarify the question. I would say yes to your question."

Senator Mardesich: "Well then, if you say 'yes' would this constitutional change not have the effect of making all of our law that exists on our books unconstitutional as it relates to the question of homosexuality or other points of sex deviation and so forth?"

Senator Francis: "I think not, Senator. 'Equality of rights and responsibilities,' it says, 'shall not be denied or abridged on account of sex,' and I believe that refers to a person's sex, not to a person's sexual activities or orientation or interests."

Senator Mardesich: "You are reversing your position on the first answer you gave."

Senator Francis: "Well then I did not understand the question the first time, Senator. I do not think it applies to opening up sexual activities one way or another but simply says that 'persons shall be equal regardless of their sex.' I think that is what this constitutional amendment means."

POINT OF INQUIRY

Senator Rasmussen: "Mr. President, would Senator Francis yield to a question? Senator Francis, the question I had in mind was something similar to Senator Mardesich's. The Article 1 of the Constitution, Declaration of Rights, speaks to all political powers inherent in the people and all through the Constitution I cannot find any distinction. They just speak of people. And of course God made people different. Section 29 of the Constitution is mandatory. 'The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.' Now this proposed constitutional amendment is very clear, you cannot draw the line on account of sex for anything. There has been, I think in the state of Wisconsin, a marriage between two homosexuals and the court I think in this case voided that action. There have been numerous other attempts and I am just wondering if putting this constitutional provision in that specifically says that you cannot make a distinction in regard to sex, if you are not opening up the field where the court would not be able to make any distinction and that you would not be helping the situation; you would be helping to destroy civilization as such. Your answer, Senator Francis."

Senator Francis: "All right, Senator Rasmussen, I will answer the question in two parts. First of all, you indicated that you had a feeling that this meant that you could not make a distinction on the basis of sex for anything. That is not what it means. It means that people are equal, that people have equal rights and responsibilities and that the equality of rights and responsibilities shall not be abridged on account of sex. That does not mean you cannot make distinctions and I talked earlier about the kinds of employment, other kinds of activities; we talked about invasion of privacy and sometimes we talk about bona fide qualifications. If a person is looking for models for an art class I think they can describe the body type and so forth and if they want to describe the sex as part of that they can do so. These things are valid distinctions. The thing is, that relates to the particular attributes of individuals and not to an attribute of their sex, so that you can take into account basic physical characteristics but you simply cannot lump everyone together and say, 'No woman can administer her husband's estate,' or 'Men living separate and apart from their wives, their earnings will be community property while the wife's is her own separate property.' These are the kinds of distinctions which we have made in the past and which have been upheld by the courts and which have no valid relationship whatsoever to the characteristics of the sexes and I think they should be out the window."

"Now your second, I think the second part of your question is, would this bill legalize homosexual marriage, and I am not opposed to homosexual marriage. I do not see one reason or the other why we have to tell people who they marry or what kinds of private lives they lead. I think that ought to be their business but I do not see that this gets at that. I do not see that this would get at that at all."

MOTIONS

On motion of Senator Peterson (Lowell), Engrossed House Joint Resolution No. 61 was ordered placed on the third reading calendar for Wednesday, February 9, 1972 on a rising vote.

At 3:20 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Wednesday, February 9, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, February 9, 1972.

The Senate was called to order at 11:00 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 Paul Zellinsky, Color Bearer, and Linda Fairbairn, presented the Colors. Reverend Glen D. Cole, pastor of Evergreen Christian Center of Olympia, offered prayer as follows:

“Our Father, we thank Thee for the words of Jesus today: ‘If you human beings who are imperfect know how to be faithful to your children; be sure God who is perfect will never let you down’. We thank Thee that before we even realize we have a problem, You have a solution. We take time to ask for wisdom in the affairs of State today. Impress upon us that every problem, every decision hard to make, gives You the opportunity to do something great through us. Impress upon us our weakness, and Your strength. Let the words of Jesus ring in our minds all day long. ‘Ask and you shall receive, seek and you shall find, knock and it shall be opened unto you!’ For every problem, there is a solution. For every decision, there is an answer but may it be through the wisdom and power that You give, and not through the weak instruments of flesh. We avail ourselves right now to what You have provided, through our Lord Jesus Christ.

“We would also pray, Our Father, on this the day of the burial of Trooper Noble for Your gracious presence to surround that family, for the comfort of Your Holy Spirit to fill the hearts and lives of this widow and the children. Grant them Thy extra special touch and help and strengthen today and may they know the concern of citizens throughout this state as we uphold them in prayer during this critical and tragic hour. Help these men who tangle with these problems that bring about such tragedy. Give them Thy wisdom and grace. Through Our Lord, 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.

REPORTS OF STANDING COMMITTEES

February 9, 1972.

SENATE BILL NO. 146, criminal identification section, state patrol (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by Committee on State Government.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Bailey, Connor, Cooney, Donohue, Dore, Elicker, Fleming, Foley, Francis, Greive, Herr, Holman, Jolly, Lewis, Mardesich, Newschwander, Peterson (Lowell), Ridder, Stortini, Twigg, Walgren, Wilson, Woodall.

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

February 9, 1972.

SENATE BILL NO. 397, open space lands, title only (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 397 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Canfield, Cooney, Day, Donohue, Dore, Fleming, Guess, Huntley, Jolly, Odegaard, Peterson (Lowell), Ridder, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall.

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

February 8, 1972.

SENATE JOINT RESOLUTION NO. 110, amending the Constitution to provide revenue for certain transit systems (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Bailey, Connor, Elicker, Herr, Huntley, Lewis, Mardesich, Murray, Sandison, Scott, Talley, Walgren, Whetzel.

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

February 4, 1972.

HOUSE BILL NO. 11, requiring school bus to stop at railroad crossing, whether loaded or unloaded (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Donohue, Elicker, Foley, Huntley, Keefe, Lewis, Matson, Peterson (Lowell), Scott, Sellar, Walgren.

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

February 9, 1972.

SUBSTITUTE HOUSE BILL NO. 13, providing for the return of property wrongfully sold to satisfy a tax lien (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Atwood, Clarke, Durkan, Holman, Twigg.

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

February 4, 1972.

HOUSE BILL NO. 17, extending the exemption from special fuel tax for urban passenger transportation systems (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Donohue, Elicker, Foley, Lewis, Matson, Murray, Peterson (Lowell), Scott, Sellar, Stender, Walgren, Whetzel.

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

February 9, 1972.

SUBSTITUTE HOUSE BILL NO. 29, transferring administration of all terrain vehicle

law from department of motor vehicles to interagency committee (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Jolly, Mardesich, Murray, Rasmussen, Scott, Whetzel.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 98, providing for regulation of camping clubs (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Foley, Francis, Greive, Holman, Twigg, Walgren.

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

February 8, 1972.

ENGROSSED HOUSE BILL NO. 108, allowing trust funds to be invested in life insurance made upon the life of a beneficiary (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Foley, Francis, Holman, Twigg, Walgren.

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

February 8, 1972.

SUBSTITUTE HOUSE BILL NO. 111, permitting mosquito control districts to give notice by publication (reported by Committee on Agriculture and Horticulture):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Jolly, Chairman; Canfield, Day, Huntley, Matson, Sellar, Wilson.

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

February 4, 1972.

HOUSE BILL NO. 150, amending the rules of the road pertaining to the use of the roadway (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Donohue, Foley, Huntley, Lewis, Matson, Murray, Peterson (Lowell), Scott, Sellar, Stender, Whetzel.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 164, providing for a compact among certain western states to study feasibility of short haul air transportation among them (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Donohue, Elicker, Guess, Herr, Huntley, Jolly, Matson, Peterson (Lowell), Scott, Sellar, Stender, Walgren.

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

February 8, 1972.

HOUSE BILL NO. 241, providing for the rights of a limited partner in a partnership (reported by Committee on Judiciary):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Foley, Francis, Holman, Twigg, Walgren.

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

February 8, 1972.

ENGROSSED HOUSE BILL NO. 468, providing that doctors shall have previous

medical histories in child abuse cases (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass.

Signed by: Senators Day, Chairman; Cooney, Francis, Greive, Holman, Keefe, Odegaard, Woodall.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 469, limiting the amount of smoke discharge from motor vehicles (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Francis, Holman, Keefe, Odegaard.

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

February 8, 1972.

HOUSE BILL NO. 555, providing for expanded insurance programs for state employees and officials (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Greive, Holman, Keefe, Odegaard, Woodall.

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

February 9, 1972.

HOUSE JOINT MEMORIAL NO. 2, providing for implementation of interstate short-haul air compact (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Donohue, Elicker, Guess, Herr, Huntley, Jolly, Matson, Peterson (Lowell), Scott, Sellar, Stender, Walgren.

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

LETTER OF INFORMATION

February 9, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

SENATE BILL NO. 32: Local Sales Tax, Expiration Date.

HOUSE BILL NO. 45: Sugar Beets, In Transit, Property Tax Exempt.

Sincerely,

HUBERT F. DONOHUE, Chairman
Committee on Revenue and Taxation.

MESSAGES FROM THE HOUSE

February 8, 1972.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 9, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 8, 1972.

Mr. President: The House has passed:
 ENGROSSED SENATE BILL NO. 296,
 SENATE JOINT MEMORIAL NO. 2, and the same are herewith transmitted.
 MALCOLM McBEATH, Chief Clerk.

MESSAGE FROM THE HOUSE

February 8, 1972.

Mr. President: The House has passed SENATE BILL NO. 104 with the following amendments:

On page 1, line 4 of the title after the semicolon and before "and" insert "amending section 36.27.060, chapter 4, Laws of 1963 as last amended by section 2, chapter 237, Laws of 1971 ex. sess. and RCW 36.27.060;"

On page 1, line 16, after section 1 insert a new section as follows:

"Sec. 2. Section 36.27.060, chapter 4, Laws of 1963 as last amended by section 2, chapter 237, Laws of 1971 ex. sess., and RCW 36.27.060 are each amended to read as follows:

The prosecuting attorneys and their deputies of class three counties and counties with population larger than class three counties shall serve full time and shall not engage in the private practice of law: PROVIDED, That deputy prosecuting attorneys in counties of the second class and third class may serve part time and engage in the private practice of law if the board of county commissioners so provides: *PROVIDED, FURTHER, That the board of county commissioners of a fourth class county may, in its discretion, require a prosecuting attorney to serve full time at a salary of twenty thousand dollars.*"

Renumber the remaining section consecutively, and the same is herewith transmitted.
 MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Peterson (Lowell), the Senate concurred in the House amendments to Senate Bill No. 104.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 104, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-49.

SENATE BILL NO. 104, 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. 83,
 SENATE BILL NO. 296,
 SENATE JOINT MEMORIAL NO. 2,
 SENATE CONCURRENT RESOLUTION NO. 9.

MOTION

Senator Metcalf moved adoption of the following resolution:

SENATE RESOLUTION: 1972-28

By Senators Metcalf, Francis, Wilson and Canfield:

WHEREAS, There are currently 26 computer centers operated by State agencies, institutions, universities and community colleges; and

WHEREAS, Computer centers perform functions in the areas of payroll, accounting, budgeting, purchasing and personnel; and

WHEREAS, Cost to the State of operating computer centers has increased from \$9.9 million in FY 1967 to \$22.7 million in FY 1971; and

WHEREAS, Certain functions being performed by computer centers may better be achieved by manual operation from a processing time and personnel savings standpoint; and

WHEREAS, Continued expansion and addition of computer centers operated by the State, with attending increases in expenditures, may not be the most economical or efficient method of cost management;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Legislative Budget Committee, in cooperation with the Data Processing Advisory Committee, is authorized and requested to obtain data from state organizations operating computer centers regarding comparative costs of manual and automated systems, with particular emphasis on school districts and higher education institutions. Additional data will be obtained on possible improvements of existing computer systems with regard to consolidation, installation of remote terminals and other actions which may reduce costs and improve efficiency.

BE IT FURTHER RESOLVED, That the Legislative Budget Committee shall make a report of its findings and submit recommendations for further in-depth analysis by technically expert personnel in specific areas where conversion to manual operations may be feasible, or where costs of automated data processing appear excessive when compared to the overall value of functions performed. Such report shall be submitted for consideration to the members of the Legislature prior to the next regular session of the Legislature.

MOTION

On motion of Senator Metcalf, Senate Resolution 1972-28 was ordered held for consideration on Thursday, February 10, 1972.

MOTION

On motion of Senator Peterson (Lowell), the following resolution was adopted:

SENATE RESOLUTION: 1972-29

By Senators Peterson (Lowell), Elicker and Metcalf:

WHEREAS, The Skagit River is the second largest river in the State of Washington; and

WHEREAS, Salmon runs and propagation have seriously declined in recent years; and

WHEREAS, The waters of the Skagit River and Skagit Bay are presently being subjected to extensive commercial and Indian fishing; and

WHEREAS, The potential ecological and environmental effects of commercial and Indian fishing on that area are not known;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Interim Committee on Fisheries, Game and Game Fish is authorized and requested to undertake a study of the predicted ecological and environmental effects of commercial and Indian fishing on the Skagit River and Skagit Bay;

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the next regular session of the legislature for its consideration.

MOTION

On motion of Senator Atwood, the following resolution was adopted:

SENATE RESOLUTION: 1972-30

By Senators Atwood and Sandison:

WHEREAS, The Washington State Legislature, in Section 1, Chapter 273, Laws of 1971, First Extraordinary Session, directed all state institutions of higher education to apply uniform rules in determining whether students shall be classified as resident students or nonresident students for tuition and fee purposes; and

WHEREAS, The Washington State Legislature currently is considering additional amendments to Chapter 273, Laws of 1971, First Extraordinary Session; and

WHEREAS, The institutions are in need of uniform statewide guidelines to assist them in applying the provisions of Chapter 273, Laws of 1971, First Extraordinary Session, as enacted or hereafter amended;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Council on Higher Education shall formulate and adopt statewide guidelines for the assistance of state institutions of higher education in applying uniform rules, consistent with Chapter 273, Laws of 1971, First Extraordinary Session, as enacted or hereafter amended, for determining whether students shall be classified as resident students or nonresident students for tuition and fee purposes.

MOTION

Senator Francis moved adoption of the following resolution:

SENATE RESOLUTION: 1972-31

By Senators Francis and Sandison:

WHEREAS, Part-time faculty in institutions of higher learning represent an important segment of this state's over-all instructional effort; and

WHEREAS, Part-time instructional staff are increasingly relied upon throughout numerous Washington public institutions of higher education, constituting in certain situations more than half of an institution's faculty; and

WHEREAS, Equitable compensation and working conditions among both part-time and full-time faculty are clearly objectives of public policy; and

WHEREAS, Part-time faculty have an important influence on the quality of higher education programs and the value of each student's educational program is dependent upon contributions made by part-time faculty; and

WHEREAS, Many conflicting statements have been made by educators, students, and citizens concerned with the quality of education relative to the use of part-time faculty and its effect upon educational programs and policies;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Council on Higher Education be requested to undertake a study of factors relating to use of part-time faculty in Washington public institutions of higher education; and

BE IT FURTHER RESOLVED, That the Joint Committee on Higher Education be requested to make periodic visits to various college and university campuses in order to hear testimony concerning the use and effectiveness of part-time faculty; and

BE IT FURTHER RESOLVED, That the Council on Higher Education be requested to make periodic reports to the Joint Committee on Higher Education concerning its study of part-time faculty so that recommendations can be made to the 1973 Session of the Legislature.

POINT OF INQUIRY

Senator Mardesich: "I wonder if Senator Francis would object to an amendment which would include in that study an analysis of who the people are who are on a part-time basis. The point I am driving at is how many of the people who are on a part-time basis are also full-time professors."

Senator Francis: "Senator Mardesich, I feel very strongly that that part of the analysis must be a part of what is already in here and it would not need an amendment. If we are

going to be examining the policy of whether or not we are doing things right, we are going to have to look at the whole question of who is involved, what are they being paid, what kinds of family situations are they in, would other jobs be available to them, the whole question. I think that has to be and it is inherently a part of this resolution as it is now written."

Senator Mardesich: "As long as it is a part of it and it does appear the language is fairly broad, it would seem to me that is a proper part of the study."

The motion by Senator Francis carried and the resolution was adopted.

MOTION

On motion of Senator Talley, the following resolution was adopted:

SENATE RESOLUTION: 1972-32

By Senators Talley and Peterson (Lowell):

WHEREAS, A lack of controls over the population of coyotes and crows may result in economic loss of livestock and crops; and

WHEREAS, An immediate remedy to the problem is not now available;

NOW, THEREFORE, BE IT RESOLVED, That the Senate authorizes and requests the interim committee on fisheries, game and game fish to study the feasibility of setting a bounty on crows and coyotes in those counties where the boards of county commissioners deem it necessary.

SECOND READING

SENATE BILL NO. 99, by Senators Odegaard, Twig and Day:

Exempting mobile homes and campers from use tax.

The Senate resumed consideration of Senate Bill No. 99. There being no objection, the amendment proposed by Senator Odegaard to page 7 was withdrawn.

On motion of Senator Whetzel, the following amendments were adopted:

On page 7, line 4, add a new section as follows:

"Sec. 2. Section 73, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.902 are each amended to read as follows:

The provisions of chapter 82.50 RCW shall remain applicable to mobile homes through December 31, 1972. All mobile homes subject to the property tax shall be listed and assessed for the first time on January 1, 1972, and such tax shall be paid during 1973 in accordance with the laws of this state: *PROVIDED, That for personal property taxes due and payable in 1973 the liability shall accrue to the person owning such mobile home on January 1, 1973, and the lien for such tax shall not attach until January 1, 1973.*"

On page 7, strike old section 2, and add as section 3, following the Whetzel amendment adding a new section 2, the following:

"*NEW SECTION.* Sec. 3. Section 2 of this 1972 amendatory 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."

On motion of Senator Odegaard, the following amendment to the title was adopted:

In line 3 of the title, after "RCW 82.12.030;" strike the remainder of the title and insert "amending section 73, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.902; declaring an emergency; and prescribing effective dates."

On motion of Senator Odegaard, the rules were suspended, Engrossed Senate Bill No. 99 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 99 and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Voting nay: Senators Fleming, Francis—2.

ENGROSSED SENATE BILL NO. 99, having received the 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 Odegaard, Engrossed Senate Bill No. 99 was ordered immediately transmitted to the House.

On motion of Senator Fleming, House Bill No. 160 was ordered placed at the beginning of the second reading calendar for Thursday, February 10, 1972.

On motion of Senator Francis, Engrossed House Joint Resolution No. 61 was ordered placed as the second measure on the calendar for Thursday, February 10, 1972.

SECOND READING

ENGROSSED HOUSE BILL NO. 234, by Representatives Rabel, Sawyer and Morrison:

Authorizing certain payroll deductions for certificated employees of school districts.

REPORT OF STANDING COMMITTEE

January 31, 1972.

ENGROSSED HOUSE BILL NO. 234, relating to payroll deductions for certificated employees of school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 12, strike "may" and insert "shall"

Signed by: Senators Fleming, Gardner, Metcalf, Murray, Odegaard, Peterson (Ted), Ridder.

The bill was read the second time by sections.

Senator Francis moved adoption of the committee amendment.

POINT OF INQUIRY

Senator Clarke: "Would Senator Francis yield? Senator, it is my understanding that this would apply only as to those who desired the deduction and if there were those who did not desire the deduction, they would not have it made anyway."

Senator Francis: "That is absolutely correct, Senator, and only where at least ten percent of the employees had requested the deduction would the authority have to make the deduction."

The motion by Senator Francis carried and the committee amendment was adopted.

On motion of Senator Mardesich, the following amendment was adopted:

On page 1, section 1, line 13, strike "mechanical" and on line 14, after "equipment" insert "or personnel"

On motion of Senator Francis, the rules were suspended, Engrossed House Bill No. 234, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 234, as

amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson, Woodall-47.

Voting nay: Senator Guess-1.

Absent or not voting: Senator Twigg-1.

ENGROSSED HOUSE BILL NO. 234, 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. 126, by Representatives Wolf, Benitz, Conner, Conway, Hurley, Jones, Kirk, Marsh, O'Brien and Paris:

Authorizing vocational rehabilitation services payments out of federal or other funding only.

The bill was read the second time by sections.

On motion of Senator Odegaard, the rules were suspended, Engrossed House Bill No. 126 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 126, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-48.

Absent or not voting: Senator Fleming-1.

ENGROSSED HOUSE BILL NO. 126, having received the 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. 8, by Committee on Local Government (Originally sponsored by: Representatives Smythe, Marsh, Bauer and Zimmerman):

Repealing certain employee restrictions on public works.

The bill was read the second time by sections.

Senator Guess moved adoption of the following amendment:

On page 1, section 1, beginning on line 7, strike all the material down through "employed; and" on line 14, and insert:

"In all contracts let by the state, or any department thereof, or any county, city or town for the erection, construction, alteration, demolition or repair of any public building, structure, bridge, highway, or any other kind of public work or improvement, the contractor or subcontractor shall employ ninety-five percent or more bona fide Washington residents as employees where more than forty persons are employed, and ninety percent or more bona fide Washington residents as employees where forty or less persons are employed, except that any contractor or subcontractor may employ not more than five persons without regard to the residency requirements stated herein in the performance of any such contract: PROVIDED, That the state of the residence of the contractor or subcontractor provides reciprocal rights to Washington contractors or subcontractors. The contractor"

POINT OF INQUIRY

Senator Metcalf: "Would Senator Guess or Senator Henry yield to a question? My understanding is that Oregon has passed legislation that makes it necessary that we repeal a part of our law. And my question really is, in the repealing of this legislation and then doing it again in another part of the law, what is the effect of this? Are we playing square? Are we trying to phony something up or what? I do not really understand this thing and I would like to have somebody explain it to me. I would appreciate it if Senator Henry would."

Senator Henry: "Well perhaps it is just as well to give you the explanation now as it is on third reading. Yes, we are phonying something up and I am doing it to get even with the Oregon legislature. You will recall that in the last session of the legislature we passed Senate Bill 352 which said, in effect, that the use tax on Oregon vehicles, out of state vehicles coming into our state, would be repealed. They had been collecting that and it works a hardship on the big fruit express trucks and so forth coming into our state. The Oregon legislators that I contacted agreed that they would pass a bill that would give the Washington residents working in Oregon an equal break on their income tax. Now probably most of you do not know there are twenty-two thousand Washington residents working in Oregon. A couple of sessions back the Oregon legislature had decided to change their income tax method of collection to conform with the federal deduction and in that way make it easier for the residents of Oregon. Well it is true that it did. However, and being a Washington resident who has an office in Hood River, Oregon, I found out very quickly that this cost me about three hundred dollars a year more in income tax than it did if I lived in Oregon, for the simple reason that they do not allow deductions for property tax or interest payments unless it is paid in the state of Oregon. Well, consequently we have tried every way to get the job done. The Governor said it was not intended to be that way and so did their Attorney General but they had no recourse but to interpret the law to the letter as it had been passed in the earlier session.

"However, we reached this agreement and they changed the law in Oregon with Engrossed House Bill 1412 and made it equitable for the Washington residents. However, as sometimes happens, in the closing days one of the gung ho Senators down there hung a little self-destruct amendment on this particular piece of legislation that says the amendments of the ORS 31.61.117 apply to the taxable years beginning after December 31, 1970. However, if RCW 39.16.010 is not repealed at the first special or regular session of the legislature of the State of Washington occurring after June 10, 1971, these amendments that I just mentioned are repealed for those taxable years beginning after December 31 of the year of adjournment of such special or regular session. So they hung a self-destruct amendment on their bill. It went through so fast that in talking to Senator Burns, the President of the Oregon Senate, he did not even realize it was on the bill.

"Well consequently we are complying with the letter of the law. We are repealing RCW 39.16.010 which says in the 1943 act that you have a public works job paid for with state money that you have to have a certain percentage of Washington residents working on that job. So we repealed that and we changed it slightly to conform with the letter of the law and so we now have ninety-five percent of the bona fide Washington residents where more than forty persons are employed. So we said we repealed 39.16.010 and then we put the same provisions back in the bill under a different chapter. So we are doing exactly to them what they did to us. We have gimmicked this thing. We are complying with the letter of the law. It may not be exactly the moral spirit of the thing but I think they made an agreement, they should stick to it and this is going to make twenty-two thousand Washington residents pretty happy.

"Now we also have, unfortunately, in Oregon in this particular case, a Governor with no right of veto at all other than the entire bill. He could not even veto the section that had been hung on. But I have been assured that the Oregon legislature will not come back with another self-destruct amendment because if they do, in the next session of the legislature I am going to repeal Senate Bill No. 352, the use tax on out-of-state vehicles. And I know that makes Jim Matson gasp back there, but I think you have got to fight fire with fire and they double crossed us and I am only triple crossing them."

The motion by Senator Guess carried and the amendment was adopted.

On motion of Senator Henry, the rules were suspended, Substitute House Bill No. 8, 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.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 8, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-47.

Voting nay: Senator Murray-1.

Absent or not voting: Senator Metcalf-1.

SUBSTITUTE HOUSE BILL NO. 8, 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. 80, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting erroneous amendment to RCW 15.63.240.

The bill was read the second time by sections.

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

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 80, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-49.

HOUSE 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.

HOUSE BILL NO. 81, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting double amendments to RCW 18.64.080.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 81 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 81, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney,

Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-49.

HOUSE 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.

HOUSE BILL NO. 82, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting double amendments to RCW 28A.13.020, 28A.27.081 and 28A.58.100.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 82 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 82 and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-49.

HOUSE BILL NO. 82, having received the 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. 83, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting multiple amendments to RCW 41.06.070.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 83 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 83, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-49.

HOUSE BILL NO. 83, having received the 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 Charette and Julin (by Statute Law Committee request):

Correcting double amendment to RCW 43.08.020.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 84 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 84, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—49.

HOUSE 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.

HOUSE BILL NO. 85, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting inadvertent amendment to RCW 22.02.100.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 85 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 85, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—49.

HOUSE 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.

MOTION

At 12:35 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Thursday, February 10, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-SECOND DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, February 10, 1972.

The Senate was called to order at 11:00 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 Chris Corrigan, Color Bearer, and Tive Herrera, presented the Colors. Reverend Charles Loyer, pastor of Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Eternal God, to whom man has ever turned for inner resources; to the legislators, this morning, minister with a bountiful hand. Keep them morally sensitive to the social issues of this biennium. Help them to distinguish between what is desirable and what is possible. Give them the physical staying power that will see them through the long caucuses and tense debates with health unimpaired. Despite their fish bowl existence and endless frustrations, help them to keep their cool in the chambers and at home. Amen."

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

REPORTS OF STANDING COMMITTEES

February 9, 1972.

SUBSTITUTE SENATE BILL NO. 206, teacher's retirement system, revisions (reported by Committee on Ways and Means):

MAJORITY recommendation: That Second Substitute Senate Bill No. 206 be substituted therefor and that the second substitute bill do pass.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Canfield, Cooney, Day, Donohue, Dore, Elicker, Foley, Francis, Herr, Jolly, Metcalf, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Talley, Walgren, Washington.

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

February 9, 1972.

SENATE BILL NO. 261, journeymen plumbers, licensing (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by Committee on Commerce and Regulatory Agencies.

Signed by: Senators Durkan, Chairman; Bailey, Cooney, Day, Donohue, Dore, Elicker, Foley, Francis, Herr, Jolly, Mardesich, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Walgren.

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

February 9, 1972.

SENATE JOINT RESOLUTION NO. 123, amending Constitution to authorize certain reductions in property taxes (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Cooney, Day, Donohue, Dore, Fleming, Foley, Greive, Herr, Holman, Huntley, Jolly, Mardesich, Metcalf, Odegaard, Peterson (Ted), Ridder, Sandison, Twigg, Washington, Wilson, Woodall.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 27, providing noise limits for motor vehicles (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Donohue, Herr, Huntley, Jolly, Matson, Murray, Peterson (Lowell), Scott, Sellar, Walgren, Whetzel.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 33, relating to school districts' use of transportation depreciation reimbursements received from the state (reported by Committee on Education):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Metcalf, Murray, Newschwander, Odegaard, Rasmussen, Ridder, Stender, Washington.

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

February 7, 1972.

HOUSE BILL NO. 34, updating state land reclamation procedures (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Clarke, Gissberg, Matson, Metcalf, Peterson (Ted), Sandison, Talley.

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

February 7, 1972.

HOUSE BILL NO. 35, abolishing the land settlement act (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Clarke, Gissberg, Matson, Metcalf, Peterson (Ted), Sandison, Talley.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 38, amending the formal hearing procedures in regard to issuance, denial, suspension or revocation of drivers' licenses (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Connor, Donohue, Elicker, Herr, Huntley, Jolly, Keefe, Matson, Murray, Peterson (Lowell), Scott, Sellar, Stender, Walgren.

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

February 9, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 47, authorizing the burning of outdoor fires by homeowners and persons clearing land (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Elicker, Holman, Keefe, Newschwander, Odegaard, Woodall.

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

February 9, 1972.

HOUSE BILL NO. 86, motor vehicle excise, amendment corrected (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Canfield, Donohue, Dore, Elicker, Foley,

Francis, Guess, Herr, Jolly, Metcalf, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Twigg, Walgren, Washington, Woodall.

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

February 10, 1972.

HOUSE BILL NO. 93, amending the uniform reciprocal enforcement of support act (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Foley, Greive, Holman, Twigg.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 94, providing for lien of department of social and health services on time loss compensation under workmen's compensation to extent of public assistance rendered (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Foley, Greive, Holman, Twigg.

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

February 8, 1972.

HOUSE BILL NO. 95, removing visitation restrictions on condemned prisoners (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Odegaard, Chairman; Clarke, Knoblauch, Sandison, Scott, Stortini, Twigg.

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

February 8, 1972.

ENGROSSED HOUSE BILL NO. 130, providing for notice to each property owner assessed by a local improvement district (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Stortini, Chairman; Rasmussen, Vice Chairman; Elicker, Fleming, Herr, Ridder, Talley, Walgren, Whetzel, Wilson.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 133, providing that additional departments of municipal court may be added as needed (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Francis, Holman, Twigg, Woodall.

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

February 8, 1972.

ENGROSSED HOUSE BILL NO. 143, providing for the rights of married persons (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Durkan, Foley, Francis, Holman.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 147, providing for alternative methods of legal aid (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Foley, Greive, Holman, Twigg.

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

February 9, 1972.

HOUSE BILL NO. 158, providing allowances for citizen members of the state land planning commission (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Day, Elicker, Gardner, Henry, Jolly.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 159, authorizing the department of labor and industries to charge a fee for explosives user's and purchaser's licenses (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Matson, Ridder, Sellar, Stender.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 191, relating to sale of surplus school lands (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Newschwander, Odegaard, Rasmussen, Ridder, Stender, Washington.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 194, providing for contractors bonds (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Clarke, Francis, Holman, Twigg, Walgren, Woodall.

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

February 8, 1972.

ENGROSSED HOUSE BILL NO. 199, eliminating residency requirements for municipal firemen and policemen (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Rasmussen, Vice Chairman; Canfield, Elicker, Fleming, Herr, Ridder, Talley, Walgren, Whetzel, Wilson.

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

February 8, 1972.

ENGROSSED HOUSE BILL NO. 210, authorizing counties to establish ambulance service (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Rasmussen, Vice Chairman; Canfield, Elicker, Fleming, Herr, Ridder, Walgren, Wilson.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 221, clarifying provisions relative to motor fuel tax exemption (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Elicker, Guess, Herr, Jolly, Matson, Murray, Peterson (Lowell), Sellar, Walgren.

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

February 10, 1972.

HOUSE BILL NO. 228, proposing amendments to real estate license law (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Mardesich, Chairman; Clarke, Cooney, Day, Foley, Gardner, Gissberg, Knoblauch, Peterson (Lowell), Stortini, Twigg, Walgren, Whetzel.

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

February 10, 1972.

HOUSE BILL NO. 237, authorizing public libraries to offer certain materials for sale at cost to the library (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Atwood, Dore, Durkan, Foley, Guess, Henry, Holman, Huntley, Lewis, Scott, Wilson.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 240, providing wage rate exemptions for vocationally handicapped on public works (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Fleming, Chairman; Matson, Ridder, Sellar, Stender.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 243, extending industrial insurance to inmates employed in an industrial enterprise or at honor camps (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass.

Signed by: Senators Fleming, Chairman; Matson, Ridder, Sellar, Stender.

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

February 8, 1972.

HOUSE BILL NO. 244, removing power of eminent domain under shoreline management act (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Clarke, Matson, Metcalf, Peterson (Ted), Sandison, Talley.

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

February 10, 1972.

HOUSE BILL NO. 254, providing procedures for inviting bids and awarding contracts by public utility districts (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass.

Signed by: Senators Clarke, Cooney, Day, Dore, Fleming, Foley, Gissberg, Huntley, Peterson (Lowell), Sellar, Stortini, Twigg, Walgren.

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

February 10, 1972.

HOUSE BILL NO. 266, allowing savings and loan associations to make guaranteed student loans (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass as amended and that the bill be referred to the Committee on Commerce and Regulatory Agencies.

Signed by: Senators Sandison, Chairman; Atwood, Dore, Durkan, Foley, Francis, Guess, Henry, Metcalf, Scott.

There being no objection, House Bill No. 266 was referred to the Committee on Commerce and Regulatory Agencies.

February 10, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 272, giving consideration to investing certain funds in vocational training loans (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Atwood, Dore, Durkan, Foley, Guess, Henry, Huntley, Lewis, Scott, Wilson.

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

February 9, 1972.

HOUSE BILL NO. 289, defining dognapping as a crime and prescribing penalties therefor (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Greive, Holman, Woodall.

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

February 10, 1972.

HOUSE BILL NO. 299, relating to school district budgets (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder.

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

February 10, 1972.

SUBSTITUTE HOUSE BILL NO. 318, relating to exemption of certain certificated employees from provisions in Chapter 28A.67 (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Odegaard, Rasmussen, Ridder, Washington.

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

February 10, 1972.

SUBSTITUTE HOUSE BILL NO. 323, relating to state government (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Mardesich, Chairman; Clarke, Cooney, Day, Foley, Gardner, Gissberg, Huntley, Knoblauch, Peterson (Lowell), Sellar, Stortini, Twigg, Walgren, Whetzel.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 348, relating to ferry routes and operations (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Elicker, Foley, Herr, Huntley, Jolly, Knoblauch, Murray, Peterson (Lowell), Sandison, Sellar, Stender, Walgren.

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

February 10, 1972.

SUBSTITUTE HOUSE BILL NO. 413, implementing law holding harmless from liability school directors in carrying out their duty (reported by Committee on Education):

MAJORITY recommendation: Do pass.

Signed by: Senators Francis, Chairman; Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Washington.

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

February 8, 1972.

SUBSTITUTE HOUSE BILL NO. 426, relating to litter control (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Clarke, Gissberg, Matson, Metcalf, Peterson (Ted), Sandison.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 438, creating a priority list of persons who may give consent to an autopsy in any particular case (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

Recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Greive, Holman, Keefe, Newschwander, Odegaard, Woodall.

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

February 9, 1972.

SUBSTITUTE HOUSE BILL NO. 514, providing for construction of a state office building (reported by Committee on State Government):

MAJORITY recommendation: Do pass.

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Henry, Jolly, Lewis.

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

February 9, 1972.

HOUSE BILL NO. 521, providing tuberculosis treatment of persons unable to pay (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Greive, Holman, Keefe, Newschwander, Odegaard.

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

February 7, 1972.

HOUSE BILL NO. 527, clarifying and directing collection and use of funds in fire protection projects (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass.

Signed by: Senators Peterson (Lowell), Chairman; Clarke, Gissberg, Matson, Metcalf, Peterson (Ted), Sandison, Talley.

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

February 8, 1972.

HOUSE BILL NO. 537, shortening time for declaration of undisclosed income or resources to department of public assistance by persons receiving such assistance (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Odegaard, Chairman; Clarke, Guess, Knoblauch, Sandison, Scott, Stortini, Twigg.

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

February 8, 1972.

SUBSTITUTE HOUSE BILL NO. 542, providing child support relief (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass.

Signed by: Senators Odegaard, Chairman; Clarke, Knoblauch, Sandison, Scott, Stortini, Twigg.

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

February 7, 1972.

HOUSE JOINT MEMORIAL NO. 4, memorializing the President and Congress to commemorate the peaceful settlement of the dispute over the San Juan Islands (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass.

Signed by: Senators Wilson, Chairman; Canfield, Henry, Jolly, Lewis, Murray, Rasmussen, Scott.

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

February 8, 1972.

ENGROSSED HOUSE JOINT MEMORIAL NO. 5, petitioning Congress to authorize public service employment programs for recipients of public assistance (reported by Committee on Public Institutions):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Odegaard, Chairman; Guess, Knoblauch, Sandison, Scott, Stortini, Twigg.

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

GUBERNATORIAL APPOINTMENT

February 10, 1972.

WALTER B. WILLIAMS, to the position of member of the Council on Higher Education, appointed by the Governor on July 23, 1971 for the term ending April 30, 1977, succeeding Harry Prior (reported by Committee on Higher Education and Libraries):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Sandison, Chairman; Atwood, Dore, Durkan, Foley, Francis, Guess, Henry, Lewis, Metcalf, Scott.

Passed to Committee on Rules and Joint Rules.

MESSAGES FROM THE HOUSE

February 9, 1972.

Mr. President: The House has passed:

HOUSE BILL NO. 102,

SUBSTITUTE HOUSE BILL NO. 313, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 9, 1972.

Mr. President: The Speaker has signed HOUSE BILL NO. 105, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 9, 1972.

Mr. President: The Speaker has signed:

SENATE BILL NO. 83,

SENATE BILL NO. 296,

SENATE JOINT MEMORIAL NO. 2,

SENATE CONCURRENT RESOLUTION NO. 9, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 9, 1972.

Mr. President: The Speaker has signed:

SENATE BILL NO. 88,

SENATE BILL NO. 97, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MESSAGE FROM THE HOUSE

February 9, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 15 with the following amendment:

On page 2, section 3, line 21 of the engrossed bill, being line 13 of the printed bill, after "tuition-free" insert "commencing", and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Andersen, the Senate concurred in the House amendment to Engrossed Senate Bill No. 15.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 15, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—49.

ENGROSSED SENATE BILL NO. 15, 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 Dore: "Mr. President and members of the Senate, I was indeed delighted this morning to have the supreme court rule favorably on the challenge by Snohomish Assessor on House Bill 283 which we passed last session. You may recall that House Bill 283 provided that in the event of the four year reappraisal program if in any one year the area reappraised was more than ten percent higher than the indicated county ratio, the board of equalization of that county could bring it down to the county average. This law was used in King County by the board of equalization and reduced approximately twenty percent, from fifty percent of fair market value down to forty percent, which meant a savings to the taxpayers of King County and their tax bills which will be billed on February 15th of some nineteen million dollars. This bill has not been used but by King County and one other county. So this decision today will have state-wide application. It will mean that all assessors of the state and their boards of equalizations in those areas conducting reevaluation programs, and there are thirty-five different counties that are, can now assess at an indicated county ratio. And I predict that probably savings to property owners for 1972 will be in the area of forty to fifty million dollars. I think this is a signal victory for taxpayers in the state of Washington. Had this decision not been favorable, of course, the residents of King County would have had an additional twenty percent of billing when this case was reversed. Senator Peterson and I and twelve other Senators had tried to foresee the situation as we introduced Senate Joint Resolution 123 to constitutionally reenact House Bill 283 in the event that the supreme court had not reversed the lower court in Thurston County because Judge Baker in Thurston County had overruled and held unconstitutional 283. This puts it back and makes it constitutional. So I think this decision is only limited, of course, to those undertaking the four year reappraisal program. And when they complete it and get up to the last year, then from then on all the assessors must assess at fifty percent of fair market value. We still have in Senate Joint Resolution 123 a provision introduced by Senator Holman, perhaps we still would want to put the second phase of that resolution through. But I think this decision in the case of *Snohomish County Board of Equalization vs. The Washington State Department of Revenue* is the most important real estate property tax to

ever come down from the supreme court in the history of our state, and I herald it and it was a unanimous decision and certainly brings about uniformity and justice."

POINT OF INQUIRY

Senator Guess: "Would Senator Dore yield? Senator Dore, I noticed when you made the statement as to the amount of savings to King County that Senator Holman was lighting his pipe and I do not believe he really heard the figure that you mentioned. Would you repeat for Senator Holman the tax savings to King County because of the suit that you have just won?"

Senator Dore: "Well first, let us just correct a few things. I did not just win this case. This was a case brought by the Snohomish County and Kitsap County assessors to hold House Bill 283 unconstitutional. King County did not challenge it but went ahead and put it into effect, as other counties may now do, as a result of which, according to Mr. Hoppe, the figure that he gave and it is not my figure, but that savings were brought about of some nineteen million dollars for 1972 tax purposes as a result of it."

Senator Guess: "In King County?"

Senator Dore: "In King County. Had this been in reverse of course, we would have been billed an additional amount. But that is the figure that is in my memory from Mr. Hoppe."

POINT OF INQUIRY

Senator Guess: "Would Senator Holman yield? We had quite a discussion the other day about the benefits of a particular bill, 397 by number, and I wonder now, do you really think that eleven million dollars savings prospectively is too far off for the farm community to receive after King County has received twenty million dollars?"

Senator Holman: "Senator Guess, the answer to that is no, I do not think so, and I have already said many times that I think Senate Bill No. 397 has a lot of merit to it. I could support it at an appropriate time, but I have to say again, that I think we have to do general overall tax reform for the state generally before we do it for special industries, whether the Boeing Company or agriculture. And as Senator Dore correctly pointed out, this validation of House Bill No. 283 is of state-wide application. It applies particularly to the home owner and I assume that in your district you must have some home owners."

PERSONAL PRIVILEGE

Senator Mardesich: "So long as Senator Dore and others have expressed their new found hope, due to a supreme court decision relating to taxes, I would also like to express the lightness in my heart these last few days because I noticed in the press yesterday, that some of the Republicans in the House are attempting to cut the budget and save some taxes. As one of the members of the House Republicans points out that the Governor is funding new programs at the expense of education and the name of the game is spend every penny. I am delighted to see that at least a few Republicans have decided to abandon the Governor and join some of us Democrats in return to an attempt to implement this fiscal responsibility for this state."

MESSAGE FROM THE HOUSE

February 9, 1972.

Mr. President: The House has passed SENATE BILL NO. 173 with the following amendments:

On page 1, line 3 of the title after "52.12.040" insert a period and strike the balance of the title

On page 1, section 2, beginning on line 16 strike all of section 2, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Talley moved that the Senate do not concur in the House amendments to Senate Bill No. 173, and the House be asked to recede therefrom.

Debate ensued.

MOTION

Senator Andersen moved that the Senate do concur in the House amendments to Senate Bill No. 173.

Senators Talley, Andersen 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. The Secretary called the roll on the Call of the Senate, all members being present. On motion of Senator Talley, the Senate proceeded under the Call of the Senate.

The President declared the question before the Senate to be the positive motion by Senator Andersen that the Senate do concur in the House amendments to Senate Bill No. 173.

Debate ensued.

POINT OF INQUIRY

Senator Durkan: "Would Senator Andersen yield? Senator Andersen, I listened to your comments on the bill and I wonder if you are aware of the fact that the Department of General Administration is in the process of eliminating competitive bidding?"

Senator Andersen: "I am not, and the only way they can do that is to go flatly in the face of the present statute which very clearly requires competitive bidding and is interpreted by the supreme court in *Savage vs. State* and in at least one other case it is interpreted rather rigidly. They cannot do that in short, Senator Durkan. The law does not let them."

Senator Durkan: "Senator, and I am inclined to vote with you, but as I understand it they are going to what they call a single vendor type where they write the specifications and one person makes all the sales for a given period of time."

Senator Andersen: "I am not familiar with the particular thing that you are talking about, Senator Durkan. However, my purpose in supporting the viewpoint I have taken on this bill and in other competitive bidding bills is that I do recognize the tendency on the part of purchasing people, be it fire districts, be it the Department of General Administration, the tendency of people to want to deal with people they know and want to do business with their friends. I do believe that it is the legislature's function to see that the present legal walls and barriers that we have built up against people doing business with their brother-in-law be maintained with as much integrity as possible. If the legislature, the people's representatives, will not do it then nobody will. I certainly will join with you in opposing what the Department may be trying to do in that regard, Senator Durkan."

Senator Durkan: "Thank you, Senator. That is what I wanted to know."

POINT OF INQUIRY

Senator Guess: "Would Senator Durkan yield? Senator Durkan, if you need any solid information on this, back in 1965 there was a suit to require that the Department of General Administration, reopen and readvertise the light bulb bid. Out of that suit arose a personal liable suit against the company that had sued the Department of General Administration to reopen the bidding. And it was a part of this language out of the supreme court case that Senator Andersen was reading that they have to advertise and what they said in there in effect was that it had to be rebid at reasonable periods. And so I would certainly hope that we would insist that they continue to rebid their jobs at reasonable periods."

Senator Durkan: "Thank you."

MOTION

Senator Rasmussen moved that the motion by Senator Andersen to concur in the House amendments to Senate Bill No. 173 be laid upon the table.

Senator Metcalf demanded a roll call and the demand was sustained by Senators Talley, Woodall, Andersen, Twigg, Whetzel, Henry, Connor, Gardner and Greive.

ROLL CALL

The Secretary called the roll and the motion by Senator Andersen was laid upon the table by the following vote: Yeas, 28; nays, 21.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Fleming, Francis, Gissberg, Greive, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Walgren, Washington, Wilson—28.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Durkan, Elicker, Foley, Gardner, Guess, Holman, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Twigg, Whetzel, Woodall—21.

The President declared the question before the Senate to be the motion by Senator Talley that the Senate do not concur in the House amendments to Senate Bill No. 173.

The motion by Senator Talley carried. The Senate did not concur in the House amendments to Senate Bill No. 173 and asks the House to recede therefrom.

MOTIONS

On motion of Senator Greive, the House message on Senate Bill No. 350 was ordered held for consideration Friday, February 11, 1972.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 102, by Representatives Smythe, Haussler and Curtis:

Removing the two percent maximum on the cost the state may charge the city or county of collecting the sales and/or use tax and removing the cut-off date for the local sales tax.

Referred to Committee on Ways and Means—Revenue and Taxation.

SUBSTITUTE HOUSE BILL NO. 313, by Committee on Appropriations (Originally sponsored by: Representatives Goldsworthy, Kopet, Anderson, Marzano and Wolf):

Relating to appropriations.

Referred to Committee on Ways and Means—Appropriations.

MOTION

At 12:35 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

SIGNED BY THE PRESIDENT

The President signed:
SENATE BILL NO. 104,
HOUSE BILL NO. 105.

The Senate resumed consideration of Senate Resolution 1972-28 which had been

moved for adoption by Senator Metcalf on Wednesday, February 9, 1972 and ordered held for further consideration today.

On motion of Senator Foley, the following amendment was adopted:

On page 1, line 14, after "Committee," strike "in cooperation with the Data Processing Advisory Committee,"

The motion by Senator Metcalf carried and Senate Resolution 1972-28, as amended, was adopted.

MOTION

On motion of Senator Peterson (Lowell), the following resolution was adopted:

SENATE RESOLUTION: 1972-33

By Senator Talley:

WHEREAS, Some methods of timber logging presently practiced in Washington state are believed to be harmful to fish runs in this state, and in some instances constitute a detriment to attempts at flood control; and

WHEREAS, Additional study is necessary to determine the impact of some timber logging methods on damage to Washington streams and rivers;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the Interim Committee on Natural Resources, Game and Game Fish to undertake a study on the impact of different logging methods on this state's waterways, and fish runs, as well as flood control in affected areas. The committee is requested to report its findings to the next session of the Legislature, together with its proposals for legislation thereon.

MOTION

On motion of Senator Lewis, the following resolution was adopted:

SENATE RESOLUTION: 1972-34

By Senators Lewis, Ridder and Woodall:

WHEREAS, There has been a continuing dialogue and debate on the inclusion of the Division of Vocational Rehabilitation within the Department of Social and Health Services and the status of vocational rehabilitation programs as independent entities; and

WHEREAS, In the course of the foregoing discussion and debate, concerns have been raised regarding the overall methodology and effectiveness of vocational rehabilitation programs over a period of some years in Washington state; and

WHEREAS, Further action with respect to the organization and placement of vocational rehabilitation programs without careful consideration and study would be precipitate and unwise;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington that the Legislative Council undertake a comprehensive study to review the placement of vocational rehabilitation programs within the Department of Social and Health Services and to review such placement as it relates to factors such as:

- (a) Interrelationships with other Department of Social and Health Services programs;
- (b) Interrelationships with Superintendent of Public Instruction programs;
- (c) Benefits or penalties of independent status;
- (d) Benefits or penalties of status either within Department of Social and Health Services or Office of Superintendent of Public Instruction; and

BE IT FURTHER RESOLVED, That the Legislative Council conduct said review with an eye to determining cost effectiveness of vocational rehabilitation programs in the State of Washington over a period of years and to develop a cost benefit analysis of the following vocational rehabilitation services:

- (a) Evaluation and diagnostic services
- (b) Counseling and guidance
- (c) Physical restoration services

- (d) Training, including personal and vocational adjustment
- (e) Books and training materials
- (f) Maintenance
- (g) Placement services
- (h) Follow-up services
- (i) Tools and equipment
- (j) Transportation
- (k) Others as may appear necessary; and

BE IT FURTHER RESOLVED, That the Legislative Council may retain to assist in such study a private firm with appropriate qualifications; and

BE IT FURTHER RESOLVED, That the Legislative Council report back to the next Regular Session of the Legislature with its findings and recommendations as to the foregoing.

MOTION

Senator Greive moved that the Senate return to the second order of business.

Debate ensued.

Senator Atwood objected to the motion by Senator Greive.

POINT OF INQUIRY

Senator Atwood: "Would Senator Donohue yield? Senator Donohue, we received notice of a Revenue and Tax meeting and a Ways and Means meeting this afternoon. My question to you is this, are you going to consider House Bill No. 44 at that meeting and if not, when do you plan to consider House Bill No. 44?"

Senator Donohue: "Senator, we have asked for an Attorney General's opinion, concerning the legality and the constitutionality of House Bill No. 44. I received this, this morning. We have asked Mr. Pitkin to be present and we are waiting to have these people here and we are going to hold a hearing. However, it is not going to be held today."

Senator Atwood: "Can you tell us when it is going to be held?"

Senator Donohue: "No, sir, I cannot."

There being no objection, the motion by Senator Greive was withdrawn.

MOTIONS

Senator Andersen moved that the Committee on Ways and Means—Revenue and Taxation be instructed to conduct a hearing on House Bill No. 44 and report back to the Senate by 6:00 p.m., Friday, February 11, 1972.

Debate ensued.

Senator Greive moved that the motion by Senator Andersen be laid upon the table.

Senator Andersen demanded a roll call and the demand was sustained by Senators Atwood, Cooney, Metcalf, Woodall, Bailey, Dore, Sandison, Talley and Sellar.

ROLL CALL

The Secretary called the roll and the motion by Senator Andersen was laid upon the table by the following vote: Yeas, 29; nays, 20.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—29.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Guess, Holman, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Whetzel, Woodall—20.

MOTIONS

Senator Andersen moved that the Committee on Ways and Means—Revenue and Taxation be relieved of further consideration of House Bill No. 44.

Senator Andersen moved that House Bill No. 44 be referred to the Committee on Rules and Joint Rules.

Debate ensued.

There being no objection, the motions by Senator Andersen were withdrawn.

MOTION

Senator Walgren moved adoption of the following resolution:

SENATE RESOLUTION: 1972-35

By Senators Durkan and Walgren:

WHEREAS, Cities, towns, and counties are increasingly faced with problems which require regional coordination and development, including sewage and waste disposal, coordinated transportation development, the planning and development of industry, business, education and services, and the creation of a sound environmental policy for regional areas; and

WHEREAS, Federal moneys, both in the form of grants and loans, are increasingly being made available to regional organizations; and,

WHEREAS, Government on all levels could benefit from the existence of a viable regional organization to gather and disseminate information, to coordinate and manage regional projects, and to act as a clearinghouse for state and federal funds;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the legislative council to undertake a complete study of the benefits of establishing regional geo-political areas within the state, including within said study an evaluation of the services which could be performed by such regional bodies; and

BE IT FURTHER RESOLVED, That the legislative council make a report of its findings to the next regular session of the legislature, together with its recommendations for legislation thereon.

Senator Walgren moved adoption of the following amendment by Senators Durkan and Walgren:

On lines 15 and 19, strike "legislative council" and insert "Municipal Committee"

POINT OF INQUIRY

Senator Guess: "Would Senator Walgren yield? Senator Walgren, would you describe what geo-political areas are?"

Senator Walgren: "Geographical boundaries of the particular entity would be my guess, Senator Guess."

Senator Guess: "Senator Walgren, are we now embarking upon a study which would do away with all of the small local jurisdictions of government and pool them into thirteen, say regional governments, in the state of Washington?"

Senator Walgren: "No."

Senator Durkan: "No, it is not. As a matter of fact, as a sponsor of the resolution and one who strongly supports local government, Senator, the purpose is that the federal government is more and more going to regionalization grants. If you recognize region ten now, for instance, in the public assistance grants and the new bills that the President has submitted to Congress and are now being—the terminology is regionalization, regionalization. So the purpose of this is merely to study the question of regionalization as it would affect—it is broader than just the aspect of federal grants, but it is the whole question of regionalization. This is the purpose of the study and that is all."

Senator Guess: "Thank you."

The motion by Senator Walgren carried and the amendment was adopted.

The motion by Senator Walgren carried and the resolution, as amended, was adopted.

MOTION

On motion of Senator Henry, the following resolution was adopted:

SENATE RESOLUTION: 1972-36

By Senator Henry and the remaining 48 Senators:

WHEREAS, The state of Washington's Susan Corrock on Saturday last was the winner of the bronze medal in the women's downhill ski event in the winter Olympic games at Sapporo, Japan; and

WHEREAS, This is only the second time in the history of the winter Olympics that a Washington resident, trained and conditioned on Washington slopes, has been a medal winner in the above mentioned event; and

WHEREAS, This legislative session should not go by without some formal and official expression acknowledging the honor that Miss Corrock has brought to her native state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington in extraordinary legislative session assembled, That there be and are hereby expressed to Miss Corrock the warmest congratulations and felicitations on her outstanding performance in the 1972 winter Olympic games and the grateful acknowledgment on behalf of all of the residents of Washington state for the signal honor Miss Corrock has brought to this Evergreen state;

BE IT FURTHER RESOLVED, That a copy of this resolution suitably enrolled be transmitted to Miss Corrock by the Secretary of the Senate.

MOTION

On motion of Senator Sandison, the following resolution was adopted:

SENATE RESOLUTION: 1972-37

By Senators Sandison, Henry, Foley, Huntley, Donohue and Talley:

WHEREAS, The state of Washington has generally experienced a large number of nonresident students because of easy accessibility of many institutions to college age youth in contiguous states; and

WHEREAS, The broad spectrum and high caliber of curricular programs offered by Washington institutions of higher education attract many out-of-state students; and

WHEREAS, The number of Washington residents being served by other states as compared to the number of out-of-state students enrolled in Washington institutions of higher education has created an imbalance in favor of the nonresident student coming to Washington; and

WHEREAS, Programs of reciprocity are being established to alleviate imbalances in nonresident enrollment and to protect the individual states' investment in higher education; and

WHEREAS, Washington has participated in a student exchange program for students enrolled in professional fields of study through the auspices of the Western Interstate Commission on Higher Education; and

WHEREAS, The increasing rate of nonresident tuition allows only those out-of-state students who are from high income families to enter Washington institutions of higher education; and

WHEREAS, Such an increase in fees significantly discriminates against persons from other states who have high academic ability; and

WHEREAS, A program of reciprocity could be established to allow students to cross state lines without paying nonresident fees in return for Washington residents attending institutions out of state with the same privileges; and

WHEREAS, A reciprocity program would allow the state of Washington to more closely monitor the number of Washington residents leaving the state for higher education as compared to an equal number entering the state to avail themselves of educational opportunity;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Joint Committee on Higher Education coordinate a study by the Council on Higher Education and State Board for Community College Education to explore various programs of reciprocity which might be implemented in the state of Washington. Such a report should include, but not be limited to, the following information:

- (1) Identification of programs for reciprocity which may be appropriate for different types of institutions such as community colleges, state colleges and universities, or germane to different academic levels such as vocational-technical, undergraduate, graduate, and professional.
- (2) Exploration of specific curricular programs not now available in Washington but offered in either contiguous or the Western states.
- (3) Time necessary for implementation of various programs as identified through the special study.
- (4) Determination of methods to be used in exchanging students through an agreement or compact for reciprocity.
- (5) Exploration of the role WICHE might play in such an agreement for reciprocity.
- (6) Evaluation and review by all segments of higher education regarding a plan for reciprocity.
- (7) Results of a pilot program to be administered through selected community colleges on an even exchange of students in institutions on the border of Oregon.

BE IT FURTHER RESOLVED, That the Joint Committee on Higher Education shall transmit a report with recommendations to the next session of the Legislature.

There being no objection, the following bill was referred directly from the Committee on Rules and Joint Rules to the Committee on Ways and Means—Appropriations.

SENATE BILL NO. 130, by Senators Francis, Elicker, Gardner and Holman:
Establishing eighteen as the legal age for purchasing alcoholic beverages.

SECOND READING

HOUSE BILL NO. 160, by Representatives Conner, Paris, Grant, Wanamaker, Berentson, Martinis, Hubbard, Flanagan, Kilbury, Thompson, Randall, Johnson, Newhouse, Morrison, Charette and Litchman:

Providing for elective coverage by public port districts for unemployment compensation.

The bill was read the second time by sections.

On motion of Senator Fleming, the following amendments were adopted:

On page 1, line 4 of the title, preceding the period, insert “; and declaring an emergency”

Beginning on page 1, section 1, line 27, after “That” strike the remainder of the section and insert “*the provisions of RCW 50.04.200 to the contrary notwithstanding, public port districts may elect to cover the services of all or any distinct class or group of individuals in its employ on a contribution basis; such election shall preclude said port districts from covering contemporaneous services of any other class or group of employees under the provisions of RCW 50.44.030.*”

On page 3 following section 2, line 29, add a new section to read as follows:

“*NEW SECTION. Sec. 3. 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.*”

On motion of Senator Fleming, the rules were suspended, House Bill No. 160, 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.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 160, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—49.

HOUSE BILL NO. 160, 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.

THIRD READING

ENGROSSED HOUSE JOINT RESOLUTION NO. 61, by Representatives North, Charette, Wolf, Adams, Charnley, Kilbury, Litchman, Martinis, Maxie and Smith (by State Women's Council request):

Providing for equality of rights regardless of sex.

The resolution was read the third time in full and placed on final passage.

Debate ensued.

Senators Francis, Holman and Ridder 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Joint Resolution No. 61, and the resolution passed the Senate by the following vote: Yeas, 36; nays, 13.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Matson, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—36.

Voting nay: Senators Cooney, Day, Donohue, Gissberg, Greive, Guess, Keefe, Mardesich, Metcalf, Newschwander, Stender, Twigg, Woodall—13.

ENGROSSED HOUSE JOINT RESOLUTION NO. 61, having received the constitutional two-thirds majority, was declared passed.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 3:00 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Friday, February 11, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-THIRD DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, February 11, 1972.

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 Senator Woodall.

The Color Guard, consisting of Pages Hugh Wilson, Color Bearer, and Gail Johnson, presented the Colors. Reverend Charles Loyer, pastor of Westminster United Presbyterian Church of Olympia, offered prayer as follows:

"Our Heavenly Father, we are grateful for the excellent rating our legislators have earned through the years. Bless them in their work today. Give them a pride of office and workmanship that is sensitive to popular opinion but refuses to be enslaved by it. Let them be men of courage, preserving the best of the past, yet boldly creative in those areas where past solutions no longer serve present needs. And deliver them from the harassment of all Monday morning quarterbacks, who, having never played the game, still regard themselves as of All-American caliber. Amen."

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

REPORTS OF STANDING COMMITTEES

February 11, 1972.

SENATE BILL NO. 32, removing the expiration date of the local sales tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Bailey, Canfield, Cooney, Day, Donohue, Dore, Elicker, Francis, Herr, Holman, Jolly, Mardesich, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Twigg, Walgren, Washington, Wilson.

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

February 11, 1972.

SENATE BILL NO. 130, establishing eighteen as the legal age for purchasing alcoholic beverages (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by the Committee on Commerce and Regulatory Agencies.

Signed by: Senators Durkan, Chairman; Andersen, Bailey, Connor, Day, Dore, Elicker, Fleming, Francis, Herr, Holman, Jolly, Mardesich, Newschwander, Odegaard, Peterson (Lowell), Sandison, Twigg, Walgren, Washington.

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

February 11, 1972.

SENATE BILL NO. 261, licensing journeymen plumbers (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 261 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Bailey, Cooney, Day, Donohue, Dore, Elicker, Foley, Francis, Herr, Jolly, Mardesich, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Walgren.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 5, allowing certain police officers of cities and towns to transfer to the county sheriff's office (reported by Committee on Cities, Towns and Counties)

MAJORITY recommendation: Do pass.

Signed by: Senators Stortini, Chairman; Rasmussen, Vice Chairman; Dore, Fleming, Mardesich, Ridder, Walgren, Whetzel.

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

February 11, 1972.

ENGROSSED HOUSE BILL NO. 9, providing wife may become manager of community property when husband missing in action or prisoner of war (reported by Judiciary Committee)

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Clarke, Foley, Francis, Greive, Holman, Twigg.

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

February 10, 1972.

SUBSTITUTE HOUSE BILL NO. 14, enumerating amounts of bonds required for outdoor music festivals (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Henry, Jolly, Newschwander.

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

February 11, 1972.

HOUSE BILL NO. 45, exempting sugar beets in transit from the property tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Andersen, Atwood, Bailey, Canfield, Cooney, Donohue, Foley, Gissberg, Herr, Lewis, Mardesich, Odgaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Talley, Twigg, Walgren, Woodall.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 66, expanding advisory council on nuclear energy and radiation (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Atwood, Elicker, Henry, Jolly, Newschwander.

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

February 4, 1972.

HOUSE BILL NO. 171, repealing certain statutes relating to the valuations of trust lands sold for park purposes (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass.

Signed by: Senators Wilson, Chairman; Jolly, Murray, Rasmussen, Scott, Whetzel.

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

February 10, 1972.

HOUSE BILL NO. 173, changing the definition of "service voter" (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass.

Signed by: Senators Cooney, Chairman; Wilson, Vice-Chairman; Canfield, Holman, Mardesich, Metcalf, Woodall, Washington.

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

February 8, 1972.

ENGROSSED HOUSE BILL NO. 177, providing for the state to pay the costs of an appeal constitutionally guaranteed to a person unable to pay such costs (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Foley, Francis, Twigg, Walgren.

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

February 9, 1972.

ENGROSSED HOUSE BILL NO. 223, allowing hitchhiking in certain areas (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Clarke, Foley, Francis, Greive, Holman, Woodall.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 229, authorizing cities and towns to participate in and implement federal grant-in-aid programs (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Clarke, Dore, Elicker, Fleming, Mardesich, Peterson (Ted), Ridder, Walgren, Whetzel.

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

February 8, 1972.

HOUSE BILL NO. 249, limiting the number of commercial salmon licenses (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Clarke, Matson, Metcalf, Peterson (Ted), Sandison.

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

February 11, 1972.

ENGROSSED HOUSE BILL NO. 257, providing for the financing and construction of pollution control facilities (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Elicker, Holman, Keefe, Newschwander, Odegaard.

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

February 11, 1972.

ENGROSSED HOUSE BILL NO. 258, providing for changes in the terms of insurance contracts and allowing a person insured under a group insurance policy to assign all incidents of such ownership (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Mardesich, Chairman; Cooney, Day, Fleming, Gardner, Gissberg, Huntley, Keefe, Knoblauch, Peterson (Lowell), Twigg.

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

February 11, 1972.

HOUSE BILL NO. 266, allowing savings and loan associations to make guaranteed student loans (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass without the amendments by the Committee on Higher Education and Libraries.

Signed by: Senators Mardesich, Chairman; Cooney, Day, Dore, Fleming, Foley, Gardner, Gissberg, Knoblauch, Peterson (Lowell), Sellar, Stortini, Twigg, Whetzel.

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

February 10, 1972.

HOUSE BILL NO. 279, requiring permits for operation of sewerage systems owned by any county, municipal or public corporation (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Holman, Keefe, Newschwander, Odegaard.

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

February 11, 1972.

SUBSTITUTE HOUSE BILL NO. 381, providing for the appropriate funding of community colleges (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Sandison, Chairman; Atwood, Foley, Gardner, Guess, Henry, Holman, Huntley, Lewis, Metcalf, Scott, Wilson.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 397, authorizing the highway commission to erect along roads commercial signs pertaining to gas, food and lodging (reported by Committee on Transportation):

MAJORITY recommendation: Do pass.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Elicker, Guess, Herr, Huntley, Murray, Sandison, Sellar, Talley, Whetzel.

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

February 10, 1972.

SUBSTITUTE HOUSE BILL NO. 411, implementing law relating to authorizing gambling (reported by Judiciary Committee):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Durkan, Francis, Twigg, Walgren.

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

February 10, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 417, implementing provisions of the franchise investment protection act (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Mardesich, Chairman; Clarke, Day, Fleming, Foley, Gardner, Gissberg, Huntley, Keefe, Knoblauch, Peterson (Lowell), Walgren.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 446, providing for the election of the state committee and enumerating its powers (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass.

Signed by: Senators Cooney, Chairman; Wilson, Vice Chairman; Canfield, Holman, Mardesich, Metcalf, Woodall, Washington.

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

February 7, 1972.

HOUSE BILL NO. 482, providing for the establishment and the administration of certain natural area preserves (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Peterson (Lowell), Chairman; Matson, Metcalf, Peterson (Ted), Rasmussen, Talley.

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

February 9, 1972.

SUBSTITUTE HOUSE BILL NO. 508, amending certain provisions of the retail installment credit contract (reported by Judiciary Committee):

MAJORITY recommendation: Do pass.

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Atwood, Clarke, Durkan, Foley, Francis, Holman, Twigg, Walgren, Woodall.

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

February 10, 1972.

ENGROSSED HOUSE BILL NO. 528, changing registration period, registration display, and age requirements on snowmobiles (reported by Committee on Transportation):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Elicker, Guess, Herr, Huntley, Murray, Sandison, Scott, Sellar, Talley, Whetzel.

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

LETTER OF INFORMATION

February 10, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

HOUSE BILL NO. 42: Telegraph companies, tax, equipment location.

HOUSE BILL NO. 140: Senior citizens, property tax exemption.

*HOUSE BILL NO. 139: Assessed valuation changes, notice.

*HOUSE BILL NO. 138: Equalization board operations.

Sincerely,

HUBERT F. DONOHUE, Chairman,
Committee on Revenue and Taxation.

*With Amendments

GUBERNATORIAL APPOINTMENT

February 10, 1972.

SAM KINVILLE, to the position of member of the State Personnel Board, appointed by the Governor on January 21, 1972 for the term ending January 4, 1973, succeeding Lou Hashman (reported by Committee on State Government):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Henry, Jolly, Newschwander.

Passed to Committee on Rules and Joint Rules.

MESSAGES FROM THE HOUSE

February 10, 1972.

Mr. President: The House has failed to pass ENGROSSED SUBSTITUTE SENATE BILL NO. 203, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 10, 1972.

Mr. President: The House has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 414, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 10, 1972.

Mr. President: The House has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 354, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 10, 1972.

Mr. President: The House has passed:
SENATE BILL NO. 6,
ENGROSSED SENATE BILL NO. 109,
SENATE BILL NO. 152,
ENGROSSED SENATE BILL NO. 189, and the same are herewith transmitted.
MALCOLM McBEATH, Chief Clerk.

February 10, 1972.

Mr. President: The Speaker has signed HOUSE JOINT RESOLUTION NO. 61, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 10, 1972.

Mr. President: The Speaker has signed SENATE BILL NO. 104, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

February 10, 1972.

Mr. President: The Speaker has signed:
HOUSE BILL NO. 80,
HOUSE BILL NO. 81,
HOUSE BILL NO. 82,
HOUSE BILL NO. 83,
HOUSE BILL NO. 84,
HOUSE BILL NO. 85,
HOUSE BILL NO. 126, and the same are herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MESSAGE FROM THE HOUSE

February 8, 1972.

Mr. President: The House refuses to recede from its amendments to ENGROSSED SENATE BILL NO. 45 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on ENGROSSED SENATE BILL NO. 45 and the House amendments thereto: Representatives Shera, Bauer and Barden. MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Greive, the request of the House for a conference on Engrossed Senate Bill No. 45 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. 45 and the House amendments thereto: Senators Francis, Ridder and Canfield.

MOTION

On motion of Senator Greive, the Conference Committee appointments were confirmed.

SIGNED BY THE PRESIDENT

The President signed:
 SENATE BILL NO. 15,
 HOUSE BILL NO. 80,
 HOUSE BILL NO. 81,
 HOUSE BILL NO. 82,
 HOUSE BILL NO. 83,
 HOUSE BILL NO. 84,
 HOUSE BILL NO. 85,
 HOUSE BILL NO. 126,
 HOUSE JOINT RESOLUTION NO. 61.

APPOINTMENT OF INTERIM COMMITTEE MEMBER

The President appointed Senator Sellar as a member of the Interim Municipal Committee and Legislative Transportation Committee.

On motion of Senator Atwood, the appointments were confirmed.

MESSAGE FROM THE HOUSE

February 9, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 350 with the following amendments:

On page 1, line 5 of the title after "28A.65.080;" insert "amending section 28A.41.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.055;"

On page 3, following section 2 add two new sections as follows:

"Sec. 3. Section 28A.41.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.41.055 are each amended to read as follows:

State and county funds which may become due and apportionable to school districts shall be apportioned in such a manner that any apportionment factors used shall utilize data and statistics derived in the school year that such funds are paid: *PROVIDED*, That the superintendent of public instruction may make necessary administrative provision for the use of estimates, and corresponding adjustments to the extent necessary: *PROVIDED FURTHER*, That as to those revenues used in determining the amount of state funds to be apportioned to school districts pursuant to RCW 28A.41.130, any apportionment factors shall utilize data and statistics derived in an annual period established pursuant to rules and regulations promulgated by the superintendent of public instruction in cooperation with the department of revenue.

NEW SECTION. Sec. 4. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.", and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Huntley, the Senate concurred in the House amendments to Engrossed Senate Bill No. 350.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 350, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson—48.

Absent or not voting: Senator Woodall—1.

ENGROSSED SENATE BILL NO. 350, 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.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 354, by Committee on Revenue and Taxation (originally sponsored by Representative Flanagan):

Pertaining to revenue and taxation.

Referred to Committee on Ways and Means—Revenue and Taxation.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 414, by Committee on Revenue and Taxation (originally sponsored by Representative Flanagan):

Relating to revenue and taxation.

Referred to Committee on Ways and Means—Revenue and Taxation.

There being no objection, the following bill was referred directly from the Committee on Rules and Joint Rules to the Committee on Ways and Means—Appropriations:

SENATE BILL NO. 261, by Senators Mardesich, Peterson (Ted) and Durkan:

Licensing journeymen plumbers.

SECOND READING

ENGROSSED HOUSE BILL NO. 155, by Representatives Spanton, McCormick and Gilleland (by Department of Highways request):

Including land contracts in the term "mortgage".

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended, Engrossed House Bill No. 155 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 155, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson—45.

Voting nay: Senator Atwood—1.

Absent or not voting: Senators Gissberg, Mardesich, Woodall—3.

ENGROSSED HOUSE 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.

HOUSE BILL NO. 79, by Representatives Charette, Jueling, Grant, Anderson and Knowles (by Legislative Council request):

Exempting ordinary hot water tanks from inspection by the department of labor and industries.

The bill was read the second time by sections.

On motion of Senator Stender, the following amendment was adopted:

On page 2, section 1, line 3, after "shall" strike "only" and after "be" strike "effective when"

On motion of Senator Fleming, the rules were suspended, House Bill No. 79, 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.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 79, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Absent or not voting: Senator Henry—1.

HOUSE BILL NO. 79, 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 Fleming, Engrossed House Bill No. 277 was made a special order of business for 4:00 p.m. today.

SECOND READING

HOUSE BILL NO. 90, by Representatives Brouillet, Hoggins and Haussler (by Superintendent of Public Instruction request):

Establishing minimum number of days for kindergarten years.

The bill was read the second time by sections.

Senator Stortini moved adoption of the following amendment:

On page 3, section 3, line 27, add a new section as follows and renumber the remaining sections consecutively:

"Sec. 4. Section 28A.41.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 46, Laws of 1971 and RCW 28A.41.170 are each amended to read as follows:

The superintendent of public instruction shall have the power and duty to make such rules and regulations as are necessary for the proper administration of this chapter not inconsistent with the provisions thereof, and in addition to require such reports as may be necessary to carry out his duties under this chapter: *PROVIDED, That the superintendent of public instruction shall have the authority to make rules and regulations allowing school districts for the 1971-72 school year to receive state apportionment moneys as provided in RCW 28A.41.130 when said districts are unable to fulfill the requirements of a full school year of one hundred eighty days due to an unforeseen emergency.*"

POINT OF INQUIRY

Senator Guess: "Will Senator Stortini yield? Senator Stortini, I was off the floor when

you started your explanation but you mentioned that the House refused to take a deal yesterday?"

Senator Stortini: "No, Representative Smythe was successful in putting on an amendment. The amendment referred to any school district that lost a levy. If the money was not there the school could simply close due to lack of funds. The amendment was successful. It was on the bill and as a result the bill was defeated fifty-three to forty-three."

Senator Guess: "What is going to be the effect of this amendment then, Senator?"

Senator Stortini: "The effect of this amendment simply gives to Mr. Bruno's office the authority to set the rules and regulations in regards to those days that have been missed. Now from past experience all this simply says is that all reasonable attempts will be made to make up the days that have been lost to conform with the hundred and eighty day school policy that we have."

Senator Guess: "Senator, further, last year we had a similar type of amendment forgiving the schools a number of days. Does this mean that by the adoption of this type of amendment each year that we are really cutting down on the requirement of the number of days of schooling?"

Senator Stortini: "No, not at all. It was not cut down last year. That bill that we passed last year expired at the conclusion of last year. The Superintendent's office has always made reasonable attempts to make up the necessary days and these days have been made up in the past, such as last year."

Senator Guess: "Senator, would this amendment die at the end of this session or is this going to now establish a procedure where it takes it away from the legislature and gives it to the SPI?"

Senator Stortini: "No, this amendment is only for the school year 1971-72."

Senator Guess: "Thank you."

The motion by Senator Stortini carried and the amendment was adopted.

On motion of Senator Stortini, the following amendment was adopted:

On page 3, section 4, being renumbered section 5, line 27, after "act" insert "except for section 4"

MOTIONS

On motion of Senator Peterson (Ted), House Bill No. 90 was ordered placed on the second reading calendar immediately following consideration of House Bill No. 555.

On motion of Senator Durkan, Substitute House Bill No. 29 was made a special order of business for 3:30 p.m. today.

SECOND READING

SENATE BILL NO. 146, by Senators Walgren, Twigg, Andersen and Odegaard (by executive and Municipal Committee request):

Creating a section of criminal identification within the Washington state patrol.

REPORT OF STANDING COMMITTEE

February 9, 1972.

SENATE BILL NO. 146, creating a section of criminal identification within the Washington state patrol (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the amendments by Committee on State Government.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Bailey, Connor, Cooney, Donohue, Dore, Elicker, Fleming, Foley, Gissberg, Greive, Herr, Holman, Jolly, Lewis, Mardesich, Newschwander, Peterson (Lowell), Ridder, Stortini, Twigg, Walgren, Wilson, Woodall.

REPORT OF STANDING COMMITTEE

January 29, 1972.

SENATE BILL NO. 146, creating a section of criminal identification within the Washington state patrol (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 4, line 25, after "of" and before "wanted" strike "and" and insert "or"

On page 5, section 8, line 6, after "for a" and before "violation" strike "traffic"

On page 6, section 10, strike all of the material beginning with "(2)" on line 12 and ending with the period on line 16 and insert:

"(2) Every time the secretary authorizes a furlough as provided for in RCW 72.66.020 the superintendent of the state correctional institution from which a prisoner is being furloughed shall notify, forty-eight hours prior to the beginning of such furlough, the section that the named prisoner has been granted a furlough, the place to which furloughed, and the dates and times during which the prisoner will be on furlough status. In the case of an emergency furlough the forty-eight hour time period shall not be required but notification shall be made as promptly as possible. Upon receipt of furlough information pursuant to the provision of this subsection the section shall notify the sheriff or director of public safety and the chief of police of each city or town wherein the furloughed prisoner shall be residing during the furlough period of the terms and conditions of such furlough."

On page 8, section 14, line 13 after "committed" strike the remainder of the section and insert "under RCW 10.76 or RCW 71.06 for treatment or under a sentence of imprisonment for any crime as provided for in section 8 shall within seventy-two hours, report to the section, any inter-institutional transfer, release or change of release status of any person held in custody pursuant to the rules promulgated by the chief.

The principal officers of all state mental institutions to which a person has been committed, under RCW 10.76 or RCW 71.06 shall keep a record of the photographs, description, fingerprints, and other identification data as may be obtainable."

On page 10, section 19, line 7 after "sheriff" and before "or" insert ", director of public safety"

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Gardner, Gissberg, Jolly, Lewis.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments were adopted.

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Walgren yield to a question? Senator Walgren, does this have a provision in there that the material and the information contained may not be sold to outside parties?"

Senator Walgren: "This has a provision in there that this material can only be used for criminal prosecution purposes."

Senator Rasmussen: "Fine, thank you."

On motion of Senator Walgren, the rules were suspended, Engrossed Senate Bill No. 146 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 146, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Absent or not voting: Senator Sellar-1.

ENGROSSED SENATE BILL NO. 146, having received the 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 Atwood, Engrossed Senate Bill No. 146 was ordered immediately transmitted to the House.

HOUSE BILL NO. 555, by Representative Shera (by Department of Personnel request):

Providing for expanded insurance programs for state employees and officials.

REPORT OF STANDING COMMITTEE

February 8, 1972.

HOUSE BILL NO. 555, providing for expanded insurance programs for state employees and officials (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendment:

On page 5, section 3, line 23, following "board" and before the period insert "*PROVIDED FURTHER, That all contracts for insurance or protection written to take advantage of the provisions of this section shall provide that the beneficiaries of such contracts may utilize on an equal participation basis the services of those practitioners licensed pursuant to chapters 18.22, 18.25, 18.53, 18.57 and 18.71 RCW*"

Signed by: Senators Day, Chairman; Cooney, Greive, Holman, Keefe, Odegaard, Woodall.

The bill was read the second time by sections.

Senator Day moved adoption of the committee amendment.

POINT OF INQUIRY

Senator Talley: "Would Senator Day yield? Now this extended coverage only goes to state employees. . . .?"

Senator Day: "No, no. This is a public employees' insurance bill. Any contract involving public employees now. This would not affect school teachers because the amendment is already in the law relative to school teachers. It is public employees."

POINT OF INQUIRY

Senator Stortini: "Would Senator Day yield to another question? Senator, is this identical to Senate Bill No. 167?"

Senator Day: "No, it has absolutely no relation to 167."

The motion by Senator Day carried and the committee amendment was adopted.

On motion of Senator Day, the rules were suspended, House Bill No. 555, 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: "Would Senator Day yield to a question? Senator Day, I had an awful lot of letters from people during the session that did not want to go to a chiropractor or an optometrist."

Senator Day: "This would not mandate anybody to go to a chiropractor or an optometrist. All it would say is in a public employees' contract the recipient or the participant would have, if vision care for example were allowed, he would have the choice of going either to an optometrist or an ophthalmologist within the limits of his ability to

practice, his license and if the care were included in the contract. It has no relation to Senate Bill 167.”

Senator Rasmussen: “Is this the one they were writing about?”

Senator Day: “Yes, the one that they generated all the letters, based mainly on false information.”

Senator Rasmussen: “Well, falsely informed or not, they get rather angry after they write you a letter and find you have voted for a bill that will do the same thing they did not want done.”

Senator Day: “Senator, if you have not answered those letters, we will be glad to provide you with the information to answer them.”

Senator Rasmussen: “Thank you.”

POINT OF INQUIRY

Senator Dore: “Would Senator Day answer a question? You mentioned vision care of the ophthalmologist and optometrist. Do you claim that the vision care is the same for both or is there a distinction?”

Senator Day: “There are certain parts of the vision care in the providing of refractions and glass fitting that is the same. This bill in no way would alter the parameters of the licenses granted to these two professions. Nor would it mandate vision care in the contract. It would merely provide that if vision care, the refraction and fitting of glasses is included, that then the subscriber, the public employee, would have the choice of which he went to.”

Senator Dore: “Just for the record, Senator Day, so we would have this in the record, vision care then for an optometrist is refracting eyes and fitting glasses, is that correct?”

Senator Day: “Well it is also determining the condition of the eye. Now a practitioner in a license is not limited except as to his application to the patient and that is where the optometrist is limited. Where the ophthalmologist can do surgery and prescribe drugs in his application, there is a limitation in the optometric act that they cannot do that part. Now that does not limit the optometrist’s ability to recognize eye condition or to refer to the ophthalmologist as such in his care which is authorized under the statute if it is needed.”

POINT OF INQUIRY

Senator Dore: “Mr. President and members of the Senate, I have no objection if the intent of Senator Day is merely to allow optometrists to render service under this bill for refraction and fitting of glasses which they are authorized to do under the act, and only that; but if by vision care which apparently Senator Day says he means, he means determine the condition of the eye which in my understanding can only be done by a medical doctor, an ophthalmologist and not by optometrists, then I would object to it, and apparently Senator Day foresees a wider scope of—now maybe that is wrong, I see he wags his head. Now if he wants to put in the record by question and answer that he means refraction and fitting of glasses I have no objection to it, but if he means possibly diagnosing and treating the eye and determining the condition of the eye, which I believe can only be done by a medical doctor, an ophthalmologist, then I do object.”

Senator Day: “The specific answer to this question which I believe should even satisfy Senator Dore is that this bill in no way addresses itself to the authorization to practice any of these healing arts. The parameters of their ability to practice are strictly laid out in the practice acts that govern them and this in no way abrogates it or addresses itself to that particular question.”

POINT OF INQUIRY

Senator Newschwander: “Would Senator Day yield? I heard you say this had no relationship to Senate Bill 167. What bothers me a little bit is that when these state employees bargain for these contracts to begin with, I think competition is the greatest thing in the world and I understand that with private insurance that it is already covered for chiropractic and optometric but if you are forcing a medical bureau that is going to bargain,

negotiate a contract, doesn't that eliminate the possibility of a medical bureau getting into the business if they refuse to do optometric or chiropractic or. . . ."

Senator Day: "Of course they are not licensed to do chiropractic work. The law specifically precludes them from doing it. But there are already in existence under Senate Bill 279 which was passed last session many contracts covering teachers which do mandate the same thing and are underwritten by medical service corporations. They can indemnify the same as they do for hospital care, ambulance service and many other things, the same as any other insurer. In other words what we really have here is two different classes of insurance companies, one doctor owned and doctor controlled and tax exempt; and the other a private agency which does pay taxes and we have as the legislature mandated certain requirements on their contracts. And all this would do is to place the public employees in a position that no bargaining agent could take away their right of free choice of who would provide the services."

Senator Newschwander: "You mean then, the point that a bureau could indemnify, I think if you will look in the statutes it is illegal for them to do it although they are doing it and the Insurance Commissioner is overlooking it."

Senator Day: "There already is available to them through Western Vision Care which is a health care contracting organization for optometry and a Chiropractic Service Bureau which is a chiropractic service bureau licensed under the same statute so that they could in effect involve them in the contract and accomplish the same objective. So it is still freely available."

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 555, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 31; nays, 13; absent or not voting, 5.

Voting yea: Senators Canfield, Connor, Cooney, Day, Donohue, Durkan, Fleming, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stender, Talley, Twigg, Washington, Woodall—31.

Voting nay: Senators Clarke, Dore, Elicker, Foley, Gardner, Huntley, Newschwander, Rasmussen, Sellar, Stortini, Walgren, Whetzel, Wilson—13.

Absent or not voting: Senators Andersen, Atwood, Bailey, Francis, Holman—5.

HOUSE BILL NO. 555, 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. 90, by Representatives Brouillet, Hoggins and Haussler (by Superintendent of Public Instruction request):

Establishing minimum number of days for kindergarten years.

The Senate resumed consideration of House Bill No. 90, as amended by Senator Stortini.

Senator Peterson (Ted) moved adoption of the following amendment:

On page 3, section 4, line 26, insert as sections 4 and 5 the following:

"Section 4. Section 28A.58.136, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.136 are each amended to read as follows:

The directors of any school district may establish, equip and operate lunchrooms in school buildings for pupils, certificated and noncertificated employees and for school or employee functions: PROVIDED, That the expenditures for food supplies shall not exceed the estimated revenues from the sale of lunches, federal lunch aid, Indian education fund lunch aid, or other anticipated revenue, including donations, to be received for that purpose: *PROVIDED FURTHER, That the directors of any school district may provide for the use of lunchrooms in school buildings to furnish meals to elderly persons at cost as provided in section 2 of this 1972 amendatory act.* Operation for the purposes of this section shall include the employment and discharge for sufficient cause of personnel necessary for preparation of food or supervision of students during lunch periods and fixing their compensation, payable from the district general fund, or entering into agreement for the preparation and service of food by a private agency.

NEW SECTION. Sec. 5. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The board of directors of any school district may establish a nonprofit meal program for feeding elderly persons residing within the area served by such school district using school facilities when said facilities are not in use for primary educational purposes, and may authorize the extension of any school food services for the purpose of feeding elderly persons, subject to the following conditions and restrictions:

(1) The charge to such persons for each meal shall not exceed the actual cost of such meal to the school.

(2) The meals served shall meet the nutritional standards established by the superintendent of public instruction who shall consult with the council on aging and the department of social and health services in establishing said standards."

POINT OF ORDER

Senator Atwood: "Under Rule 62 of the Senate, I believe that this amendment enlarges the scope and object of this particular bill. I think it is way beyond the scope of what this bill originally started out as, a kindergarten bill with a small fiscal impact, but now we have got a whole new program dealing with feeding the elderly which I am not against, but this should be debated on its own merits with its own fiscal impact and I am not sure whether any hearings are had; but this is so far beyond the scope that I think that we should not paper hang bills, simple bills that start out with Stortini's—I did not raise the point on your amendment, it probably could have been raised, but at this time I feel impelled to do so because this is way beyond the scope and object of the bill."

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order proposed by Senator Atwood, finds that House Bill No. 90 is a measure that merely establishes a minimum annual term for kindergartens, whereas the amendment proposed by Senator Ted Peterson does initiate an entirely different and new form of program. Therefore the President must agree that Senator Atwood's point is well taken."

The amendment by Senator Peterson (Ted) was ruled out of order.

On motion of Senator Francis, the following amendment to the title by Senator Stortini was adopted:

On page 1, line 7 of the title, after "," insert "authorizing certain rules and regulations by the superintendent of public instruction; amending section 28A.41.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 46, Laws of 1971 and RCW 28A.41.170"

On motion of Senator Francis, the rules were suspended, House Bill No. 90, 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 Stender: "Would Senator Francis yield further? Senator, this proposal of sending these little tots to school for all day kind of makes me wonder what is going on. Are these kids physically able to stay in school all day now?"

Senator Francis: "Senator Stender, your reaction is very much the same as mine. I do not think anywhere in my talk on the subject I urged people to vote for the bill. The bill is not one that I sponsored. The bill was requested by the Superintendent of Public Instruction. I am satisfied that school districts given that authority are not going to use it unless they find that it is in the best interests of the children. The people who would be making the decision are the elected school board members of those districts, mostly rural, that feel they have a serious problem trying to transport children back and forth, including using buses in the middle of the day which breaks up the bus transportation problem quite a

bit for them. I understand your concern and I share it and I hope that they will not be using this authority without good cause and good reason.”

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 90, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 3.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Voting nay: Senator Stender—1.

Absent or not voting: Senators Bailey, Peterson (Ted), Twigg—3.

HOUSE BILL NO. 90, 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. 196, by Committee on Agriculture (originally sponsored by Representatives Amen, Bozarth, Copeland, Goldsworthy and Kilbury):

Removing certain restrictions on agricultural commission members and providing a means of filling vacancies on such commissions.

REPORT OF STANDING COMMITTEE

February 8, 1972.

SUBSTITUTE HOUSE BILL NO. 196, removing certain restrictions on agricultural commission members and providing a means of filling vacancies on such commissions (reported by Committee on Agriculture and Horticulture):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 11 after “formed.” insert “An agricultural commodity board may also contract with such association for services necessary to carry out any purposes authorized under this chapter, provided that an appropriate contract has been entered into.”

On page 2, section 4, line 13 after “formed.” insert “An agricultural commission may also contract with such association for services necessary to carry out any purposes authorized under this chapter, provided that an appropriate contract has been entered into.”

Signed by: Senators Jolly, Chairman; Canfield, Day, Huntley, Matson, Sellar, Wilson. The bill was read the second time by sections.

On motion of Senator Jolly, the committee amendments were adopted.

On motion of Senator Jolly, the rules were suspended, Substitute House Bill No. 196, 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.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 196, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Absent or not voting: Senators Bailey, Connor—2.

SUBSTITUTE HOUSE BILL NO. 196, 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. 46, by Representative Hansey:
Permitting premiums on poultry products.

REPORT OF STANDING COMMITTEE

February 8, 1972.

ENGROSSED HOUSE BILL NO. 46, permitting premiums on poultry products (reported by Committee on Agriculture and Horticulture):

MAJORITY recommendation: Do pass with the following amendments:

In section 1, line 7, of the printed and engrossed bill after "issuance" strike "and" and insert "[and] or"

In section 1, line 9, of the printed and engrossed bill after "issuing" strike "and" and insert "[and] or"

Signed by: Senators Jolly, Chairman; Canfield, Day, Huntley, Matson, Sellar, Wilson. The bill was read the second time by sections.

On motion of Senator Jolly, the committee amendments were adopted.

On motion of Senator Jolly, the rules were suspended, Engrossed House Bill No. 46, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 46, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Absent or not voting: Senator Newschwander—1.

ENGROSSED HOUSE BILL NO. 46, 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. 98, by Representatives Bottiger, Charette and Wolf (by Legislative Council request):

Providing for regulation of camping clubs.

REPORT OF STANDING COMMITTEE

February 9, 1972.

ENGROSSED HOUSE BILL NO. 98, providing for regulation of camping clubs (reported by Judiciary Committee):

MAJORITY RECOMMENDATION: Do pass with the following amendments:

On page 5 strike all of section 10 and renumber the remaining sections accordingly.

On page 5, section 11, line 26 after "appropriate" and before "governmental" insert "local"

On page 7, section 16, line 21 after "requirements" and before "for" insert "solely"

On page 7, section 18, line 30 after "chapter" insert a period and strike the remainder of the sentence

On page 8, section 18, line 2 after "10" strike ",11, and 16" and insert "and 15" and on line 5, after "Section" and before "of this" strike "12" and insert "11"

On page 8, line 8 after "may" and before "be" insert "not"

On page 8, insert a new section following section 19, being renumbered as section 18 as follows:

"NEW SECTION. Sec. 19. The provisions of this chapter shall not apply to any camping club which is registered pursuant to the securities and exchange act of 1933 and/or the securities act of the state of Washington."

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Foley, Francis, Greive, Holman, Twigg, Walgren.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

On motion of Senator Atwood, the following amendment was adopted:

On page 6, section 13, line 22, after "up to" strike "ten" and insert "one" and on line 23 after "be a" strike "controlling"

On motion of Senator Gissberg, the rules were suspended, Engrossed House Bill No. 98, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 98, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-47.

Absent or not voting: Senators Durkan, Sellar-2.

ENGROSSED HOUSE BILL NO. 98, 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. 241, by Representatives Bledsoe, Julin, Rabel and Hubbard:

Providing for the rights of a limited partner in a partnership.

The bill was read the second time by sections.

On motion of Senator Atwood, the following amendment was adopted:

On page 4, section 3, line 12, after "RCW" strike "28.08.240" and insert "25.08.240"

On motion of Senator Whetzel, the rules were suspended, 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.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 241, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-46.

Absent or not voting: Senators Durkan, Metcalf, Scott-3.

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.

SENATE BILL NO. 206, by Senators Durkan, Peterson (Ted), Bailey and Knoblauch: Relating to the Washington state teachers' retirement system.

MOTIONS

On motion of Senator Durkan, Second Substitute Senate Bill No. 206 was substituted for Senate Bill No. 206.

On motion of Senator Durkan, Second Substitute Senate Bill No. 206 was ordered placed on the second reading calendar immediately following consideration of Engrossed House Bill No. 469.

MOTIONS

On motion of Senator Woodall, Engrossed House Joint Memorial No. 2 was made a special order of business for 2:00 p.m. today, to be followed as a special order of business by Engrossed House Bill No. 164.

On motion of Senator Holman, Senate Bill No. 397 was made a special order of business for 3:00 p.m. today.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 13, by Committee on Local Government (Originally sponsored by: Representatives Cunningham and Hoggins):

Providing for the return of property wrongfully sold to satisfy a tax lien.

REPORT OF STANDING COMMITTEE

February 9, 1972.

SUBSTITUTE HOUSE BILL NO. 13, providing for the return of property wrongfully sold to satisfy a tax lien (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 2, line 6 after "*property*" and before "*mailing*" strike the comma and insert "*and*"

On page 3, section 2, line 7 after "*owners*" and before "*if a*" strike "*and*" and insert "*or,*"

On page 5, section 4, line 7 strike all of the language in section 4 and insert:

"On order of the board of county commissioners or other legislative authority of any county, property sold or in the process of being sold to satisfy a tax lien against such property where such lien resulted from an error made by an officer or employee of the county, shall be returned to the rightful owner thereof: PROVIDED, That no order shall be issued more than one year following the date of issuance of the tax deed. If the property has already been sold, the county shall:

(1) Commence an action for the recovery of the property;

(2) Refund to the buyer the purchase price plus the reasonable value of all improvements to the property made in good faith by the buyer and less the value of the use thereof, and

(3) Require the rightful owner to pay the reasonable value of all improvements to the property made in good faith by the buyer less the value of the use thereof.

If the property is in the process of being sold, the county shall take immediate steps to halt such sale and shall declare the title of the rightful owner clear, free of such tax lien."

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Atwood, Clarke, Durkan, Holman, Twigg.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Gissberg yield to a question? Senator Gissberg, on this Substitute House Bill No. 13, would that bill requiring lost property be given to the finder if it was not recovered in a year, would that fit on this bill? That is up in your committee."

Senator Gissberg: "No, this is an act relating to property taxes. Your question should really go to the presiding officer. You are talking about putting another bill on it?"

Senator Rasmussen: "Well, I was just asking you the question as Chairman of the Judiciary, if it would fit."

Senator Gissberg: "What is your bill? I do not know what it is."

Senator Rasmussen: "The one where children found the money and it reverts to the general fund."

Senator Gissberg: "Well I would not think it would, Senator, but I am sorry I was not advised that that bill was in my committee that you are interested in. I have had no request for it at all. But I do not think it would fit this bill."

POINT OF INQUIRY

Senator Bailey: "Would Senator Gissberg yield? Senator Gissberg, does this in any way affect the distribution of any interest involved, take it away from the county and the local taxing district?"

Senator Gissberg: "No, it has nothing to do with interest at all. It is just when a piece of property is sold by the county, to protect the owner who did not get a notice of the sale."

On motion of Senator Canfield, the rules were suspended, Substitute 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.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 13, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Absent or not voting: Senator Connor—1.

SUBSTITUTE 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. 254, by Representatives Charette, Zimmerman, Perry and Kilbury: Providing procedures for inviting bids and awarding contracts by the public utility districts.

The bill was read the second time by sections.

On motion of Senator Jolly, the rules were suspended, House Bill No. 254 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 254, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—46.

Absent or not voting: Senators Connor, Matson, Whetzel—3.

HOUSE 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.

ENGROSSED HOUSE BILL NO. 199, by Representatives Kirk, Kuehnle, Bottiger, Adams, Charnley, Litchman and Merrill:

Eliminating residency requirements for municipal firemen and policemen.

The bill was read the second time by sections.

On motion of Senator Stortini, the rules were suspended, Engrossed House Bill No. 199 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 199, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Absent or not voting: Senator Matson—1.

ENGROSSED 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.

ENGROSSED HOUSE BILL NO. 348, by Representatives Mentor, Conner, Backstrom, Copeland, Costanti, Cunningham, Farr, Gallagher, Gilleland, Hansey, Jastad, Jones, Martinis, Perry and Savage:

Relating to ferry routes and operations.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 348 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 348, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Absent or not voting: Senators Connor, Matson—2.

ENGROSSED HOUSE BILL NO. 348, having received the 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. 299, by Representatives Randall, Smythe and Brown (by Superintendent of Public Instruction request):

Allowing receivables collectible in future fiscal years to be included in preliminary budgets of school districts.

The bill was read the second time by sections.

Senator Ridder moved adoption of the following amendment:

On page 1 following the enacting clause, strike section 1 and insert the following:

“Section 1. Section 28A.65.020, chapter 223, Laws of 1969 ex. sess. as amended by section 21, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.020 are each amended to read as follows:

The revenue section of the preliminary budget shall set forth the estimated receipts from all sources for the ensuing fiscal year, the estimated receipts for the fiscal year current at the time of preliminary budget preparation, the actual receipts for the last completed fiscal year, and the probable cash on hand available for ensuing fiscal year disbursements at the close of the said current fiscal year. The estimated receipts from all sources for the ensuing fiscal year shall not include any revenue not anticipated to be received in cash during that fiscal year: *PROVIDED, That school districts, pursuant to rules and regulations promulgated by the superintendent of public instruction, shall be granted permission to include as revenues in their preliminary budgets receivables collectible in future fiscal years limited to those payments made in odd numbered years on or before July 10th from the distribution of the proceeds from the state property tax for the benefit of the common schools. Such permission shall not affect in any manner those requirements as set forth in RCW 28A.65.095 regarding petitions by school district boards to the superintendent of public instruction for permission to include receivables collectible in future fiscal years in final budgets.*

The expenditure section of the preliminary budget shall set forth by detailed items or classes the estimated expenditures for the ensuing fiscal year, the appropriations for the fiscal year current at the time of preliminary budget preparation, and the expenditures for the last completed fiscal year. Each salary shall be set forth separately, together with the title or position of the recipient: *PROVIDED, That salaries may be set out in total amounts under each budget class if a detailed schedule of such salaries and positions be attached to the budget and made a part thereof.*

The estimated disbursements consistent with the provisions of RCW 28A.65.170 for the ensuing fiscal year must not be greater than the total of the estimated cash receipts for the ensuing fiscal year [plus], the probable net cash balance and investments at the close of the current fiscal year and the projected revenue from receivables collectible on future years approved by the superintendent of public instruction for inclusion in the preliminary budget.

Sec. 2. Section 22, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.095 are each amended to read as follows:

The revenue section of the final budget shall set forth the estimated receipts from all sources for the current fiscal year, the actual receipts for the last completed fiscal year, the actual receipts for the year prior to the last completed fiscal year, and the cash on hand available for current fiscal year disbursements at the close of the last completed fiscal year. The estimated receipts from all sources for the current fiscal year shall not include any revenue not anticipated to be received in cash during that fiscal year *except for those funds receivable on or before July 10th in odd numbered years from the distribution of the proceeds from the state property tax for the benefit of the common schools.*

The expenditure section of the final budget shall set forth by detailed items or classes the estimated expenditures for the current fiscal year, the actual expenditures for the last completed fiscal year, and the expenditures for the year prior to the last completed fiscal year. Each salary shall be set forth separately, together with the title or position of the recipient: *PROVIDED, That salaries may be set out in total amounts under each budget class if a detailed schedule of such salaries and positions be attached to the budget and made a part thereof.*

The estimated disbursements consistent with the provisions of RCW 28A.65.170 for the current fiscal year must not be greater than the total of the net cash balance and the investments at the close of the last completed fiscal year plus the estimated cash receipts for

the current fiscal year *plus those funds receivable on or before July 10th in odd numbered years from the distribution of the proceeds from the state property tax for the benefit of the common schools*: PROVIDED, When a school district board is unable to prepare a budget in which the estimated cash receipts for the current fiscal year plus the cash and investments on hand at the close of the preceding fiscal year do not at least equal the estimated disbursements for the current fiscal year, the school district board will petition in writing on or before the fifteenth day of September the state superintendent of public instruction for permission to include receivables collectible in future years to balance the current fiscal year's budget. If such permission is granted it shall be in writing and it shall contain conditions, binding on the district, designed to improve the district's financial condition. Any budget adopted by the board of directors without written permission from the state superintendent of public instruction that contains estimated disbursements in excess of the total of estimated cash receipts for the current fiscal year plus net cash balance and investments at the close of the last completed fiscal year shall be null and void and shall not be considered an appropriation."

Renumber present section 2 as "Sec. 3."

POINT OF INQUIRY

Senator Mardesich: "Will Senator Ridder yield to a question? Senator, I really have not had time to even do anything but glance at this amendment, but it provides that future revenue would be includable only in the amount which is in that particular year's, which is income in a particular year? You mean, you would not be able to take future income out of three or four years in the future and put them into a budget for this particular year would you?"

Senator Ridder: "No, this is not the idea. The problem is, in our school, fiscal year is different from our regular state fiscal year, and so this in some cases, some receivable federal money, really are only a year away but because of the fiscal split are two years away which is the problem. And if you allow this you petition the Superintendent of Public Instruction to utilize these in a preliminary but you would have to receive them in that year in order to utilize them in the budget."

The motion by Senator Ridder carried and the amendment was adopted.

On motion of Senator Ridder, the following amendment to the title was adopted:

In line 4 of the title after the semicolon and before "and declaring" insert "amending section 22, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.095;"

On motion of Senator Ridder, the rules were suspended, House Bill No. 299, 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.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 299, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odgaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Absent or not voting: Senators Connor, Stender—2.

HOUSE BILL NO. 299, 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 SUBSTITUTE HOUSE BILL NO. 47, by Committee on Natural Resources and Ecology (Originally sponsored by: Representatives Zimmerman, Thompson,

Shera, Bagnariol, Paris, Smith, Jueling, Flanagan, Wanamaker, Mentor, Gilleland, Jones, Marsh, Bottiger, Martinis, Bauer, Adams, Anderson, Barden, Conway, Gallagher, Kilbury, Knowles, Kopet, McCormick, Merrill, Wojahn and Wolf:

Authorizing the burning of outdoor fires by homeowners and persons clearing land.

REPORT OF STANDING COMMITTEE

February 9, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 47, authorizing the burning of outdoor fires by homeowners and persons clearing land (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 5 of the printed and engrossed bill, after "projects" and before the period insert "; provided the fires described in this subsection may be prohibited in those areas having a general population density of one thousand or more persons per square mile"

Signed by: Senators Day, Chairman; Cooney, Elicker, Holman, Keefe, Newschwander, Odegaard, Woodall.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendment was adopted.

Senator Odegaard moved adoption of the following amendment:

On page 2, section 3, line 5, after "projects" insert "or agricultural pursuits for pest control"

On motion of Senator Day, the following amendment to the amendment by Senator Odegaard was adopted:

Amend the Odegaard amendment as follows: After "pest" insert "or disease"

The motion by Senator Odegaard carried and the amendment, as amended, was adopted.

On motion of Senator Day, the rules were suspended, Engrossed Substitute 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.

POINT OF INQUIRY

Senator Clarke: "Would Senator Holman yield? Senator Holman, you participated in the committee review of this bill and the preparation of the amendment and the purpose of my inquiry is to try to clarify some legislative intent. I am somewhat concerned with the provision, in section 3, line 23, where it says it should be subject to city ordinance, county resolutions and rules. Now I understand that when the bill passed the House the question was asked of Representative Zimmerman, who was the chairman, whether the legislative intent was that a local ordinance could still prevent such burning. And his answer was 'Yes.' Now we have the Senate amendment which provides that this type of burning may be prohibited in various areas of the larger population. I would assume that that prohibition would relate only to the state or other authorities and that the whole thing would still be subject to the right of prohibition by local city ordinance. Is that your understanding?"

Senator Holman: "That is my understanding and I think it is the chairman's understanding also."

Senator Clarke: "Thank you."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 47, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 36; nays, 12; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Gardner, Gissberg, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Sellar, Stortini, Talley, Twigg, Waigren, Washington, Woodall—36.

Voting nay: Senators Elicker, Foley, Francis, Greive, Metcalf, Murray, Peterson (Ted), Ridder, Sandison, Scott, Whetzel, Wilson—12.

Absent or not voting: Senator Stender—1.

ENGROSSED SUBSTITUTE 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.

MOTION

At 12:35 p.m., on motion of Senator Greive, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTIONS

On motion of Senator Woodall, Senator Huntley was excused.

On motion of Senator Mardesich, Senator Foley was excused.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 11, 1972.

Mr. President: The Speaker has signed SENATE BILL NO. 15, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

SPECIAL ORDER OF BUSINESS

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 206, by Committee on Ways and Means. Relating to the Washington state teachers' retirement system.

The time having arrived, the Senate commenced consideration of Second Substitute Senate Bill No. 206 and the bill was read the second time in full.

On motion of Senator Durkan, the following amendment was adopted:

On page 4, section 2, line 27, strike "*December 31, 1969*" and insert "*June 30, 1970*"

On motion of Senator Durkan, the rules were suspended, Engrossed Second Substitute Senate Bill No. 206 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 Atwood: "Will Senator Durkan yield? Senator Durkan, I have been madly going through this bill. I am not sure whether this pension system gives a five-year credit for military service. If it does I would like to put an amendment on limiting it to those people who are not regular army or regular air force and navy personnel. But I want to know specifically if this particular pension system does give a five-year credit."

Senator Durkan: "Senator, I do not know the answer to that. I would have no objection to . . ."

Senator Atwood: "I do not want to hold the bill because I doubt if we can get this through at this late date."

Senator Durkan: "We can prepare an amendment. I will take it over on the other side."

Senator Atwood: "Okay."

POINT OF INQUIRY

Senator Atwood: "Senator Durkan, if the bill rolls in the House, will they take off that appropriation and we will stick it in the supplemental? Was that your thought, Senator?"

Senator Durkan: "Right."

Senator Atwood: "Because otherwise we lose track of it and then we will be out of balance for a couple or three million."

Senator Durkan: "I have already pointed that out to Goldsworthy this morning."

POINT OF INQUIRY

Senator Bailey: "Would Senator Durkan yield? Senator, under the State Employees' Act that we passed, did we compute the pension based on two percent of the average three high years or something and then multiply? Do we do that in this bill or is this some advantage they will pick up if they transfer to the new system?"

Senator Durkan: "Mr. President, I agree with what Senator Bailey said."

POINT OF INQUIRY

Senator Canfield: "Will Senator Durkan yield? Senator, I may have missed part of this discussion but is this amendment by Senators Holman and Atwood on the bill at this moment?"

Senator Durkan: "No, it is not. It is not on the bill and I agreed with Senator Atwood that I would take it over and ask that it be put on the bill in the House."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 206, and the bill passed the Senate by the following vote: Yeas, 40; nays, 1; absent or not voting, 6; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Francis, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—40.

Voting nay: Senator Scott—1.

Absent or not voting: Senators Connor, Dore, Gardner, Gissberg, Holman, Rasmussen—6.

Excused: Senators Foley, Huntley—2.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 206, having received the 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. 413, by Committee on Education and Libraries (Originally sponsored by: Representatives Brown and Thompson):

Authorizing school districts to purchase insurance or otherwise hold harmless directors from actions arising out of the performance or failure of performance of their duties.

The bill was read the second time by sections.

Senator Metcalf moved adoption of the following amendment:

On page 2, section 2, line 8, insert as section 2:

"*NEW SECTION*, Sec. 2. There is added to chapter 28A.58 a new section as follows:

The rules adopted pursuant to RCW 28A.58.101 shall be interpreted to insure that the optimum learning atmosphere of the classroom is maintained, and that the highest consideration is given to the judgment of qualified certificated educators regarding conditions necessary to maintain the optimum learning atmosphere."

POINT OF ORDER

Senator Stender: "I say that the amendment would enlarge the scope of the bill and therefore would be illegal under the procedure."

RULING BY THE PRESIDENT

The President: "The President in ruling on the point of order by Senator Stender finds that the amendment is of such great import that it would take considerable study to arrive at a proper decision on this matter and if it is agreeable with the Senator, the President will hold it in abeyance until a later time."

There being no objection, Substitute House Bill No. 413, and the point of order raised by Senator Stender, was made a special order of business for 4:30 p.m. today.

SPECIAL ORDER OF BUSINESS

SECOND READING

ENGROSSED HOUSE JOINT MEMORIAL NO. 2, by Representatives Berentson, Wanamaker, Amen, Bauer, Bozarth, Gilleland and Hansey:

Providing for implementation of interstate short-haul air compact.

The time having arrived, the Senate commenced consideration of Engrossed House Joint Memorial No. 2 on second reading.

The memorial was read the second time in full.

On motion of Senator Atwood, the rules were suspended, Engrossed House Joint Memorial No. 2 was advanced to third reading, the second reading considered the third, and the memorial was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Joint Memorial No. 2, and the memorial passed the Senate by the following vote: Yeas, 44; nays, 2; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Voting nay: Senators Francis, Rasmussen—2.

Absent or not voting: Senator Dore—1.

Excused: Senators Foley, Huntley—2.

ENGROSSED HOUSE JOINT MEMORIAL NO. 2, having received the constitutional majority, was declared passed.

SPECIAL ORDER OF BUSINESS

SECOND READING

ENGROSSED HOUSE BILL NO. 164, by Representatives Berentson, Bozarth, Conner, Hansey, Amen, Wanamaker, Bauer and Gilleland:

Providing for a compact among certain western states to study feasibility of short-haul air transportation among them.

The time having arrived, the Senate commenced consideration of Engrossed House Bill No. 164 on second reading.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, Engrossed House 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 Rasmussen: "Would Senator Washington yield to a question? Senator Washington, is it contemplated that the state will be in the short-haul business?"

Senator Washington: "No, the state itself will not—at least it is not contemplated by this legislation that the state would be in the short-haul business. The state would work with the federal government in experimentation and demonstration projects to determine the feasibility of short-haul air transportation."

Senator Rasmussen: "Would this in any way conflict with the present experimentation that is going on? The federal government is already financing short-haul project under the Vertol Corporation, I think."

Senator Washington: "They are doing a certain amount of that. However, they are not going to the extent that this compact envisages. . . ."

Senator Rasmussen: "Sometimes these little projects start out with twelve thousand dollars and end up with twenty million dollars."

Senator Washington: "It would have to come back to the state for any appropriation in the future so we have a handle on any future experimentation. Now it is generally assumed that in order to really carry this out on any basis of good financing most of the money is going to come from the federal government. We would not have to have a compact if one of the projects is being discussed. One of the projects that will probably be worked on would be a short-haul from Portland through Olympia, Tacoma, Seattle and up the coast possibly even as far as Vancouver. It goes across state lines and therefore it needs to be on an interstate basis. You cannot have just the state of Washington matching the funds of the federal government. It would take some fund matching probably by the state of Oregon along with it. And those things would be worked out through the compact."

Senator Rasmussen: "Senator Washington, to refresh my mind, you said the money comes from the federal government?"

Senator Washington: "Most of it would have to come from the federal government in order to carry on the real extensive type . . ."

Senator Rasmussen: "Where does that come from?"

Senator Washington: "Well, I agree that comes from the taxpayer. I agree to that. But it will come from the Department of Transportation back in Washington, D.C."

Senator Rasmussen: "One more question. You and I remember when they had a short-haul running out here to the Olympia airport, from Portland, Tacoma and Seattle. What happened to it?"

Senator Washington: "I think one of your problems is that the West Coast Airlines and those people that were operating it have ceased to operate because it was not financially feasible. I deplore that just as much as you do. I think with some of the new types of aircraft that can take off on short landing fields which will not require as much upkeep and will not require the type of airfield we have now that it can become more feasible in the future with the short landing and take off aircraft and vertical landing and take off craft."

POINT OF INQUIRY

Senator Francis: "Will Senator Washington yield? Senator Washington . . ."

Senator Washington: "I might say if Senator Huntley had been here, he had served on the western committee and frankly is much more knowledgeable than I am, but I will attempt to answer the question."

Senator Francis: "Is that sort of a way of conditioning your yielding?"

Senator Washington: "Yes, I do not claim to be an expert on this."

Senator Francis: "I just wanted to ask you one simple question and that is, can you explain in a fairly brief way why it is in view of the existence of the federal authorities and so forth why it is we need this legislation?"

Senator Washington: "Most of the demonstrations that are carried on by the federal

government, require matching funds. They also follow plans and programs that appear to be valid from Washington, D.C. Many times the program which is advanced does not meet the general needs of the area. The western states through their compact can best locate and determine the areas that should be covered by a short haul. They can get together, make their recommendations and then present them to the Department of Transportation; and if there does have to be at some future time the matching funds brought out, it could be done on an interstate basis. We would not have this problem if all of these projects only worked within a single state.”

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 164, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Voting nay: Senators Francis, Rasmussen—2.

Absent or not voting: Senator Dore—1.

Excused: Senator Huntley—1.

ENGROSSED HOUSE 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.

ENGROSSED HOUSE BILL NO. 243, by Representatives Zimmerman, Maxie, Kiskaddon and Backstrom (by Department of Social and Health Services request):

Extending industrial insurance to inmates employed in an industrial enterprise or at honor camps.

The bill was read the second time in full.

On motion of Senator Fleming, the rules were suspended, Engrossed House Bill No. 243 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Newschwander: “Would Senator Henry yield to a question? I notice in section 2 you refer to 72.60 RCW. That is institutional industries so really you are bringing in all prisoners that are working in any industry.”

Senator Henry: “In hazardous occupations, that is correct.”

Senator Newschwander: “My next question is, how about the prisoner that is working, say in the license plate at Walla Walla and he has had a beef while working and somebody comes up and puts a shiv in his back and kills him. Is this widow eligible to collect the full benefit then?”

Senator Henry: “Oh boy, I thought lawyers were bad. Dentists are worse. I really cannot answer that question.”

Senator Woodall: “I believe that would be the result of an independent criminal act and not an act incident to his employment.”

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 243, and the bill passed the Senate by the following vote: Yeas, 41; nays, 7; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Odegaard, Peterson

(Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—41.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Newschwander, Twigg, Woodall—7.

Excused: Senator Huntley—1.

ENGROSSED HOUSE 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.

ENGROSSED HOUSE BILL NO. 194, by Representatives Polk, Bottiger, Julin and Spanton:

Providing for contractors' bonds.

REPORT OF STANDING COMMITTEE

February 9, 1972.

ENGROSSED HOUSE BILL NO. 194, providing for contractors' bonds (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 2, line 9 after "claims]." strike all of the material down to and including "county." on line 18

Signed by: Senators Gissberg, Chairman; Clarke, Francis, Holman, Twigg, Walgren, Woodall.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendment was adopted.

Senator Rasmussen moved adoption of the following amendment:

On page 4, section 4, line 8, strike all of new section 4 and renumber the remaining sections consecutively.

Debate ensued.

The motion lost and the amendment was not adopted on a rising vote.

On motion of Senator Gissberg, the rules were suspended, Engrossed House Bill No. 194, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 194, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 37; nays, 11; excused, 1.

Voting yea: Senators Andersen, Bailey, Clarke, Connor, Cooney, Day, Dore, Durkan, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Woodall—37.

Voting nay: Senators Atwood, Canfield, Donohue, Elicker, Fleming, Foley, Odegaard, Rasmussen, Ridder, Whetzel, Wilson—11.

Excused: Senator Huntley—1.

ENGROSSED HOUSE BILL NO. 194, 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. 143, by Representatives Julin, Wojahn, Wolf, McDermott, Pardini, Barden, Moon, Chatalas, Hatfield, Jastad, Brown, Kiskaddon, Adams, Maxie, Conway, McCormick, Haussler, Charnley, Douthwaite, Litchman, Bagnariol, King, Kilbury, Bauer, O'Brien, Savage, Amen, Perry, Gallagher, Hurley, Kirk, Ceccarelli, Wanamaker, Blair, Martinis, Anderson, Kraabel, Brouillet, Smith, Johnson, Jones, Merrill, Rabel, Rosellini and Williams (by State Women's Council request):

Providing for the rights of married persons.

REPORT OF STANDING COMMITTEE

February 8, 1972.

ENGROSSED HOUSE BILL NO. 143, providing for the rights of married persons (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 3, line 31 before "consent" insert "express or implied"

On page 3, section 3, line 12 after subsection "(5)" insert a new subsection "(6)" to read as follows:

"(6) Neither spouse shall sell, convey or encumber the assets or good will of a proprietorship in which both spouses participate in the control without the consent of the other: PROVIDED, That where only one spouse participates in the control the participating spouse may sell, convey or encumber the assets or good will without the consent of the non-participating spouse."

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Durkan, Foley, Francis, Holman.

The bill was read the second time by sections.

Senator Gissberg moved adoption of the committee amendment to page 2.

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Gissberg yield? Senator Gissberg, in the event of an accident, is the wife now obligated to her half of the community property? Or will she after this act is passed?"

Senator Gissberg: "If either spouse is—you are talking about a motor vehicle accident, I presume?"

Senator Rasmussen: "Or any accident."

Senator Gissberg: "So long as the respective spouse is engaged in a community purpose at the time the accident occurred. There was another earlier supreme court case many years ago where the husband, I think in this instance, was also the pastor, in which he was out on a frolic with his girlfriend at the time of the accident. And there was a suit brought then against the marital community by the injured party against the community composed of the husband and the wife. The wife was not in the car at the time, of course. The husband was with the girlfriend at the time the accident arose and the time his negligent act caused injury to the third party. Here the court did not hold the community liable because he was not acting in the community interest. That does not change this at all and the law is generally that when husband or wife is engaged in tortious conduct on behalf of the community then liability results to the community. This bill does not touch that at all."

Senator Rasmussen: "One more question, Senator Gissberg, so I will not have to get you on your feet again. There is nothing in this act that would interfere with the making of the community property agreement between spouses?"

Senator Gissberg: "No, nothing whatsoever."

Senator Rasmussen: "Thank you."

POINT OF INQUIRY

Senator Stender: "One further question if Senator Gissberg will yield? In relationship to property, assuming the man and wife own a considerable amount of common stock in a public corporation, and by virtue of the fact that the majority owners of such corporation stock and therefore managing that corporation, how does this affect that kind of a relationship, assuming that the spouse was a president of a corporation managing that corporation. How does this affect his right to manage that operation?"

Senator Gissberg: "There is no affect whatsoever."

Senator Stender: "He is holding his managership by virtue of his control over the corporation and . . ."

Senator Gissberg: "This act only has to do with property rights as such and when, in the example you give, whether or not the husband acting as president also owns some stock

in that corporation, the bill just does not touch that at all in any way, shape or form, Senator."

POINT OF INQUIRY

Senator Woodall: "Senator Gissberg, I am interested. I did attend the meeting, of course, but some thoughts have come to my mind. I would like your opinion on them."

Senator Gissberg: "If we pass the amendment."

Senator Woodall: "If we do, then is it now your feeling that there will be no presumption in the future as to being community business? Each case would be a matter of proof and if you had the independent tortious act you could not hold the other spouse but you could maintain an action and subject that particular spouse's one-half of the property to a judgment that you would receive under that circumstance. How would that work out?"

Senator Gissberg: "I just do not think it would have anything to do with the bill at all. We are talking about property rights here. We are not talking about either husband or wife. We are—so long as you are saying that the rights between the spouses are treated equally, whether it is the husband or the wife. I just do not think that the example you give or the question you raise is even touched or attempted to be touched by this bill."

The motion by Senator Gissberg carried and the committee amendment to page 2 was adopted.

Senator Gissberg moved adoption of the committee amendment to page 3.

Senator Twigg moved adoption of the following amendments to the committee amendment:

Amend the committee amendment to page 3, section 3, line 12, on line 1 of the amendment, after "*shall*" insert "*acquire, purchase,*" and on line 5, after "*may*" insert "*acquire, purchase,*"

Amend the committee amendment to page 3, section 3, line 12, on line 2 of the amendment, after "*assets*" insert "*including real estate*" and on line 5, after "*assets*" insert "*including real estate*"

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Twigg yield to a question? Senator Twigg, your amendment just enlarges on the amendment that is in there and gives one more exemption."

Senator Twigg: "Yes, Senator Rasmussen. It will read that either spouse who is controlling a business may purchase, acquire, sell, encumber, convey, any asset of that business alone."

Senator Rasmussen: "This is right. Now this is in relation to the constitutional amendment that we passed yesterday."

Senator Twigg: "Well it is very closely interrelated, yes."

Senator Rasmussen: "Very true. But this might materially affect the community property if he would encumber the property very heavily and go bankrupt he obviously would affect the community property to the extent that they would not be able to maintain the same standard of living and so forth. Isn't this going directly opposite the constitutional amendment we passed yesterday?"

Senator Twigg: "Well, the constitutional amendment we passed yesterday said that there shall be no discrimination between the sexes. So the argument you are proposing could likewise apply to Mrs. Lewis, in the instance we are talking about. It is a two-way street. Each member of the marital community is equal."

POINT OF INQUIRY

Senator Clarke: "Senator Twigg, I have some concern about that portion of your amendment which provides for including real estate and permitting that to be transferred with the signature of one spouse. I sort of envisage a title insurance problem on this sole proprietorship situation because it would be necessary for the title insurance company in each event, if they passed title with a single signature, to definitely ascertain that this was business property that was being run solely by one spouse."

Senator Twigg: "Senator Clarke, in response to your inquiry, the law provides now that in any conveyance of real estate, the two spouses must join. The thrust of my amendment to the committee amendment is simply to leave the law where it is, that in the purchase of real estate, at least as it regards a business enterprise, the husband alone or the wife alone if she is controlling a business that is involved with real estate, may purchase real estate without the joining of the other spouse."

Senator Clarke: "Do I understand it then that your amendment with respect to real estate applies exclusively to purchase and not to sale."

Senator Twigg: "Well that is the only thing I am really concerned about. However, I think it should be equal in each direction as long as we are equalizing everything."

POINT OF INQUIRY

Senator Rasmussen: "Senator Twigg, a further question? A person could effectively dissipate the real estate by putting a mortgage on. Would this also extend to mortgaging, to the loaning of money on the property?"

Senator Twigg: "You mean, could one spouse make a loan on real estate?"

Senator Rasmussen: "If they could get the person to loan the money without the dual signatures."

Senator Twigg: "Well Senator Rasmussen, what we are dealing here with is a business enterprise where one spouse or the other is engaged in a business which is dealing with real estate. And it simply says that whichever spouse that is dealing in that business may purchase, acquire, sell, convey, encumber that parcel of real estate within the business enterprise that he or she is controlling without the joining of the other spouse."

Senator Rasmussen: "It is still concerned with certain portions of community property by the family."

Senator Twigg: "Yes, that is true."

POINT OF INQUIRY

Senator Woodall: "Would Senator Twigg yield? Senator Twigg, your amendment in no way would allow one person to encumber the family home or in any way to do that."

Senator Twigg: "That is correct, Senator Woodall."

Senator Woodall: "You are talking about the kind of a man who is dealing every day. He has a chance to make a quick profit. If he can get it done by five o'clock he can make an advantageous deal. In many instances you do not have the time to find the other spouse. That is the situation you are talking about."

Senator Twigg: "That is exactly correct."

Senator Woodall: "No intention to allow one to sell out the family home."

Senator Twigg: "No there is not, and it so specifically provides."

The motion by Senator Twigg carried and the amendments to the committee amendment to page 3 were adopted.

The motion by Senator Gissberg carried and the committee amendment, as amended, was adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed House Bill No. 143, 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 Stender: "Again, Senator Gissberg, in relation to the questions I earlier posed in another part of this section 3, subsection 1, 'neither may decrease more than one-half of the community property,' the question I have, if in say the family home the husband bequeaths half of the home to say someone other than his wife in the will and the husband died, where does that leave the wife as to the home? Does the other partner then have to buy back that half of the property from someone it may have been bequeathed to or sell the whole thing in order to settle the estate? Where would we be?"

Senator Gissberg: "Well, yes, subject to one exception, the answer is yes, the wife would have to buy back—and that is the law now. We are simply restating what the law is at this time. This does not change the law in any respect as it now is. It is just setting it forth. But the answer to your question is yes, the wife under the factual pattern that you put, or the husband, would have to buy back if she were able or he were able to persuade the devisee of that one-half interest to sell back, subject to this qualification. That the husband or wife in most instances have the right to petition for an award in lieu of homestead up to a value of fifteen thousand dollars. And so in the case that you put, if the house was worth thirty thousand dollars and in most instances the wife would be able to cut off the situation that you just mentioned by asking for an award in lieu of homestead as to that home and thereby preclude what you have just indicated."

Senator Stender: "Under two, the following amendment is contradictory the way it is written. It does not quite set out the circumstances, that neither shall give community property without the other's consent. Now what is the difference between giving and bequeathing?"

Senator Gissberg: "One has to do with passing of property by death and the death of the person which carries different incidence than giving community property inter vivos during the lifetime of both spouses. That is the difference between the sections. One speaks, number one talks about one of the spouses giving by his or her last will and testament which takes effect only on the death of one of the spouses. And the other section, two, prohibits either spouse from giving to anybody any portion of the entire community estate, the whole community estate, without the consent of the other."

Senator Stender: "Going back to number one then, supposing that the surviving spouse does not want to leave this home and the other person says he wants to collect, how are they going to consummate any reconciliation of this kind of a situation as it relates to a surviving spouse in a home that she does not want to sell. She does not have the money to pay off someone that has been bequeathed half of it by the other partner. Where are we in this kind of a situation?"

Senator Gissberg: "We do not change that at all. This bill does not change that, Senator. That has been the law since 1898 in this state, since we adopted the community property statute. I might say, Senator, that somebody sometime ago, when we were considering this bill in Judiciary Committee, someone mentioned the fact that we were going to have to take a long time on this because if Senator Stender started asking some questions we were going to be out here for two or three hours and I guess somebody's prognostication was correct. Although I appreciate the fact that you are sincere in asking these questions and as a lay person, of course, you are not familiar with these legal concepts as we are, but suffice it to say that all I can do is assure you that that subsection 1 has been the law since 1898 and we are not about to change any part of that now."

POINT OF INQUIRY

Senator Rasmussen: "Senator Gissberg, would you consider in your resolution directing the Statute Law Committee or the Judicial Council, that they bring back their report prior to the November election so that people could vote in an informed fashion? Say a couple months before November?"

Senator Gissberg: "We can sure take that up at the time. It is probably a pretty good thought."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 143, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; nays, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odgaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder,

Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Voting nay: Senator Stender—1.

Excused: Senator Huntley—1.

ENGROSSED HOUSE BILL NO. 143, 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.

Senators Greive, Donohue 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, all members being present except Senator Huntley who had previously been excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

SPECIAL ORDER OF BUSINESS

SECOND READING

SENATE BILL NO. 397, by Senators Donohue, Durkan and Wilson:

Relating to open space lands:

The time having arrived the Senate commenced consideration of Senate Bill No. 397.

MOTIONS

On motion of Senator Donohue, Substitute Senate Bill No. 397 was substituted for Senate Bill No. 397 and the substitute bill was placed on second reading and read the second time in full.

Senator Elicker moved adoption of the following amendment:

On page 7, section 8, line 18, delete the underlined material.

Debate ensued.

MOTION

On motion of Senator Durkan, Substitute Senate Bill No. 397 was made a special order of business immediately following consideration of Engrossed House Bill No. 413.

SPECIAL ORDER OF BUSINESS

SECOND READING

ENGROSSED HOUSE BILL NO. 277, by Representatives Hubbard, Grant, Newhouse, Morrison, King, Perry, Chatalas, Charette, Rosellini, Sawyer, Merrill, O'Brien and Litchman (by Department of Labor and Industries request):

Removing employment class distinctions, and providing for assessment of delinquent employer payments, and making procedural changes in the industrial insurance act.

The time having arrived, the Senate commenced consideration of Engrossed House Bill No. 277.

The bill was read the second time by sections.

On motion of Senator Fleming, the rules were suspended, Engrossed House Bill No. 277 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 277, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48:

Excused: Senator Huntley—1.

ENGROSSED 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.

SPECIAL ORDER OF BUSINESS

SECOND READING

SUBSTITUTE HOUSE BILL NO. 29, by Committee on Natural Resources and Ecology (Originally sponsored by Representative Bradley):

Transferring administration of all-terrain vehicle law from department of motor vehicles to interagency committee.

The time having arrived, the Senate commenced consideration of Substitute House Bill No. 29.

REPORT OF STANDING COMMITTEE

February 9, 1972.

SUBSTITUTE HOUSE BILL NO. 29, transferring administration of all-terrain vehicle law from department of motor vehicles to interagency committee (reported by Committee on Parks, Tourism, Capitol Grounds and Veterans' Affairs):

MAJORITY recommendation: Do pass with the following amendments:

Strike all the matter after the enacting clause and insert the following:

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

"Section 1. Section 8, chapter 76, Laws of 1970 ex. sess. as amended by section 2, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.080 are each amended to read as follows:

The following [five] *seven* categories of trails *or areas* are hereby established for purposes of this chapter:

(1) Cross-state trails which connect scenic, historical, geological, geographical, or other significant features which are characteristic of the state;

(2) Water-oriented trails which provide a designated path to, on, or along fresh and/or salt water in which the water is the primary point of interest;

(3) Scenic-access trails which give access to quality recreation, scenic, historic or cultural areas of state-wide or national significance;

(4) Urban trails which provide opportunities within an urban setting for walking, bicycling, horseback riding, or other compatible activities. Where appropriate, they will connect parks, scenic areas, historical points, and neighboring communities;

(5) Historical trails which identify and interpret routes which were significant in the historical settlement and development of the state[.];

(6) *All-terrain vehicle trails which are suitable for use by both four-wheel drive vehicles and two-wheel vehicles. Such trails may be included as a part of the trail systems enumerated in subsections (1) through (5) of this section or may be separately designated;*

(7) *Off-road and off-trail areas which are suitable for use by both four-wheel drive vehicles and two-wheel vehicles. IAC shall coordinate an inventory and classification of such areas giving consideration to the type of use such areas will receive from persons operating four-wheel drive vehicles and two-wheel vehicles.*

The planning and designation of trails shall take into account and give due regard to the interest of federal agencies, state agencies and bodies, counties, municipalities, private landowners and individuals, and interested recreation organizations. It is not required that the above categories be used to designate specific trails, but the IAC will assure that full consideration is given to including trails from all categories within the system. As it relates to all classes of trails and to all types of trail users, it is herein declared as state policy to increase recreational trail access to and within state *and federally owned* lands [under the jurisdiction of the department of natural resources, the department of game, and the state parks and recreation commission] *and private lands where access may be obtained. It is the intent of the legislature that public recreation facilities be developed as fully as possible to provide greater recreation opportunities for the citizens of the state. The purpose of this 1972 amendatory act is to increase the availability of trails and areas for all-terrain vehicles by granting authority to state and local governments to maintain a system of ATV trails and areas, and to fund the program to provide for such development. State lands should be used as fully as possible for all public recreation which is compatible with the income-producing requirements of the various trusts.*

Sec. 2. Section 6, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.010 are each amended to read as follows:

The provisions of this chapter shall apply to all lands in this state. Nothing in [this 1971 amendatory act] *chapter 43.09 RCW, RCW 67.32.050, 67.32.080, 67.32.100, 67.32.130 or 67.32.140* shall be deemed to grant to any person the right or authority to enter upon private property without permission of the property owner.

Sec. 3. Section 7, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.020 are each amended to read as follows:

As used in this chapter the following words and phrases shall have the designated meanings unless a different meaning is expressly provided or the context otherwise clearly indicates:

"Person" shall mean any individual, firm, partnership, association or corporation.

"All-terrain vehicle" shall mean any self-propelled vehicle [capable of] *when used for cross-country travel on trails and nonhighway roads* or [immediately over] any one of the following or a combination thereof: Land, water, snow, ice, marsh, swampland, and other natural terrain. Such vehicles shall include but are not limited to, four-[wheeled] *wheel drive* vehicles, motorcycles, amphibious vehicles, ground effects or air cushion vehicles, and any other means of land transportation deriving motive power from any source other than muscle or wind; except any vehicle designed primarily for travel on, over, or in the water, farm vehicles, logging *and forestry* vehicles, *snowmobiles* or any military or law enforcement vehicles.

"ATV [registration] *use permit*" means the [registration of] *permit system established for an all-terrain vehicle, in this state, pursuant to this chapter.*

"Trail" for the purpose of this chapter, shall mean a corridor designated and maintained for recreational travel; by whatever mode of transportation (foot, animal, or vehicular) authorized by the managing authority of the property that the trail traverses.

"Owner" shall mean the person other than the lienholder, having an interest in or title to an all-terrain vehicle, and entitled to the use or possession thereof.

"Operator" means each person who operates, or is in physical control of, any all-terrain vehicle.

"Dealer" means a person, partnership, association, or corporation engaged in the business of selling all-terrain vehicles at wholesale or retail in this state.

"Department" shall mean the department of motor vehicles.

"Director" shall mean the director of the department of motor vehicles.

"Committee" shall mean the interagency committee for outdoor recreation.

"Hunt" shall mean any effort to kill, injure, capture, or purposely disturb a wild animal or wild bird.

["Roadway", for purposes of this chapter, shall mean any roads generally capable of being traveled on by conventional two-wheel drive passenger automobiles. It shall not include, private roads, abandoned railway grades, skids, and similar routes generally incapable of being traveled by conventional two-wheel drive vehicles.]

"*Nonhighway road*" shall mean any road other than a highway generally capable of

travel by a conventional two-wheel drive passenger automobile during most of the year and in use by such vehicles and which are private roads or controlled and maintained by the department of natural resources, the state parks and recreation commission and the state game department: PROVIDED, That such roads are not built or maintained by appropriations from the motor vehicle fund.

"Highway" for the purpose of this chapter only shall mean the entire width between the boundary lines of every way publicly maintained by the state department of highways or any county or city when any part thereof is generally open to the use of the public for purposes of vehicular travel as a matter of right.

"Organized competitive event" shall mean any competition, advertised in advance, sponsored by recognized clubs, and conducted at a predetermined time and place.

Sec. 4. Section 8, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.030 are each amended to read as follows:

[A certificate of title shall be issued by the department for any all-terrain vehicle in a similar manner as provided for motor vehicles in chapter 46.12 RCW and such rules and regulations as the department may adopt.] The department shall provide for the issuance of use permits for all-terrain vehicles and may appoint agents for collecting fees and issuing permits. The provisions of RCW 46.01.130 and 46.01.140 shall apply to the issuance of use permits for all-terrain vehicles as they do to the issuance of vehicle licenses, the appointment of agents and the collection of application fees: PROVIDED, That filing fees for ATV use permits collected by the director shall be certified to the state treasurer and deposited to the credit of the outdoor recreation account.

Sec. 5. Section 9, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.040 are each amended to read as follows:

Except as provided in this chapter, no person shall operate any all-terrain vehicle within this state after [August 9, 1971] the effective date of sections 2 through 21 of this 1972 amendatory act unless such all-terrain vehicle has been [registered] assigned an ATV use permit and displays an ATV tag in accordance with the provisions of this chapter: PROVIDED, That the 1972 registration, licensing, and display thereof shall be deemed to have complied with this section for the 1972 registration period.

Sec. 6. Section 10, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.050 are each amended to read as follows:

ATV [registration] use permits and ATV tags shall be required under the provisions of this chapter except for the following:

(1) All-terrain vehicles owned and operated by the United States, another state, or a political subdivision thereof.

(2) All-terrain vehicles owned and operated by this state, or by any municipality or political subdivision thereof.

(3) An all-terrain vehicle [owned and/or kept outside of this state, when] operating in an organized competitive event on *privately owned or leased land*: PROVIDED, That if such leased land is owned by the state of Washington this exemption shall not apply unless the state agency exercising jurisdiction over the land in question specifically authorizes said competitive event: PROVIDED FURTHER, That such exemption shall be strictly construed.

(4) All-terrain vehicles operated on lands owned or leased by the ATV owner or operator or lands on which the operator has permission to operate without an ATV [registration] use permit.

(5) All-terrain vehicles which are [operated exclusively on roadways] *validly licensed to operate over a highway of this state or if owned by nonresidents of this state, all-terrain vehicles which are validly licensed for operation over public highways in the state of the owner's residence.*

(6) Those two-wheeled vehicles with engines of fifty cubic centimeters or less displacement or those two-wheeled vehicles with engines which develop five or less horsepower, [on] or those two-wheeled vehicles with a wheelbase of forty-two inches or less, or those two-wheeled vehicles which are equipped with wheels of fourteen inches or less rim diameter.

(7) *All-terrain vehicles while being used for search and rescue purposes under the authority or direction of an appropriate search and rescue or law enforcement agency.*

(8) *Vehicles used primarily for construction or inspection purposes during the course of a commercial operation.*

Sec. 7. Section 11, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.060 are each amended to read as follows:

The ATV [registration] use permit period established by the department shall be concurrent with the registration period established by the department for motor vehicles pursuant to chapter 46.16 RCW.

Sec. 8. Section 12, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.070 are each amended to read as follows:

Application for an ATV [registration] use permit shall be made to the department or its authorized agent in such manner and upon such forms as the department shall prescribe, and shall state the name and address of each owner of the all-terrain vehicle [to be registered], and shall be signed by at least one such owner, and shall be accompanied by a [registration] use permit fee of five dollars. Upon receipt of the application and the application fee, such all-terrain vehicle shall be [registered and an ATV registration number] assigned a use permit number tag or decal, which shall be affixed to the all-terrain vehicle in a manner prescribed by the department. The department may utilize applications, registration and license forms and registration numbering provided for use prior to the effective date of this 1972 amendatory act for the balance of 1972 and such shall constitute use permits, tags or decals for 1972.

The ATV [registration] use permit provided in this section shall be valid for a period of one year. [At the end of such period of ATV registration, every owner of an all-terrain vehicle in this state shall renew his ATV registration] Use permits shall be renewable each year in such manner as the department may prescribe, for an additional period of one year, upon payment of a renewal fee of five dollars.

Any person acquiring an all-terrain vehicle [already validly registered] for which a use permit has been issued under the provisions of this chapter must, within [ten] fifteen days of the acquisition or purchase of such all-terrain vehicle make application to the department or its authorized agent for transfer of such ATV [registration] use permit, and such application shall be accompanied by a transfer fee of one dollar.

Any out-of-state owner of an all-terrain vehicle [not registered in this state,] shall, when operating in this state, comply with the provisions of this chapter and if an ATV [registration] use permit is required under this chapter, he shall obtain a nonresident ATV [registration] use permit number and tag, valid for not more than sixty days or an annual permit and tag. Application for such a permit shall state name and address of each owner of the all-terrain vehicle [to be registered] and shall be signed by at least one such owner and shall be accompanied by a [registration] fee of two dollars. The [registration] permit shall be carried on the vehicle at all times during its operation in this state.

Sec. 9. Section 13, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.080 are each amended to read as follows:

[Six months after August 9, 1971, it shall be unlawful for any dealer to test or demonstrate or rent any all-terrain vehicle, within the state, without an ATV registration when the same is required by the provisions of this chapter.]

(1) Each dealer of all-terrain vehicles in this state who does not have a current "dealer's plate" for vehicle use pursuant to chapter 46.70 RCW, shall obtain a dealer ATV permit from the department in such manner and upon such forms as the department shall prescribe. Upon receipt of a dealer's application for a dealer ATV permit and the fee provided for in subsection (2) of this section, such dealer shall be registered and an ATV dealer permit number assigned.

(2) The ATV fee for dealers shall be twenty-five dollars per year, which shall be deposited in the outdoor recreation account, and such fee shall cover all of the all-terrain vehicles owned by a dealer and not rented: PROVIDED, That all-terrain vehicles rented on a regular, commercial basis by a dealer shall have separate use permits under the provisions of this 1972 amendatory act.

(3) Upon the issuance of an ATV dealer permit each dealer shall purchase, at a cost to be determined by the department, ATV dealer number plates of a size and color to be determined by the department, which shall contain the dealer ATV permit number assigned to the dealer. Each all-terrain vehicle operated by a dealer for the purposes of testing or

demonstration shall display such number plates assigned pursuant to the dealer permit provisions as provided for in chapter 46.70 RCW or this section, in a clearly visible manner.

(4) No person other than a dealer or a representative thereof shall display number plates as prescribed in subsection (3) of this section, and no dealer or representative thereof shall use such number plates for any purpose other than the purpose prescribed in subsection (3) of this section.

(5) ATV dealer permit numbers shall be nontransferable.

(6) On and after January 1, 1973, it shall be unlawful for any dealer to sell any all-terrain vehicle at wholesale or retail, or to test or demonstrate any all-terrain vehicle within the state, unless he has a motor vehicle dealers' license pursuant to chapter 46.70 RCW or an ATV dealer permit number in accordance with the provisions of this section.

Sec. 10. Section 14, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.090 are each amended to read as follows:

[An ATV registration number shall be assigned to an all-terrain vehicle in this state at the time of its original ATV registration by the department in a similar manner as provided in RCW 46.01.130 and 46.01.140 and such rules and regulations as the department may adopt. The department shall, upon assignment of such ATV registration number, issue and deliver to the owner a certificate of ATV registration, in such form as the department shall prescribe. The certificate of ATV registration shall not be valid unless signed by the person who signed the application for ATV registration.

At the time of the original ATV registration, and at the time of each subsequent renewal thereof, the department shall issue to the ATV registrant a date tag or tags indicating the validity of the current ATV registration and the expiration date thereof, which validating date tag, or tags, shall be affixed to the all-terrain vehicle in such manner as the department may prescribe. Notwithstanding the fact that an all-terrain vehicle has been assigned an ATV registration number, it shall not be considered as validly registered within the meaning of this section unless a validating date tag and current ATV registration certificate have been issued and are in the possession of the operator.]

All ATV use permit tags and ATV dealer tags shall be displayed in a manner prescribed by the department on all-terrain vehicles when required by this 1972 amendatory act except as provided in section 6 of this 1972 amendatory act.

Sec. 11. Section 16, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.110 are each amended to read as follows:

The moneys collected by the department as ATV [registration] use permit fees shall be distributed from time to time but at least once a year in the following manner:

(1) [Twenty-five percent each year for the first two years after August 9, 1971, and twenty percent each year for each year thereafter shall be retained by the department] *The department shall retain enough money to cover expenses incurred in the administration of this chapter: PROVIDED, That such retention shall never exceed eighteen percent of fees collected.*

(2) [Twenty percent each year for the first two years after August 9, 1971, and twenty-five percent each year for each year thereafter shall be distributed to the treasurers of those counties of this state having significant all-terrain vehicle use in such sums or upon such a formula as shall be determined by the director after consulting with and obtaining the advice of the Washington state association of counties, and shall be deposited in the county general fund and expended to defray the cost of their enforcing this chapter.

(3) Fifty-five percent each year shall be remitted to the state treasurer for deposit into the outdoor recreation account of the general fund to be administered by the interagency committee for outdoor recreation, and such amount shall be distributed to the department of natural resources, department of game, and to the parks and recreation commission on a pro rata basis determined by the number of miles of agency designated and maintained ATV trails. Such agency designation shall be reviewed and revised by the committee at least once each biennium and the pro rata distribution made current with the number of miles of agency designated and maintained ATV trails. These moneys shall be expended by each agency only for all-terrain vehicle trail-related expenses.] *The remaining funds shall be deposited in the outdoor recreation account of the general fund to be distributed by the interagency committee to departments of state government, to counties, and to municipalities on a basis determined by the amount of present or proposed ATV*

trails or areas on which they permit ATV use. The interagency committee shall prescribe methods, rules, and standards by which such departments, counties or municipalities may apply for and obtain moneys from the outdoor recreation account for defraying expenses and costs for planning, development, acquisition, and management of ATV recreational areas and trails and the committee shall also apply for applicable federal matching funds: PROVIDED, That agencies constructing all-terrain vehicle trails, campgrounds, and recreational areas and facilities, shall consider the possibility of contracting with the state parks and recreation commission, the department of natural resources or other agencies to employ the youth development and conservation corps or other youth crews to construct or assist in construction of such all-terrain vehicle trails, campgrounds and recreational areas and facilities.

The IAC may use up to five percent of the use permit fees for administration cost and for implementing this chapter.

Sec. 12. Section 17, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.120 are each amended to read as follows:

It shall be unlawful for any person to operate any all-terrain vehicle:

(1) While under the influence of intoxicating liquor or [narcotics or other drugs] *a controlled substance*;

(2) In such a manner as to endanger the property of another;

(3) *On lands not owned by the operator or owner of the all-terrain vehicle* without a lighted headlight and taillight between the hours of dusk and dawn, or when otherwise required for the safety of others *regardless of ownership*;

(4) *On lands not owned by the operator or owner of the all-terrain vehicle* without an adequate braking device *or when otherwise required for the safety of others regardless of ownership*;

(5) Without a spark arrestor approved by the department of natural resources;

(6) Without an adequate, and operating, muffling device which shall effectively blend the exhaust and motor noise in such a manner so as to preclude excessive or unusual noise. All-terrain vehicles manufactured after January 4, 1973, shall effectively maintain such noise at a level of eighty-two decibels or below on the "A" scale at one hundred feet under testing procedures as established by the Washington state patrol[: PROVIDED HOWEVER, That all-terrain vehicles used in organized competition may use a bypass, expansion chamber, or cutout device if the area has been designated as fire safe by the appropriate agency];

(7) *On lands not owned by the operator or owner of the all-terrain vehicle* upon the shoulder or inside bank or slope of any [roadway] *nonhighway road* or highway, or upon the median of any divided highway;

(8) *On lands not owned by the operator or owner of the all-terrain vehicle* in any area or in such a manner so as to *unreasonably* expose the underlying soil, or to create an erosion condition, or to injure, damage, or destroy trees, growing crops, or other vegetation;

(9) *On lands not owned by the operator or owner of the all-terrain vehicle or on any nonhighway road or trail which is restricted to pedestrian or animal travel*;

(10) *On any public lands in violation of rules and regulations of the agency administering such lands.*

Sec. 13. Section 20, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.150 are each amended to read as follows:

Motor vehicle fuel used and purchased for providing the motive power for all-terrain vehicles [on other than public highways,] shall be considered a nonhighway use of fuel, and for purposes of this chapter shall be known as ATV fuel. Persons purchasing and using ATV fuel shall not be entitled to a refund of the motor vehicle fuel excise tax paid in accordance with the provisions of RCW 82.36.280 as it now exists or is hereafter amended.

Sec. 14. Section 21, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.160 are each amended to read as follows:

From time to time, but at least once each four years the department shall determine the amount or proportion of moneys paid to it as motor vehicle fuel tax which is taxed on [nonhighway use of] all-terrain vehicle fuel. Such determination may be made in any manner which is, in the judgment of the director, reasonable, but the manner used to make such determination shall be reported at the end of each four-year period to the legislature.

To offset the cost of making such determination the treasurer shall retain in, and the department is authorized to expend from, the motor vehicle fund, the sum of twenty thousand dollars in the first biennium after August 9, 1971, and ten thousand dollars in each succeeding biennium in which such a determination is to be made.

Sec. 15. Section 22, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.170 are each amended to read as follows:

From time to time, but at least once each biennium, the director of the department of motor vehicles shall request the state treasurer to refund from the motor vehicle fund amounts which have been determined to be a tax on all-terrain vehicle fuel in an amount not to exceed one million dollars for the 1971-73 biennium, and the treasurer shall refund such amounts and place them in the outdoor recreation account of the general fund to be administered by the interagency committee for outdoor recreation, and such amounts shall be distributed to [the department of natural resources, the department of game, and the parks and recreation commission] departments of state government, to counties, and to municipalities on a [pro rata] basis determined by the [number of miles of agency designated and maintained] amount of present or proposed ATV trails or areas on which they permit ATV use. Such [agency designation] distribution shall be reviewed and may be revised by the committee at least once each biennium [and the pro rata distribution made current with the number of miles of agency designated and maintained ATV trails]. These moneys shall be expended by each agency only for all-terrain vehicle [trail-] trail and area related expenses.

Sec. 16. Section 24, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.190 are each amended to read as follows:

(1) Except as provided in RCW 46.09.130, any person violating the provisions of this chapter shall be guilty of a misdemeanor and subject to a fine of not less than twenty-five dollars.

(2) In addition to the penalties provided in subsection (1) of this section, the owner and/or the operator of any all-terrain vehicle shall be liable for any damage to property including damage to trees, shrubs, growing crops injured as the result of travel by such all-terrain vehicle. The owner of such property may recover from the person responsible [nominal damages of not less than one hundred dollars or] three times the amount of damage [, whichever is greater].

Sec. 17. Section 2, chapter 216, Laws of 1967 as amended by section 2, chapter 24, Laws of 1969 ex. sess. and RCW 4.24.210 are each amended to read as follows:

Any public or private landowners or others in lawful possession and control of agricultural or forest lands or water areas or channels and rural lands adjacent to such areas or channels who allow members of the public to use them for the purposes of outdoor recreation, which term includes hunting, fishing, camping, picnicking, swimming, hiking, pleasure driving, the pleasure driving of all-terrain vehicles, snowmobiles, and other vehicles, boating, nature study, winter or water sports, viewing or enjoying historical, archaeological, scenic, or scientific sites, without charging a fee of any kind therefor, shall not be liable for unintentional injuries to such users: PROVIDED, That nothing in this section shall prevent the liability of such a landowner or others in lawful possession and control for injuries sustained to users by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted: PROVIDED FURTHER, That nothing in RCW 4.24.200 and 4.24.210 limits or expands in any way the doctrine of attractive nuisance.

NEW SECTION. Sec. 18. There is added to chapter 46.09 RCW a new section to read as follows:

The interagency committee for outdoor recreation shall coordinate the implementation and administration of this chapter. The committee shall provide for the designation of ATV trails by rule and regulation promulgated pursuant to chapter 34.04 RCW.

NEW SECTION. Sec. 19. There is added to chapter 46.09 RCW a new section to read as follows:

All registration fees collected pursuant to chapter 47, Laws of 1971 ex. sess. and chapter 46.09 RCW by the department of motor vehicles from August 9, 1971 through the effective date of this 1972 amendatory act shall be credited to the 1972 or 1973 permit fee.

NEW SECTION. Sec. 20. Section 15, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.100 is hereby repealed.

NEW SECTION. Sec. 21. This 1972 amendatory 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."

On page 1, line 26 of the title following "46.09.100;" strike all the matter down to and including "46.09.140; creating an account in the general fund; making appropriations"

Signed by: Senators Wilson, Chairman; Canfield, Durkan, Jolly, Mardesich, Murray, Rasmussen, Scott, Whetzel.

The bill was read the second time by sections.

Senator Wilson moved adoption of the committee amendment.

MOTION

Senator Durkan moved that the rules be suspended and the following amendments to the committee amendments be adopted in toto:

On page 5, section 4, line 17, after "*of the*" and before the period strike "*outdoor recreation account*" and insert "*all-terrain vehicle account, which account is hereby established as an account in the general fund*"

On page 8, section 9, line 28, after "*in the*" and before "*account*" strike "*outdoor recreation*" and insert "*all-terrain vehicle*"

On page 11, section 11, line 11, after "*in the*" strike "*outdoor recreation account of the general fund to be distributed by the interagency committee*" and insert "*all-terrain vehicle account of the general fund for appropriation to the department of natural resources and on appropriation to be allocated and distributed by said department*"

On page 11, section 11, line 15, after "*The*" and before "*shall*" strike "*interagency committee*" and insert "*department of natural resources*"

On page 11, section 11, line 18, before "*account*" strike "*outdoor recreation*" and insert "*all-terrain vehicle*"

On page 11, section 11, line 29, after "*The*" and before "*may*" strike "*IAC*" and insert "*department of natural resources*"

On page 14, section 15, line 2, after "*in the*" strike "*outdoor recreation account of the general fund to be administered by the interagency committee for outdoor recreation*" and insert "[*outdoor recreation account of the general fund to be administered by the interagency committee for outdoor recreation*] *all-terrain vehicle account of the general fund to be administered by the department of natural resources*"

On page 14, section 15, line 11, after "*by the*" and before "*at*" strike "*committee*" and insert "[*committee*] *department of natural resources*"

On page 15, section 18, line 18, after "*The*" and before "*for*" strike "*interagency committee*" and insert "[*interagency committee*] *department of natural resources*"

On page 15, section 18, line 20, after "*The*" and before "*shall*" strike "*committee*" and insert "[*committee*] *department of natural resources*"

On page 15, section 20, line 30, add a new section as follows and renumber the remaining section consecutively.

"Sec. 21. All ATV registration fees and ATV fuel tax refunds in the outdoor recreation account of the general fund are hereby transferred to the all-terrain vehicle account of the general fund.

The appropriations from the outdoor recreation account of the general fund set forth in Paragraphs 1 and 2 of section 27, chapter 47, Laws of 1971 ex. sess. are hereby cancelled and repealed.

To carry out the provisions of section 11 of this 1972 amendatory act, there is appropriated to the department of natural resources from the all-terrain vehicle account those monies as provided from ATV permit fees and ATV dealer permit and plate fees, in the sum of one million dollars, or such lesser amounts as represents fifty-five percent of the all-terrain vehicle permit and dealer permit, plate and tag fees collected by the department, or so much thereof as may be necessary.

To carry out the provisions of section 15 of this 1972 amendatory act there is appropriated to the department of natural resources from the all-terrain vehicle account

those monies as provided from ATV fuel tax refunds in the sum of one million dollars, or such lesser amount as represents the refund of tax on motor vehicle fuel which has been determined to be a tax on all-terrain vehicle fuel, or so much thereof as may be necessary."

POINT OF INQUIRY

Senator Whetzel: "Senator Durkan, I am not certain I exactly follow what this amendment does. Does this mean that agencies like the Parks and Recreation Commission or Highway Commission or agencies of local government, if they want to receive some funds to establish all-terrain vehicle trails within their jurisdiction, instead of going to the interagency committee as they do now for other outdoor recreation purposes, they have to go to the Department of Natural Resources?"

Senator Durkan: "Yes, that is what it means."

The motion by Senator Durkan carried and the amendments to the committee amendment were adopted in toto.

Senator Holman moved adoption of the following amendment to the committee amendment, as amended.

On page 15, section 20, line 29, amend the Senate committee amendment as follows:
Insert the following sections:

"Sec. 22. Section 4, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.040 are each amended to read as follows:

Application for registration shall be made to the department in such manner and upon such forms as the department shall prescribe, and shall state the name and address of each owner of the snowmobile to be registered, and shall be signed by at least one such owner, and shall be accompanied by a registration fee of [fifteen] *five* dollars. Upon receipt of the application and the application fee, such snowmobile shall be registered and a registration number assigned, which shall be affixed to the snowmobile in a manner provided in RCW 46.10.070.

The registration provided in this section shall be valid for a period of [three] *one* year[s]. At the end of such period of registration, every owner of a snowmobile in this state shall renew his registration in such manner as the department shall prescribe, for an additional period of [three] *one* year[s], upon payment of a renewal fee of [fifteen] *five* dollars.

Any person acquiring a snowmobile already validly registered under the provisions of this chapter must, within ten days of the acquisition or purchase of such snowmobile, make application to the department for transfer of such registration, and such application shall be accompanied by a transfer fee of one dollar.

A snowmobile owned by a resident of another state where registration is not required by law may be issued a nonresident registration permit valid for not more than sixty days. Application for such a permit shall state name and address of each owner of the snowmobile to be registered and shall be signed by at least one such owner and shall be accompanied by a registration fee of two dollars. The registration permit shall be carried on the vehicle at all times during its operation in this state.

The registration fees provided in this section shall be in lieu of any personal property or excise tax heretofore imposed on snowmobiles by this state or any political subdivision thereof, and no city, county, or other municipality, and no state agency shall hereafter impose any other registration or license fee on any snowmobile in this state.

Sec. 23. Section 8, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.080 are each amended to read as follows:

The moneys collected by the department as snowmobile registration fees shall be distributed in the following manner:

(1) Ten percent each year for the first two years after August 9, 1971, and five percent each year for each year thereafter shall be retained by the department to cover expenses incurred in the administration of this chapter.

(2) Twenty-five percent each year shall be distributed to the treasurers of those counties of this state having significant snowmobile use in such sums or upon such a formula as shall be determined by the director after consulting with and obtaining the advice of the

Washington state association of counties, and shall be deposited in the county general fund and expended to defray the cost of [enforcing] *administering* this chapter.

(3) For the first two years after August 9, 1971, fifteen percent each year shall be remitted to the state treasurer for deposit into the general fund and shall be credited to the commission and shall be expended for snow removal operations at other than developed recreational facilities. Thereafter twenty percent each year shall be so remitted for such purposes.

(4) Fifty percent each year shall be remitted to the state treasurer to be deposited in the general fund, and shall be credited in equal amounts to the commission, the department of natural resources, and the department of game and shall be expended on the development or operation of snowmobile facilities, but not on the acquisition or operation thereof.

Sec. 24. Section 11, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.110 are each amended to read as follows:

Notwithstanding the provisions of RCW 46.10.100, it shall be lawful to operate a snowmobile upon a public roadway or highway:

Where such roadway or highway is completely covered with snow or ice and has been closed *by the responsible governing body* to motor vehicle traffic during the winter months; or

[Where] *When the responsible governing body gives notice that* such roadway or highway is [posted] *open to* [permit] snowmobiles or all-terrain vehicle use; or

In an emergency during the period of time when and at locations where snow upon the roadway or highway renders *such impassible to* travel by automobile [impractical]; or

When traveling along a designated snowmobile trail.

Sec. 25. Section 12, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.120 are each amended to read as follows:

No person under twelve years of age shall operate a snowmobile on or across a public roadway or highway in this state, and no person between the ages of twelve and [eighteen] *sixteen* years of age shall operate a snowmobile on or across a public road or highway in this state unless he has taken a snowmobile safety education course and been certified as qualified to operate a snowmobile by an instructor designated by the commission as qualified to conduct such a course and issue such a certificate, and he has on his person at the time he is operating a snowmobile evidence of such certification: *PROVIDED, That persons under sixteen years of age who have not been certified as qualified snowmobile operators may operate a snowmobile if an adult accompanies the person on the snowmobile.*

NEW SECTION. Sec. 26. There is added to chapter 29, Laws of 1971 ex. sess. and to chapter 46.10 RCW a new section to read as follows:

Notwithstanding any other provisions of this chapter, the local governing body may provide for the safety and convenience of snowmobiles and snowmobile operators. Such provisions may include, but shall not necessarily be limited to, the clearing of areas for parking automobiles, the construction and maintenance of rest areas, and the designation and development of given areas for snowmobile use."

MOTION

On motion of Senator Wilson, Substitute House Bill No. 29 was made a special order of business for 4:15 p.m. today.

SECOND READING

HOUSE BILL NO. 237, by Representatives Hoggins, Haussler, Brouillet, Charette, Brown and Morrison:

Authorizing public libraries to offer certain materials for sale at cost to the library.

REPORT OF STANDING COMMITTEE

February 10, 1972.

HOUSE BILL NO. 237, authorizing public libraries to offer certain materials for sale at cost to the library (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 8, after "sale" strike "at cost to the library"

Signed by: Senators Sandison, Chairman; Atwood, Dore, Durkan, Foley, Guess, Henry, Holman, Huntley, Lewis, Scott, Wilson.

The bill was read the second time by sections.

On motion of Senator Atwood, the committee amendment was adopted.

On motion of Senator Atwood, the rules were suspended, House Bill No. 237, 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.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 237, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Excused: Senator Huntley—1.

HOUSE BILL NO. 237, 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. 147, by Representatives Marsh and Julin:

Providing for alternative methods of legal aid.

REPORT OF STANDING COMMITTEE

February 9, 1972.

ENGROSSED HOUSE BILL NO. 147, providing for alternative methods of legal aid (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1 strike all of section 2 and renumber the remaining section accordingly.

On line 2 of the title, after "RCW;" strike all of the material down to and including "2.50.140;" on line 3

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Foley, Greive, Holman, Twigg.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

On motion of Senator Foley, the rules were suspended, Engrossed House Bill No. 147, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 147, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Excused: Senator Huntley-1.

ENGROSSED HOUSE BILL NO. 147, 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.

SPECIAL ORDER OF BUSINESS

SECOND READING

ENGROSSED HOUSE BILL NO. 469, by Representative Lysen:

Limiting the amount of smoke discharge from motor vehicles.

The time having arrived, the Senate commenced consideration of Engrossed House Bill No. 469.

REPORT OF STANDING COMMITTEE

February 9, 1972.

ENGROSSED HOUSE BILL NO. 469, limiting the amount of smoke discharge from motor vehicles (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after section 1, on line 24 add a new section to read as follows:

"Sec. 2. Section 4, chapter 175, Laws of 1971 ex. sess. and RCW 82.38.030 are each amended to read as follows:

(1) There is hereby levied and imposed upon special fuel users a tax of nine cents per gallon or each one hundred cubic feet of compressed natural gas measured at standard pressure and temperature on the use (within the meaning of the word use as defined herein) of special fuel in any motor vehicle: PROVIDED, That in order to encourage experimentation with nonpolluting fuels, no tax shall be imposed upon the use of natural gas as herein defined or on liquified petroleum gas, commonly called propane, which is used in a fleet of three or more motor vehicles [owned and operated by the state of Washington, and its legal subdivisions] until July 1, 1975.

(2) Said tax shall be collected by the special fuel dealer and shall be paid over to the department as hereinafter provided: (a) With respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles or into storage facilities used for the fueling of motor vehicles at unbonded service stations in this state; or (b) in all other transactions where the purchaser indicates in writing to the special fuel dealer prior to or at the time of the delivery that the entire quantity of the special fuel covered by the delivery is for use by him for a taxable purpose as a fuel in a motor vehicle.

(3) Said tax shall be paid over to the department by the special fuel user as hereinafter provided: (a) With respect to special fuel upon which the tax has not previously been imposed which was acquired in any manner other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle in this state; or (b) in all transactions with a special fuel dealer in this state where a written statement has not been furnished to the special fuel dealer as set forth in subsection (2)(b) of this section.

It is expressly provided that delivery of special fuel may be made without collecting the tax otherwise imposed, when such deliveries are made by a special fuel dealer to special fuel users who are authorized by the department as hereinafter provided, to purchase fuel without payment of tax to the special fuel dealer."

In line 1 of the title, after "control;" and before "amending" on line 2, delete "and"

In line 4 of the title, after "46.37.390" and before the period, insert the following: "; and amending section 4, chapter 175, Laws of 1971 ex. sess. and RCW 82.38.080"

Signed by: Senators Day, Chairman; Cooney, Francis, Holman, Keefe, Odegaard.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were adopted.

On motion of Senator Day, the rules were suspended, Engrossed House Bill No. 469, 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 Lewis: "Would Senator Day yield to a question?"

Senator Day: "Yes. I am not sure I can answer it but fire."

Senator Lewis: "Senator Day, I am not well informed on this legislation. I wonder if you can tell me how this would affect the smoke discharge from the present operation of diesel operated trucking?"

Senator Day: "The testimony, and Senator Guess was there, was that this would not really cause any great difficulty with equipment which is presently operating on the highways unless it was really faulty equipment. In other words, the parts of the chart that would be referred to, this Ringelman chart, would have to be very black smoke before they would stop them and check it and it would cause any difficulty."

Senator Lewis: "Senator Day, if I might ask a further question, supposing I blow an injector and I have got some combustion problems on the way back in from Oregon or something like that, could I be fined on the way back in under the terms of this bill?"

Senator Day: "Under those circumstances, I think that what could happen is if it was very bad they could stop you and make you get it fixed. But I do not think you would be issued a citation that just occurred on the highway anymore than if a light just went out on your car. They could issue a citation. Usually they will stop you and tell you that you do have a light out and I think this would be operated in essentially the same manner."

Senator Lewis: "And that is the intent of this?"

Senator Day: "That is the intent of the bill."

Senator Lewis: "Thank you, Senator."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 469, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-46.

Voting nay: Senators Fleming, Guess-2.

Excused: Senator Huntley-1.

ENGROSSED HOUSE BILL NO. 469, 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 Knoblauch, the Senate observed a moment of silence in memory of former Senator Ernest W. Lennart. On motion of Senator Woodall, the Secretary of the Senate was instructed to send a letter to Mrs. Lennart indicating the actions of the Senate.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 323, by Committee on State Government (Originally sponsored by Representative Bluechel):

Relating to state government.

REPORT OF STANDING COMMITTEE

February 10, 1972.

SUBSTITUTE HOUSE BILL NO. 323, relating to state government (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 1, after "*representative*" and before "*shall*" insert "*or other common or contract carrier*"

On page 2, after section 1, add two new sections to read as follows:

NEW SECTION. Sec. 2. There is added to chapter 35.21 RCW a new section to read as follows:

The following words shall have the following meanings: PROVIDED, That these definitions shall be expressly limited in application to those sections of this chapter which deal with garbage and/or refuse collection and disposal:

(1) "Contract" means an agreement between a city or town and any person, firm, or corporation for the collection and transportation of garbage and/or refuse wherein the city or town pays the carrier an agreed contract price for his services.

(2) "Franchise" means an agreement between a city or town and a garbage and refuse collection company holding a certificate pursuant to chapter 81.77 RCW authorizing the service, which grants the company the privilege to collect and transport garbage and/or refuse within the territorial limits of a city or town and wherein the franchise holder is paid for his services by the customers or users.

NEW SECTION. Sec. 3. There is added to chapter 35.21 RCW a new section to read as follows:

Whenever a city or town declares its intention by resolution to establish or extend a municipally owned and operated and/or contract garbage and refuse collection service within its corporate limits pursuant to authority of this chapter, it shall grant a five year franchise to continue garbage and refuse collection service in the affected area to any garbage and refuse collection company which, on the date of such establishment or extension, is providing service to the affected area under a certificate of convenience and necessity issued pursuant to chapter 81.77 RCW. During the term of such franchise the city or town shall not provide a similar or competing service by public operation except upon a determination by final order of the Washington utilities and transportation commission that a certificated carrier or carriers operating under such franchise are unwilling or unable to provide adequate service to the area affected. Upon expiration of the time for review of any such order, and no review being taken thereof, a franchise authorized or granted to such carrier or carriers may be canceled. In lieu of a franchise, the city or town and certificate holder may enter into a contract for such service for a five year period.

Nothing herein shall be construed to preclude the acquisition in whole or in part by the enacting city or town of such certificates, business or facilities of certificated carriers by purchase or condemnation, and to the extent of such acquisition the certificates shall be canceled.

NEW SECTION. Sec. 4. There is added to chapter 14, Laws of 1961 and to chapter 81.04 RCW a new section to read as follows:

Whether or not any person or corporation is conducting business requiring operating authority, or has performed or is performing any act requiring approval of the commission without securing such approval, shall be a question of fact to be determined by the commission. Whenever the commission believes that any person or corporation is engaged in operations without the necessary approval or authority required by any provision of this title, it may institute a special proceeding requiring such person or corporation to appear before the commission at a location convenient for witnesses and the production of evidence and bring with him books, records, accounts, and other memoranda, and give testimony under oath as to his operations or acts, and the burden shall rest upon such person or corporation of proving that his operations or acts are not subject to the provisions of this title. The commission may consider any and all facts that may indicate the true nature and extent of the operations or acts and may subpoena such witnesses and documents as it deems necessary.

After having made the investigation herein described, the commission is authorized and directed to issue the necessary order or orders declaring the operations or acts to be subject to, or not subject to, the provisions of this title. In the event the operations or acts are found to be subject to the provisions of this title, the commission is authorized and directed to issue cease and desist orders to all parties involved in the operations or acts.

In proceedings under this section no person or corporation shall be excused from

testifying or from producing any book, waybill, document, paper, or account before the commission when ordered to do so, on the ground that the testimony or evidence, book, waybill, document, paper, or account required of him may tend to incriminate him or subject him to penalty or forfeiture; but no person or corporation shall be prosecuted, punished, or subjected to any penalty or forfeiture for or on account of any account, transaction, matter, or thing concerning which he shall under oath have testified or produced documentary evidence in proceedings under this section.

In addition to any other remedies available to the commission, it shall have the right to impose upon and collect a penalty of not more than two hundred and fifty dollars from any person or corporation failing to comply with any order issued pursuant to this section and in violation thereof. Every violation of any such order or orders shall be a separate and distinct offense, and in the case of a continuing violation, every day's continuance thereof shall be deemed to be a separate and distinct offense: PROVIDED, That no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

NEW SECTION. Sec. 5. Section 81.80.180, chapter 14, Laws of 1961 and RCW 81.80.180 are each repealed."

Renumber the remaining section accordingly.

On line 2 of the title, after "RCW 81.80.150;" insert "adding a new section to chapter 14, Laws of 1961 and to chapter 81.04 RCW; repealing section 81.80.180, chapter 14, Laws of 1961 and RCW 81.80.180; prescribing penalties;"

On line 2 of the title, after "RCW 81.80.150;" insert "and adding new sections to chapter 35.21 RCW."

Signed by: Senators Mardesich, Chairman; Clarke, Cooney, Day, Foley, Gardner, Gissberg, Huntley, Knoblauch, Peterson (Lowell), Sellar, Stortini, Twigg, Walgren, Whetzel. The bill was read the second time by sections.

MOTIONS

On motion of Senator Mardesich, the committee amendment to page 2, following section 1 was adopted.

Senator Mardesich moved adoption of the committee amendment to page 2, following section 3.

On motion of Senator Greive, Substitute House Bill No. 323 was ordered placed at the end of today's second reading calendar.

SPECIAL ORDER OF BUSINESS

SECOND READING

SUBSTITUTE HOUSE BILL NO. 29, by Committee on Natural Resources and Ecology (Originally sponsored by Representative Bradley):

Transferring administration of all-terrain vehicle law from department of motor vehicles to interagency committee.

The Senate resumed consideration of Substitute House Bill No. 29. Senator Wilson had moved adoption of the committee amendment, an amendment by Senator Durkan to the committee amendment was adopted and an amendment by Senator Holman to the committee amendment was pending.

The President declared the question before the Senate to be the adoption of the amendment to the committee amendment by Senator Holman.

The motion by Senator Holman carried and the amendment to the committee amendment was adopted.

The motion by Senator Wilson carried and the committee amendment, as amended, was adopted.

On motion of Senator Wilson, the committee amendment to the title was adopted.

On motion of Senator Holman, the following amendment to the title was adopted:

On line 2 of the title, after "RCW 46.10.040;" insert "amending section 8, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.080; amending section 11, chapter 29, Laws of 1971

ex. sess. and RCW 46.10.110; and amending section 12, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.120; and adding a new section to chapter 29, Laws of 1971 ex. sess. and to chapter 46.10 RCW.”

On motion of Senator Wilson, the rules were suspended, Substitute House Bill No. 29, 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.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 29, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—46.

Voting nay: Senators Murray, Whetzel—2.

Excused: Senator Huntley—1.

SUBSTITUTE HOUSE BILL NO. 29, 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.

SPECIAL ORDER OF BUSINESS

SECOND READING

SUBSTITUTE HOUSE BILL NO. 413, by Committee on Education and Libraries (Originally sponsored by: Representatives Brown and Thompson):

Authorizing school districts to purchase insurance or otherwise hold harmless directors from actions arising out of the performance or failure of performance of their duties.

The Senate resumed consideration of Substitute House Bill No. 413 and the point of order as raised by Senator Stender on the amendment proposed by Senator Metcalf.

RULING BY THE PRESIDENT

The President: “The President in ruling upon the point of order presented by Senator Stender finds that the amendment proposed by Senator Metcalf is within the scope and object of the bill. The proposed amendment in effect declares that it is legislative policy that an interpretation of the rules of the Superintendent of Public Instruction, the board of directors of every school district insure an optimum learning atmosphere be maintained. Thus it is the opinion of the President that it falls within the scope of the bill.”

Debate ensued.

The President declared the question before the Senate to be the adoption of the amendment by Senator Metcalf.

The motion by Senator Metcalf carried and the amendment was adopted.

On motion of Senator Atwood, the following amendment was adopted:

On page 2, line 7, after “*district*” and before the period insert “: *PROVIDED, That the school district may provide a defense but shall neither indemnify nor save harmless any director from a judgment for willful, wanton or intentional acts arising out of performance of duty as a director as to which the district is not liable.*”

On motion of Senator Odegaard, the rules were suspended and the following amendments were adopted in toto:

On page 1, section 1, line 9, after “school” insert “*and intermediate school*”

On page 1, section 1, line 14, after “school” insert “*or intermediate school*”

On page 1, section 1, line 16, after “school” insert “*or intermediate school*”

On page 1, section 1, line 18, after "school" insert "*or intermediate school*"

On page 1, section 1, line 21, after "school" insert "*or intermediate school*"

On page 1, section 1, line 22, after "school" insert "*or intermediate school*"

On page 2, line 1, after "school" insert "*and intermediate school*"

On page 2, line 6, after "school's" insert "*or intermediate school*"

On page 2, line 7, after "school" insert "*or intermediate school*"

On motion of Senator Odegaard, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "school" insert "*and intermediate school*"

On motion of Senator Metcalf, the following amendment to the title was adopted:

On page 1, line 4 of the title, after "28A.58.420" insert "; and adding a new section to chapter 28A.58 RCW"

On motion of Senator Francis, the rules were suspended, Substitute House Bill No. 413, 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.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 413, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matsson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Excused: Senator Huntley—1.

SUBSTITUTE HOUSE BILL NO. 413, 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 SENATE BILL NO. 397, by Senators Donohue, Durkan and Wilson:

Relating to open space lands.

The Senate resumed consideration of Substitute Senate Bill No. 397 and the proposed amendment by Senator Elicker to page 7, section 8, line 18.

There being no objection, the amendment by Senator Elicker was withdrawn.

Senator Mardesich moved adoption of the following amendment:

On page 8, section 8, line 12, after "*land*" insert "*including land taxable under 'current use' classification by virtue of this 1972 amendatory act*"

POINT OF INQUIRY

Senator Peterson (Ted): "Mr. President, would Senator Donohue yield to a question? Senator, in appropriations committee there were certain figures bandied around and I know that there is a cost here and I wondered what the impact actually was on revenues. Is there a nineteen or twenty million dollar loss of revenue to the state? Could you give us that?"

Senator Donohue: "Yes, Senator. Senator Peterson and members of the Senate, there is a fiscal impact. I would like to explain what this is. The figure of nineteen some million dollars. A little over eight million dollars of this nineteen million dollar amount is an amount that would accrue under the present evaluation program. It is assumed money, it is a gain of money that will not be realized. The other portion which amounts to ten point nine million is based upon the fact that all lands in the state, open space, timber, agricultural lands that come under this particular use, would in fact be under the act or would apply and be under the act. As I stated before, at the present time there are only nine hundred and thirty-three parcels of land under open space that are under this act. Now if under our present law, before this statute, there would be quite a bit of an impact in that ten point nine million that would occur if under the present law those people who could apply for

open space had done so. It would probably run about four or five million dollars. Now there is one other thing that we should realize here. Because we passed the hundred and six percent where the assessments were last year, we cannot go up over six percent a year. This will also upset this particular figure. The Department of Revenue did come up with this figure but at the same time says, 'We do not know. We have no basis, no true basis on what to say what the figure really is going to be.' So they used all lands in the state of Washington, saying under the act this is what it would be. If that answers your question."

The motion by Senator Mardesich carried and the amendment was adopted.

Senator Holman moved adoption of the following amendment by Senators Holman and Atwood:

On page 14, section 19, line 20, insert as section 19 the following:

"NEW SECTION. Sec. 19. The provisions of this 1972 amendatory act shall take effect July 1, 1973 if the proposed amendment to Article VII of the state constitution (House Joint Resolution No. 82 or Senate Joint Resolution No. 119) authorizing the legislature to impose a tax upon net income is validly submitted and is approved and ratified by the voters at a general election held in November, 1972. If such proposed amendment is not so submitted and approved and ratified, this 1972 amendatory act shall be null and void."

Debate ensued.

POINT OF ORDER

Senator Henry: "May I respectfully suggest that this amendment, while germane perhaps to the title, certainly increases the scope and object of the bill."

REMARKS BY THE PRESIDENT

The President: "Senator Henry, would you clarify your remarks? Did you present the point of order or did you merely suggest it?"

POINT OF ORDER

Senator Henry: "Well, I will raise the point of order. My attorney over here says I am not right but then I do not agree with him very many times anyway. My point of order is that he is taking a bill and conditioning it upon the passage of something else. And if that certainly does not enlarge the scope and object of this particular piece of machinery I just do not know the impact of it."

MOTION

Senator Durkan moved that the amendment by Senators Holman and Atwood be laid upon the table.

PERSONAL PRIVILEGE

Senator Holman: "My point of personal privilege is that Senator Woodall has very carefully constructed a series of illusions about my role in what he says, 'holding this thing hostage.' He certainly has given me a lot more credit than I deserve as a freshman Senator in the back row. I do not know how any freshman Senator, especially in the minority, can hold anything hostage in this body. But I would like to point out that my position on this was absolutely consistent, Senator Woodall, with my position last time on the Boeing relief bill. Exactly. I admitted that Boeing had a problem and I was willing to help them solve it, but I did not think we should solve that problem until we had done something for the overall good of the people of the state. And that was all I did. On SJR No. 1 it is true that in 1969 it was not passed. It did not have enough votes, thirty-three. It had twenty-nine, in fact it did not even have that. It had twenty-four if you will look at the record. And that was for the purpose of giving to the people of the state of Washington a chance on overall comprehensive tax reform. Well, you were right, they did vote it down two to one and you did make thirty-three speeches about it and I suppose we can credit you, among others such

as Vic Gould, with killing it. But the fact is that the people just did not like that package and that did not come as any surprise to any of us here because we did not have the limitations in it that we now know they want. And all I am saying, and all I think we should do here is give them another chance to look at another package with limitations in it. That is all.

“And as far as voting on the bill, I am not depriving them of any vote on this bill. There is no vote on this bill. If you read the bill, I wish you would explain to me where it says this is to be referred to the people. You will not find it.”

The President declared the question before the Senate to be the motion by Senator Durkan to lay upon the table the amendment proposed by Senators Holman and Atwood.

Senator Holman demanded a roll call and the demand was sustained by Senators Donohue, Whetzel, Atwood, Ridder, Lewis, Peterson (Ted), Sellar, Matson and Newschwander.

ROLL CALL

The Secretary called the roll and the amendment by Senators Holman and Atwood was laid upon the table by the following vote: Yeas, 29; nays, 19; excused, 1.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Foley, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sellar, Talley, Twigg, Walgren, Washington, Wilson, Woodall—29.

Voting nay: Senators Andersen, Atwood, Clarke, Elicker, Fleming, Francis, Gardner, Gissberg, Holman, Lewis, Mardesich, Metcalf, Murray, Peterson (Ted), Sandison, Scott, Stender, Stortini, Whetzel—19.

Excused: Senator Huntley—1.

Senator Durkan moved that the rules be suspended, Engrossed Substitute Senate Bill No. 397, be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Senator Holman demanded a roll call and the demand was sustained by Senators Stender, Andersen, Murray, Washington, Donohue, Fleming, Ridder, Peterson (Lowell) and Odegaard.

PARLIAMENTARY INQUIRY

Senator Durkan: “What is the number of votes that it takes to advance?”

REPLY BY THE PRESIDENT

The President: “Senator Durkan, it would take a two-thirds majority of the members present.”

ROLL CALL

The Secretary called the roll and the motion by Senator Durkan carried by the following vote: Yeas, 32; nays, 16.

Voting yea: Senators Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Foley, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Talley, Twigg, Walgren, Washington, Wilson, Woodall—32.

Voting nay: Senators Andersen, Atwood, Connor, Elicker, Fleming, Francis, Gardner, Holman, Mardesich, Metcalf, Murray, Peterson (Ted), Scott, Stender, Stortini, Whetzel—16.

Excused: Senator Huntley—1.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 397, and the bill passed the Senate by the following vote: Yeas, 32; nays, 16; excused, 1.

Voting yea: Senators Bailey, Canfield, Clarke, Cooney, Day, Donohue, Durkan, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Matson, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Sellar, Talley, Twigg, Walgren, Washington, Wilson, Woodall—32.

Voting nay: Senators Andersen, Atwood, Connor, Dore, Elicker, Fleming, Foley, Holman, Mardesich, Metcalf, Murray, Peterson (Ted), Scott, Stender, Stortini, Whetzel—16.

Excused: Senator Huntley—1.

ENGROSSED SUBSTITUTE SENATE 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.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 5:40 p.m., on motion of Senator Greive, the Senate recessed until 8:00 p.m.

EVENING SESSION

The President called the Senate to order at 8:00 p.m.

MOTION

On motion of Senator Talley, Senator Keefe was excused.

SECOND READING

ENGROSSED HOUSE BILL NO. 468, by Representatives Farr, Ceccarelli, Rabel, King, Maxie and Ross:

Providing that doctors shall have previous medical histories in child abuse cases.

The bill was read the second time by sections.

Senator Francis moved adoption of the following amendment by Senators Francis, Elicker and Holman:

On page 1, section 2, line 15, insert the following:

“*NEW SECTION.* Sec. 2. There is added to chapter 26.28 RCW a new section to read as follows:

Services relating to contraception may be furnished by a licensed physician to a minor, without the consent of any other person, if such minor:

(1) Is married; or

(2) Is a parent; or

(3) Has been pregnant; or

(4) Is referred for any such service by a physician, clergyman, nurse, psychologist, case worker, or family planning center; or

(5) If in the judgment of such physician the failure to furnish any such services may present a health hazard to such minor: PROVIDED, That nothing in this act shall apply to any procedure the purpose of which is the permanent prevention of reproduction.

The parent, parents or legal guardian of any such minor shall not be required to pay for the supplying of any such services which are supplied without the consent of any such parent or legal guardian.”

POINT OF ORDER

Senator Talley: “Mr. President, I want to protest this amendment. I think it enlarges the scope and object of the bill. We have before us a bill on child abuse and this certainly is not a bill in regards to that.”

RULING BY THE PRESIDENT

The President: “The President in ruling upon the point of order presented by Senator

Talley finds a little hard to express appreciation to Senator Woodall who pointed out the necessity of deciding in a judicious manner. The President is sure that each member is familiar with the respective measures, whereas one, Engrossed House Bill 468 provides that doctors shall have previous medical histories in child abuse cases and the proposed amendment is related to an entirely different matter in which a licensed physician may provide contraceptives and other devices to minors under certain conditions and there are certain other provisions. Therefore the President must rule that the point of order presented by Senator Talley is well taken."

The amendment proposed by Senators Francis, Elicker and Holman was ruled out of order.

PERSONAL PRIVILEGE

Senator Holman: "I cannot in good faith quarrel with the President's ruling but I had noticed certain latitude exercised by the Chair and other members of the body and a certain amount of, I guess you would call it paper hanging. I recall I put one on the all-terrain vehicles to try to save a bill for people who are interested in snowmobiles. I have no particular interest in it but it seemed to me like it was a matter that we passed before in the Senate and therefore should be passed again. Now I think that if the members of this body knew just exactly what happened to Senate Bill 91 you would not be so tolerant. Senate Bill 91 which passed this body and went over to the House had a hearing. It had two hearings. At the second hearing the chairman of the committee lost absolute control of his committee and of the meeting. It was the worst travesty of democratic process I have ever seen in my life. I guess there is no way to impeach chairmen but if there was a way this should be done. This man. . . ."

POINT OF ORDER

Senator Rasmussen: "I do not believe the subject Senator Holman is talking about is personal privilege."

Senator Holman: "Mr. Chairman, it is because I am trying to explain to the body and answer Senator Gissberg's implied criticism of me for doing this. They had a meeting there and one of the members voted to indefinitely postpone the bill. And the chairman ruled that this motion was not debatable. I never heard of such a ruling by any parliamentary chairman but that is what he ruled and in all the confusion that went on after that, they killed the bill. And I just think it is too darn bad for a Senate bill to be lost in that manner."

Senator Rasmussen: "I still do not think he was talking on a matter of personal privilege where his motives were impugned."

On motion of Senator Day, the rules were suspended, Engrossed House Bill No. 468 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 468, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Grøive, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Absent or not voting: Senators Gardner, Guess, Twigg—3.

Excused: Senators Huntley, Keefe—2.

ENGROSSED HOUSE BILL NO. 468, having received the 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. 261, by Senators Mardesich, Peterson (Ted) and Durkan:
Licensing journeymen plumbers.

MOTIONS

On motion of Senator Mardesich, Substitute Senate Bill No. 261 was substituted for Senate Bill No. 261 and the substitute bill was placed on second reading and read the second time in full.

Senator Woodall moved adoption of the following amendment:

On page 4, section 8, line 17 after "act," insert "was engaged in the business or trade of plumbing on the effective date of this act, or on said date"

POINT OF INQUIRY

Senator Greive: "Would Senator Woodall yield to a question? Senator, whether the sponsors of this like it or not, and I assume they are in the gallery, I have to agree with you. I just do not think anybody that is in business should be eliminated and I would be willing, whether they like it or not, to go along. The only problem I have is with the definition. How would we know when we say engaged in the business or trade of plumbing, is there any way if we were to delay this that we could tie that down a little tighter so we really know what they mean? Would they mean a hired fellow that has fixed a faucet once a week or would they mean somebody who earns a portion of their income? Is there any way we can tie that down a little tighter so that we really take care of the people you are talking about?"

Senator Woodall: "I do not know but it seems to me we are talking about such few people, we are not talking about anybody in first class cities, second class cities. We are talking about a few rural people in isolated areas who have been doing this for years and it is such an inconsiderable group of people that I think we kind of generally understand what being a plumber is and I do not think there is any great difficulty with it."

MOTION

On motion of Senator Greive, Substitute Senate Bill No. 261 was ordered placed on the second reading calendar immediately following consideration of Engrossed House Bill No. 258.

SECOND READING

ENGROSSED HOUSE BILL NO. 258, by Representatives Pardini and Merrill:

Providing for changes in the terms of insurance contracts and allowing a person insured under a group insurance policy to assign all incidents of such ownership.

REPORT OF STANDING COMMITTEE

February 11, 1972.

ENGROSSED HOUSE BILL NO. 258, providing for changes in the terms of insurance contracts and allowing a person insured under a group insurance policy to assign all incidents of such ownership (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass with the following amendments:

On page 9, following section 7, add a new section to read as follows:

"*NEW SECTION.* Sec. 8. There is added to chapter 268, Laws of 1947, and to chapter 48.44 RCW a new section to read as follows:

"Notwithstanding any other law to the contrary, the provisions of RCW 48.20.410, 48.20.412, 48.21.140 and 48.21.142 shall apply to all health care service contractors and health care contracts when all or any portion of the premium is paid with public funds.

(2) For the purpose of this section it is immaterial whether the cost of any policy, plan, agreement, or contract be deemed additional compensation or otherwise."

Renumber the remaining sections consecutively.

On page 1, line 13 of the title after "RCW;" and before "and" insert "adding a new section to chapter 268, Laws of 1947 and to chapter 48.44 RCW;"

Signed by: Senators Mardesich, Chairman; Cooney, Day, Fleming, Gardner, Gissberg, Huntley, Keefe, Knoblauch, Peterson (Lowell), Twigg.

The bill was read the second time by sections.

On motion of Senator Clarke, the committee amendments were adopted.

On motion of Senator Clarke, the rules were suspended, Engrossed House Bill No. 258, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 258, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Jolly, Knoblauch, Mardesich, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-42.

Voting nay: Senators Gardner, Gissberg, Metcalf-3.

Absent or not voting: Senators Guess, Lewis-2.

Excused: Senators Huntley, Keefe-2.

ENGROSSED HOUSE BILL NO. 258, 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 Day, Engrossed House Bill No. 258 was ordered immediately transmitted to the House.

SENATE BILL NO. 32, by Senators Walgren, Twigg and Keefe (by Municipal Committee request):

Removing the expiration date of the local sales tax.

The bill was read the second time by sections.

Senator Whetzel moved adoption of the following amendment:

On page 1, section 1, line 13, add a new section as follows:

"*NEW SECTION.* Sec. 2. The governing body of a metropolitan municipal corporation in any class AA county may, by resolution or ordinance for the purpose of providing funds for the operation, maintenance, and capital needs of public transportation systems when such metropolitan municipal corporation is authorized by election to perform the function of metropolitan public transportation as provided by RCW 35.58.245, fix and impose a sales and use tax to take effect after January 1, 1973, in accordance with the terms of Chapter 82.14. Such tax shall be collected from those persons who are taxable by the state pursuant to Chapters 82.08 and 82.12 RCW, upon the occurrence of any taxable event within the metropolitan municipal corporation. The rate of such tax imposed by a metropolitan municipal corporation shall not exceed one-tenth of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). In the event a metropolitan municipal corporation shall impose such a sales and use tax the rate of such tax imposed by a county pursuant to RCW 82.14.030 shall not exceed the difference between five-tenths of one percent and the rate imposed hereunder by a metropolitan municipal corporation: PROVIDED, HOWEVER, That in the event a metropolitan municipal corporation and a county shall impose a sales and use tax, the rate of such tax imposed by any city therein shall not exceed the difference between four hundred and twenty-five one thousands of one percent and eighty-five percent of the rate imposed hereunder by a metropolitan municipal corporation."

POINT OF INQUIRY

Senator Atwood: "I do not have a copy of that, but are you authorizing the cities to use one-tenth of one percent for matching funds out of the general fund of the state?"

Senator Whetzel: "No, this amendment simply authorizes the metropolitan municipal corporation to utilize one-tenth of a percent of the local sales tax for the purpose of a mass public transportation system. This does not create any new tax, Senator Atwood."

MOTION

On motion of Senator Walgren, the amendment by Senator Whetzel was laid upon the table on a rising vote.

Senator Andersen moved adoption of the following amendment:

On page 1, section 2, line 14 add the following:

"*NEW SECTION.* Sec. 2. There is added to chapter 82.14 RCW a new section to read as follows: Any city which imposes a license tax upon persons, occupations or business activities with respect to engaging in the business of making retail sales of tangible personal property or upon persons, occupations or business activities measured by gross receipts or income from such sales shall impose such tax at a uniform rate upon all such persons, occupations or business activities."

POINT OF INQUIRY

Senator Woodall: "Would Senator Andersen yield? Senator, this bill started out to be a sales tax bill, correct?"

Senator Andersen: "Yes."

Senator Woodall: "And you are now wanting to add to it something that tells the different city councilmen how they may or may not enact the B&O tax. Is that what you are wanting to add to it?"

Senator Andersen: "In a sense, yes."

POINT OF ORDER

Senator Woodall: "Mr. President, I suggest it enlarges the scope and object of the original bill, and raise that point."

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order presented by Senator Woodall believes that the remarks expressed by Senator Woodall are correct and therefore the amendment does enlarge the scope and object of the bill."

The amendment proposed by Senator Andersen was ruled out of order.

On motion of Senator Atwood, 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.

Debate ensued.

ROLL CALL

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, 41; nays, 5; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Dore, Elicker, Fleming, Francis, Gardner, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Matson, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—41.

Voting nay: Senators Donohue, Durkan, Foley, Gissberg, Mardesich—5.

Absent or not voting: Senators Lewis—1.

Excused: Senators Huntley, Keefe—2.

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.

SUBSTITUTE HOUSE BILL NO. 323, by Committee on State Government (Originally sponsored by Representative Bluechel):

Relating to state government.

The Senate resumed consideration of Substitute House Bill No. 323, the committee amendment to page 2, following section 1 having been adopted. Senator Mardesich had moved adoption of the committee amendment to page 2, following section 3.

Senator Gissberg moved adoption of the following amendment to the committee amendment to page 2, following section 3:

On page 2 of the committee amendment adding section 4, strike the fourth paragraph of the section, beginning with "In proceedings" down through "under this section."

POINT OF INQUIRY

Senator Atwood: "Mr. President, will Senator Mardesich yield? Senator, we are talking about the Utilities and Transportation Commission, which is a quasi-judicial body. Is that what we are talking about in that second amendment?"

Senator Mardesich: "Yes."

Senator Atwood: "Do you know whether any of the quasi-judicial commissions have the power to do that now, either on the federal level or on the state level?"

Senator Mardesich: "I have no knowledge as to that fact."

Senator Atwood: "What was the testimony in the committee about it?"

Senator Mardesich: "Merely related to an explanation of the amendment but we did not inquire as to whether other, my recollection is there was no inquiry as to whether any other department has such authority."

Senator Atwood: "Well how about the Interstate Commerce Commission for example? Do they have that authority even?"

Senator Mardesich: "That I do not know."

The motion by Senator Gissberg carried and the amendment to the committee amendment was adopted.

The motion by Senator Mardesich carried and the committee amendment, as amended, was adopted.

On motion of Senator Mardesich, the committee amendments to the title were adopted.

On motion of Senator Mardesich, the rules were suspended, Substitute House Bill No. 323, 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.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 323, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted); Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Voting nay: Senators Odegaard, Ridder—2.

Absent or not voting: Senators Day, Durkan—2.

Excused: Senators Huntley, Keefe—2.

SUBSTITUTE HOUSE BILL NO. 323, 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 SUBSTITUTE HOUSE BILL NO. 272, by Committee on Higher Education (Originally sponsored by: Representatives Barden, Gallagher, Polk, Litchman, Benitz, King, Jueling and Bagnariol):

Giving consideration to investing certain funds in vocational training loans.

REPORT OF STANDING COMMITTEE

February 10, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 272, giving consideration to investing certain funds in vocational training loans (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 2, line 1, after "*price*" strike the colon and insert a period and strike all of the remaining material on the page.

Signed by: Senators Sandison, Chairman; Atwood, Dore, Durkan, Foley, Guess, Henry, Huntley, Lewis, Scott, Wilson.

The bill was read the second time by sections.

On motion of Senator Sandison, the committee amendments were adopted.

On motion of Senator Sandison, the rules were suspended, Engrossed Substitute 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.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 272, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senator Francis—1.

Excused: Senators Huntley, Keefe—2.

ENGROSSED SUBSTITUTE 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.

HOUSE BILL NO. 266, by Representatives Gallagher, Polk, Marzano, Barden, Litchman, Benitz, King, Jueling, Bagnariol, Mentor and Merrill (by Joint Committee on Governmental Cooperation request):

Allowing savings and loan associations to make guaranteed student loans.

REPORT OF STANDING COMMITTEE

February 10, 1972.

HOUSE BILL NO. 266, allowing savings and loan associations to make guaranteed student loans (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following line 3, add a new section 2 to read as follows:

"Sec. 2. Section 77, chapter 235, Laws of 1945 as last amended by section 6, chapter 107, Laws of 1969 and RCW 33.28.020 are each amended to read as follows:

Every savings and loan association organized under the laws of this state shall on or before the 31st day of July in each year, pay to the supervisor a license fee, for the ensuing fiscal year commencing July 1st, of fifty dollars. An additional fee of fifty dollars shall also be paid for each branch office.

The supervisor shall also collect from each association the actual cost for [each] examination *and supervision* of its condition, *such costs, examination and supervision to be established by uniform rules adopted pursuant to the administrative procedures act, chapter 34.04 RCW* [charging a per diem rate not more than the rate charged federal savings and loan associations by the examining division of the federal home loan bank board].”

On line 1 of the title following the semicolon and before “amending” strike “and”

On line 2 of the title before the period insert “; and amending section 77, chapter 235, Laws of 1945 as last amended by section 6, chapter 107, Laws of 1969 and RCW 33.28.020”

Signed by: Senators Sandison, Chairman; Atwood, Dore, Durkan, Foley, Francis, Guess, Henry, Metcalf, Scott.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendments were not adopted.

On motion of Senator Sandison, the rules were suspended, House Bill No. 266 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 266, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 4; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Voting nay: Senator Newschwander—1.

Absent or not voting: Senators Connor, Fleming, Francis, Gardner—4.

Excused: Senators Huntley, Keefe—2.

HOUSE BILL NO. 266, having received the 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. 38, by Representatives Cunningham and Beck (by Departmental request):

Amending the formal hearing procedures in regard to the issuance, denial, suspension or revocation of drivers' licenses.

REPORT OF STANDING COMMITTEE

February 9, 1972.

ENGROSSED HOUSE BILL NO. 38, amending the formal hearing procedures in regard to issuance, denial, suspension or revocation of drivers' licenses (reported by Committee on Transportation):

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

“Section 1. Section 36, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.329 are each amended to read as follows:

Upon receiving a request for a formal hearing as provided in RCW 46.20.328, the department shall fix a time and place for hearing as early as may be arranged in the county where the applicant or licensee resides, and shall give ten days' notice of the hearing to the applicant or licensee, except that the hearing may be set for a different place with the concurrence of the applicant or licensee and the period of notice may be waived.

Any decision by the department suspending or revoking a person's driving privilege shall be stayed and shall not take effect while a formal hearing is pending as herein provided or during the pendency of a subsequent appeal to superior court: PROVIDED, That this

stay shall be effective only so long as there is no conviction of a moving violation during pendency of hearing and appeal: *PROVIDED FURTHER, That nothing in this section shall be construed as prohibiting the department from seeking an order setting aside the stay during the pendency of such appeal in those cases where the action of the department is based upon physical or mental incapacity, or a failure to successfully complete an examination required by this chapter.*

A formal hearing shall be conducted by the director or by a referee or hearing board appointed by him from officers or employees of the department. *Such referee or hearing board may be authorized by the director to make final determinations regarding the issuance, denial, or suspension, or revocation of a license.*

Sec. 2. Section 37, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.332 are each amended to read as follows:

At a formal hearing the department shall consider its records and may receive sworn testimony and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers in the manner and subject to the conditions provided in chapter 5.56 RCW relating to the issuance of subpoenas. In addition the department may require a reexamination of the licensee or applicant. Proceedings at a formal hearing shall be recorded stenographically or by mechanical device. Upon the conclusion of a formal hearing, if not heard by the director or a person authorized by him to make final decisions regarding the issuance, denial, suspension or revocation of licenses, the referee or board shall make findings on the matters under consideration and may prepare and submit recommendations to the director or such person designated by the director who is authorized to make final decisions regarding the issuance, denial, suspension, or revocation of licenses.

Sec. 3. Section 38, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.333 are each amended to read as follows:

In all cases not heard by the director or a person authorized by him to make final decisions regarding the issuance, denial, suspension, or revocation of licenses the director, [upon] or a person so authorized shall review [of] the records, evidence, and [of] the findings after a formal hearing, and shall render [his] a decision sustaining, modifying, or reversing the order of suspension or revocation of the refusal to grant, or renew a license or the order imposing terms or conditions of probation, or [he] may set aside the prior action of the department and may direct [the] that probation be granted to the applicant or licensee and in such case may fix the terms and conditions of the probation.

Sec. 4. Section 39, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.334 are each amended to read as follows:

Any person denied a license or a renewal of a license or whose license has been suspended or revoked by the department except where such suspension or revocation is mandatory under the provisions of this chapter shall have the right within thirty days, after receiving notice of the director's decision following a formal hearing to file a notice of appeal in the superior court in the county of his residence. The hearing on the appeal hereunder shall be de novo.

Sec. 5. Section 4, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.031 are each amended to read as follows:

The department shall not issue a driver's license hereunder:

- (1) To any person who is under the age of sixteen years;
- (2) To any person whose license has been suspended during such suspension, nor to any person whose license has been revoked, except as provided in RCW 46.20.311;
- (3) To any person when the department has been notified by a court that such person has violated his written promise to appear in court, unless the department has received a certificate from the court in which such person promised to appear, showing that the case has been adjudicated. The deposit of bail by a person charged with a violation of any law regulating the operation of motor vehicles on highways shall be deemed an appearance in court for the purpose of this section;
- (4) To any person who is an habitual drunkard, or is an habitual user of narcotic drugs, or is an habitual user of any other drug to a degree which renders him incapable of safely driving a motor vehicle;
- (5) To any person who has previously been adjudged to be mentally ill or insane, or to be incompetent due to any mental disability or disease, and who has not at the time of

application been restored to competency by the methods provided by law: PROVIDED, HOWEVER, That no person so adjudged shall be denied a license for such cause if the superior court should find him able to operate a motor vehicle with safety upon the highways during such incompetency;

(6) To any person who is required by this chapter to take an examination, unless such person shall have successfully passed such examination;

(7) To any person who is required under the laws of this state to deposit proof of financial responsibility and who has not deposited such proof:

(8) To any person when the department has good and substantial evidence to reasonably conclude that such person by reason of physical or mental disability would not be able to operate a motor vehicle with safety upon the highways; subject to review by a court of competent jurisdiction:

(9) *Notwithstanding the provisions of subsections (2) and (3) of this section, any person who has been released on parole from a state correctional institution by order of the board of prison terms and paroles, or who is placed on work or training release, who is otherwise eligible to obtain a license, shall be eligible to receive a temporary motor vehicle operator's license upon application to the department of motor vehicles. The application shall be accompanied by an affidavit executed by the parolee and approved in writing by the secretary of the department of social and health services or his designee, setting forth the facts showing that a temporary motor vehicle operator's license is necessary for the purpose of seeking and obtaining employment, or is necessary in the course of employment or in traveling to and from employment. The temporary motor vehicle license authorized by this section shall expire six months after the date of issuance, but shall be renewable upon application: PROVIDED, That any parolee whose license has been suspended or revoked must file proof of financial responsibility as required by RCW 46.20.311 or chapter 46.29 RCW.*

Sec. 6. Section 46.52.120, chapter 12, Laws of 1961 as amended by section 62, chapter 32, Laws of 1967 and RCW 46.52.120 are each amended to read as follows:

It shall be the duty of the director to keep a case record on every motor vehicle driver licensed under the laws of this state, together with information on each, showing all the convictions certified by the courts and an index cross reference record of each accident reported relating to such individuals with a brief statement of the cause of such accident, which index cross reference record shall be furnished to the director by the chief of the Washington state patrol, with reference to each driver involved in the reported accidents. Such records shall be for the confidential use of the director and the chief of the Washington state patrol and for such police officers or other cognizant public officials as may be designated by law: *PROVIDED, That such case records shall be provided to the secretary of the department of social and health services or his designee, and the board of prison terms and paroles upon request, in the case of any person convicted of a felony and sentenced to a term of confinement and commitment to a state correctional institution.* Such case records shall not be offered as evidence in any court except in case appeal is taken from the order of director, suspending, revoking, canceling, or refusing vehicle driver's license. It shall be the duty of the director to tabulate and analyze vehicle driver's case records and to suspend, revoke, cancel, or refuse any vehicle driver's license to any person when it is deemed from facts contained in the case record of such person that it is for the best interest of public safety that such person be denied the privilege of operating a motor vehicle. Whenever the director may order the vehicle driver's license of any such person suspended, revoked, or canceled, or shall refuse the issuance of vehicle driver's license, such suspension, revocation, cancellation, or refusal shall be final and effective unless appeal from the decision of the director shall be taken as provided by law.

NEW SECTION. Sec. 7. 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."

Strike all of the title and insert the following:

"An Act relating to motor vehicles and operators' licenses; amending section 4, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.031; amending section 36, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.329; amending section 37, chapter 121, Laws of 1965 ex.

sess. and RCW 46.20.332; amending section 38, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.333; amending section 39, chapter 121, Laws of 1965 ex. sess. and RCW 46.20.334; and amending section 46.52.120, chapter 12, Laws of 1961 as amended by section 62, chapter 32, Laws of 1967 and RCW 46.52.120."

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Connor, Donohue, Elicker, Herr, Huntley, Jolly, Keefe, Matson, Murray, Peterson (Lowell), Scott, Sellar, Stender, Walgren.

The bill was read the second time by sections.

Senator Washington moved adoption of the committee amendments.

POINT OF ORDER

Senator Guess: "Mr. President, I suggest that the Senate committee amendment to Engrossed House Bill No. 38 enlarges the scope and object of the act and I do call the question."

Debate ensued.

RULING BY THE PRESIDENT

The President: "In ruling upon the point of order by Senator Sam Guess, the President believes that the remarks by Senator Woodall and Senator Washington are well taken and therefore the point of order is well taken in that the amendment does enlarge the scope and object of the bill."

The committee amendment was ruled out of order.

Senator Day moved adoption of the following amendment:

On page 3, line 15, insert as section 5 the following:

"Sec. 5. Section 46.20.390, chapter 12, Laws of 1961 as amended by section 32, Laws of 1969 and RCW 46.20.390 are each amended to read as follows:

Any person who has had or may have his driver's license suspended or revoked because he has been convicted of or has forfeited bail for any first offense relating to motor vehicles, other than negligent homicide or manslaughter, *or, has had a revocation pursuant to RCW 46.20.308*, and, if such person is engaged in an occupation or trade making it essential that he operate a motor vehicle, such person may file with *the director of the department of motor vehicles* or any judge of a court of record, justice court, or municipal court having criminal jurisdiction in the county of such person's residence a verified petition, together with the receipt for the fee paid, setting forth in detail his need for operating a motor vehicle. Thereupon, if the petitioner has not been *subject to revocation pursuant to RCW 46.20.308* or convicted of or has not forfeited bail for any such offense within one year immediately preceding the present *revocation*, conviction or bail forfeiture, which *revocation* or offense in the opinion of the *director* or the judge is not of such a nature as to preclude the granting of the petition, *the director may issue* or the judge may order the director to issue an occupational driver's license to such person. A certified copy of the petition together with the order for the license, *if issued by said judge*, shall be mailed to the director. When the order is issued by such *director* or judge, a certified copy thereof shall be given to the petitioner which copy shall serve as a temporary occupational driver's license until the petitioner receives the license issued by the director.

An occupational driver's license shall permit the operation of a motor vehicle not to exceed twelve hours per day and then only when such operation is an essential part of the licensee's occupation or trade. Such license shall be issued for a period of not more than one year.

The order for issuance of an occupational driver's license shall contain definite restrictions as to hours of the day, type of occupation, areas or routes of travel to be permitted under such license and such other conditions as the *director* or judge granting the same deems appropriate and that satisfactory proof of financial responsibility has been filed as provided in chapter 46.29.

If such licensee is convicted for operating a motor vehicle in violation of his restrictions, or of a traffic violation which in the opinion of the director is such as would warrant suspension or revocation of such license, or if the judge does not, upon the facts,

see fit to permit such person to retain his license, the director shall upon receipt of notice thereof, revoke such license. Such revocation shall be effective as of the date of such violation, conviction or withdrawal order, and it shall continue with the same force and effect as other revocations under this title."

POINT OF ORDER

Senator Washington: "I object that this enlarges the scope and object of the bill. This is an amendment to add to the present bill the occupational driver's license for those who refuse to take the breath alcohol test and I submit that it patently expands the scope and object of the bill which is a simple bill which relates only to appeal procedures when a driver's license has been revoked."

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order presented by Senator Washington finds that although the title of Engrossed House Bill No. 38 is indeed broad, the amendment which would permit the issuance of occupational driver's licenses to persons who have refused to take the breathalyzer test does increase the scope and object of the bill. Therefore the point is well taken."

The proposed amendment by Senator Day was ruled out of order.

On motion of Senator Washington, the rules were suspended, Engrossed House Bill No. 38 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 38, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Connor, Francis—2.

Excused: Senators Huntley, Keefe—2.

ENGROSSED HOUSE 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.

HOUSE BILL NO. 45, by Representatives Hubbard, Kilbury, Benitz, Bozarth, Amen, Copeland, Morrison, Bledsoe, Flanagan and Newhouse:

Exempting sugar beets in transit from the property tax.

REPORT OF STANDING COMMITTEE

February 11, 1972.

HOUSE BILL NO. 45, exempting sugar beets in transit from the property tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 3, add the following new section:

"Sec. 2. Section 84.36.140, chapter 15, Laws of 1961 and RCW 84.36.140 are each amended to read as follows:

All grains and flour, fruit and fruit products, *unprocessed timber* vegetables and vegetable products, and fish and fish products, while being transported to or held in storage

in a public or private warehouse *or storage area* shall be exempt from taxation if actually shipped to points outside the state on or before April 30th of the first year for which they would otherwise be taxable: PROVIDED, That proof of shipment be furnished as required in RCW 84.36.150, *PROVIDED FURTHER, That the exemption provided for herein with respect to unprocessed timber shall be applicable only with respect to such timber if actually shipped to points outside the United States, its territories and possessions.*"

Renumber section 2 to read section 3.

Signed by: Senators Andersen, Atwood, Bailey, Canfield, Cooney, Donohue, Foley, Gissberg, Herr, Lewis, Mardesich, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Talley, Twigg, Walgren, Woodall.

The bill was read the second time by sections.

Senator Donohue moved adoption of the committee amendment.

POINT OF ORDER

Senator Holman: "Mr. President, I raise the point of order that this committee amendment is beyond the scope and object of the bill.

"Mr. President, this is a bill to exempt sugar beets from tax. The committee amendment is going to exempt timber from tax. I submit it is a far cry from sugar beets to timber."

Debate ensued.

PARLIAMENTARY INQUIRY

Senator Canfield: "Is it proper to raise this question a day or two after the bill has been passed, that the amendment enlarges the scope and object?"

REPLY BY THE PRESIDENT

The President: "House Bill No. 45 is before the Senate now, Senator Canfield."

Senator Canfield: "I thought we had passed that identical amendment several days ago."

The President: "That was just the reverse, the President believes, Senator."

MOTION

On motion of Senator Woodall, House Bill No. 45 and the point of order as raised by Senator Guess were ordered placed at the end of the second reading calendar for today.

ENGROSSED HOUSE BILL NO. 257, by Representatives Zimmerman, Charette, Wolf, Cunningham, Kilbury, King, Conner, Douthwaite, Litchman, Kiskaddon, Thompson and Randall (by Department of Ecology request):

Providing for the financing and construction of pollution control facilities.

REPORT OF STANDING COMMITTEE

February 11, 1972.

ENGROSSED HOUSE BILL NO. 257, providing for the financing and construction of pollution control facilities (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 12, strike the balance of section 1 and insert the following:

"A district may improve its lands by dredging, filling, bulkheading, providing waterways or otherwise developing such lands for sale or lease for industrial and commercial purposes. [Where] *A district may also acquire, construct, install, improve, and operate sewer and water utilities* [are constructed and operated by the port as an incident to

servicing port lands,] *to serve its own property and other property owners [in areas adjacent to such system may be permitted to connect thereto] under terms, conditions, and rates to be fixed and approved by the port commission. A district may also acquire, by purchase, construction, lease, or in any other manner, and may maintain and operate other facilities for the control or elimination of air, water, or other pollution, including, but not limited to, facilities for the treatment and/or disposal of industrial wastes, and may make such facilities available to others under terms, conditions and rates to be fixed and approved by the port commission. Such conditions and rates shall be sufficient to reimburse the port for all costs, including reasonable amortization of capital outlays caused by or incidental to providing such [utilities] other pollution control facilities: PROVIDED, That no part of such costs of providing any pollution control facility to others shall be paid out of any tax revenues of the port: AND PROVIDED FURTHER, That no port shall enter into an agreement or contract to provide sewer and/or water utilities or pollution control facilities if substantially similar utilities or facilities are available [to such adjacent property owners] from another source (or sources) which is able and willing to provide such utilities or facilities on a reasonable and nondiscriminatory basis unless such other source (or sources) consents thereto.*

In the event that a port elects to make such other pollution control facilities available to others, it shall do so by lease, lease purchase agreement, or other agreement binding such user to pay for the use of said facilities for the full term of the revenue bonds issued by the port for the acquisition of said facilities, and said payments shall at least fully reimburse the port for all principal and interest paid by it on said bonds and for all operating or other costs, if any, incurred by the port in connection with said facilities: PROVIDED, HOWEVER, That where there is more than one user of any such facilities, each user shall be responsible for its pro rata share of such costs and payment of principal and interest. Any port intending to provide pollution control facilities to others shall first survey the port district to ascertain the potential users of such facilities and the extent of their needs. The port shall conduct a public hearing upon the proposal and shall give each potential user an opportunity to participate in the use of such facilities upon equal terms and conditions."

Signed by: Senators Day, Chairman; Cooney, Elicker, Holman, Keefe, Newschwander, Odegaard.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendment was adopted.

On motion of Senator Day, the rules were suspended, Engrossed House Bill No. 257, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 257, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-45.

Absent or not voting: Senators Francis, Matson-2.

Excused: Senators Huntley, Keefe-2.

ENGROSSED HOUSE BILL NO. 257, 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. 446, by Representatives Mentor, Newhouse and Gallagher:

Providing for the election of the state committee and enumerating its powers.

The bill was read the second time by sections.

On motion of Senator Metcalf, the rules were suspended, Engrossed House Bill No. 446 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 446, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Foley, Gardner, Gissberg, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Voting nay: Senators Fleming, Greive, Guess—3.

Absent or not voting: Senators Durkan, Francis—2.

Excused: Senators Huntley, Keefe—2.

ENGROSSED HOUSE BILL NO. 446, having received the 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. 508, by Committee on Business and Professions (Originally sponsored by Representative Bottiger):

Amending certain provisions of the retail installment credit contract.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, Substitute House Bill No. 508 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 508, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senator Francis—1.

Excused: Senators Huntley, Keefe—2.

SUBSTITUTE HOUSE BILL NO. 508, having received the 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. 244, by Representatives Amen, Hubbard, Haussler, Bozarth, Gladder, Flanagan, Goldsworthy, Wolf, Kuehnle, Spanton, Wanamaker, Richardson, Schumaker, Bauer, Zimmerman, May, Martinis and Mentor:

Removing power of eminent domain under shoreline management act.

The bill was read the second time by sections.

Senator Clarke moved adoption of the following amendment by Senators Henry and Clarke:

On page 1, line 20, add the following:

“Sec. 2. Section 14, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.140 are each amended to read as follows:

(1) No development shall be undertaken on the shorelines of the state except those which are consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, regulations or master program.

(2) No substantial development shall be undertaken on shorelines of the state without first obtaining a permit from the government entity having administrative jurisdiction under this chapter.

A permit shall be granted:

(a) From June 1, 1971 until such time as an applicable master program has become effective, only when the development proposed is consistent with: (i) The policy of RCW 90.58.020; and (ii) after their adoption, the guidelines and regulations of the department; and (iii) so far as can be ascertained, the master program being developed for the area. In the event the department is of the opinion that any permit granted under this subsection is inconsistent with the policy declared in RCW 90.58.020 or is otherwise not authorized by this section, the department may appeal the issuance of such permit within thirty days to the hearings board upon written notice to the local government and the permittee;

(b) After adoption or approval, as appropriate, by the department of an applicable master program, only when the development proposed is consistent with the applicable master program and the policy of RCW 90.58.020.

(3) Local government shall establish a program, consistent with rules adopted by the department, for the administration and enforcement of the permit system provided in this section. Any such system shall include a requirement that all applications and permits shall be subject to the same public notice procedures as provided for applications for waste disposal permits for new operations under RCW 90.48.170. The administration of the system so established shall be performed exclusively by local government.

(4) Such system shall include provisions to assure that construction pursuant to a permit will not begin or be authorized until forty-five days from the date of final approval by the local government or, *except where the permit has been issued to a state agency*, until all review proceedings are terminated if such proceedings were initiated within forty-five days from the date of final approval by the local government.

(5) Any ruling on an application for a permit under authority of this section, whether it be an approval or a denial, shall *be made within ninety days after the application has been filed and shall*, concurrently with the transmittal of the ruling to the applicant, be filed with the department and the attorney general.

(6) Applicants for permits under this section shall have the burden of proving that a proposed substantial development is consistent with the criteria which must be met before a permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.160(1), the person requesting the review shall have the burden of proof.

(7) Any permit may be rescinded by the issuing authority upon the finding that a permittee has not complied with conditions of a permit. In the event the department is of the opinion that such noncompliance exists, the department may appeal within thirty days to the hearings board for a rescission of such permit upon written notice to the local government and the permittee.

(8) The holder of a certification from the governor pursuant to chapter 80.50 RCW shall not be required to obtain a permit under this section.

(9) No permit shall be required for any development on shorelines of the state included within a preliminary or final plat approved by the applicable state agency or local government prior to April 1, 1971, if:

(a) The final plat was approved after April 13, 1961, or the preliminary plat was approved after April 30, 1969, or

(b) Sales of lots to purchasers with reference to the plat, or substantial development incident to platting or required by the plat, occurred prior to April 1, 1971, and

(c) The development to be made without a permit meets all requirements of the applicable state agency or local government, other than requirements imposed pursuant to this chapter, and

(d) The development does not involve construction of buildings, or involves construction on wetlands of buildings to serve only as community social or recreational

facilities for the use of owners of platted lots and the buildings do not exceed a height of thirty-five feet above average grade level, and

(e) The development is completed within two years after the effective date of this chapter.

(10) The applicable state agency or local government is authorized to approve a final plat with respect to shorelines of the state included within a preliminary plat approved after April 30, 1969, and prior to April 1, 1971: PROVIDED, That any substantial development within the platted shorelines of the state is authorized by a permit granted pursuant to this section, or does not require a permit as provided in subsection (9) of this section, or does not require a permit because of substantial development occurred prior to June 1, 1971.

(11) Any permit for a variance or a conditional use by local government under approved master programs must be submitted to the department for its approval or disapproval.

Sec. 3. Section 18, chapter 286, Laws of 1971 ex. sess., and RCW 90.58.180 are each amended to read as follows:

(1) Any person aggrieved by the granting or denying of a permit on shorelines of the state, or rescinding a permit pursuant to RCW 90.58:150 may seek review from the shorelines hearings board by filing a request for the same within thirty days of receipt of the final order. Concurrently with the filing of any request for review with the board as provided in this section pertaining to a final order of a local government, the requestor shall file a copy of this request with the department and the attorney general. If it appears to the department or the attorney general that the requestor has valid reasons to seek review, either the department or the attorney general may certify the request within thirty days after its receipt to the shorelines hearings board following which the board shall then but not otherwise, review the matter covered by the requestor: PROVIDED, That the failure to obtain such certification shall not preclude the requestor from obtaining a review in the superior court under any right to review otherwise available to the requestor. The department and the attorney general may intervene to protect the public interest and insure that the provisions of this chapter are complied with at any time within forty-five days from the date of the filing of said copies by the requestor.

(2) The department or the attorney general may obtain review of any final order granting a permit, or granting or denying an application for a permit issued by a local government by filing a written request with the shorelines appeals board and the appropriate local government within forty-five days from the date the final order was filed as provided in subsection (5) of RCW 90.58.140.

(3) The review proceedings authorized in subsections (1) and (2) of this section are subject to the provisions of chapter 34.04 RCW pertaining to procedures in contested cases. The provisions of chapter 43.21B RCW and the regulations adopted pursuant thereto by the pollution control hearings board, insofar as they are not inconsistent with chapter 34.04 RCW, relating to the procedures for the conduct of hearings and judicial review thereof, shall be applicable to all requests for review as provided for in subsections (1) and (2) of this section.

(4) The filing of a request or petition for review of a local governmental order granting a permit to any state agency shall not stay construction authorized by the permit. The party requesting review may apply to the shorelines hearings board or the court, as the case may be, for a temporary stay of construction pending the review of the order granting the permit. In granting or denying a temporary stay, the board or court shall consider the probability of the ultimate success or failure of the appeal, the relative importance of the interests of the parties and the interests of the public.

[4] (5) Local government may appeal to the shorelines hearing board any rules, regulations, guidelines, designations or master programs for shorelines of the state adopted or approved by the department within thirty days of the date of the adoption or approval. The board shall make a final decision within sixty days following the hearing held thereon.

(a) In an appeal relating to a master program for shorelines, the board, after full consideration of the positions of the local government and the department, shall determine the validity of the master program. If the board determines that said program:

- (i) is clearly erroneous in light of the policy of this chapter; or
- (ii) constitutes an implementation of this chapter in violation of constitutional or statutory provisions; or

(iii) is arbitrary and capricious; or
 (iv) was developed without fully considering and evaluating all proposed master programs submitted to the department by the local government; or
 (v) was not adopted in accordance with required procedures; the board shall enter a final decision declaring the program invalid, remanding the master program to the department with a statement of the reasons in support of the determination, and directing the department to adopt, after a thorough consultation with the affected local government, a new master program. Unless the board makes one or more of the determinations as hereinbefore provided, the board shall find the master program to be valid and enter a final decision to that effect.

(b) In an appeal relating to a master program for shorelines of state-wide significance the board shall approve the master program adopted by the department unless a local government shall, by clear and convincing evidence and argument, persuade the board that the master program approved by the department is inconsistent with the policy of RCW 90.58.020 and the applicable guidelines.

(c) In an appeal relating to rules, regulations, guidelines, master programs of state-wide significance and designations, the standard of review provided in RCW 34.04.070 shall apply.

[(5)] (6) Rules, regulations, designations, master programs and guidelines shall be subject to review in superior court, if authorized pursuant to RCW 34.04.070: PROVIDED, That no review shall be granted by a superior court on petition from a local government unless the local government shall first have obtained review under subsection [(4)] (5) of this section and the petition for court review is filed within three months after the date of final decision by the shorelines hearings board.

NEW SECTION. Sec. 4. This 1972 amendatory 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 take effect immediately."

POINT OF ORDER

Senator Fleming: "Mr. President, I would like to raise the question of scope and object on this matter."

MOTION

On motion of Senator Woodall, House Bill No. 244 and the point of order as raised by Senator Fleming were ordered placed at the end of the second reading calendar for today.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 411, by Committee on Business and Professions (Originally sponsored by: Representatives Kuehnle, Bagnariol and Litchman):
 Implementing law relating to authorizing gambling.

REPORT OF STANDING COMMITTEE

February 10, 1972.

SUBSTITUTE HOUSE BILL NO. 411, implementing law relating to authorizing gambling (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 24 after "*physical skill*" strike all of the material down to the period on line 26.

On page 5, section 1, line 1 after "year" and beginning with the comma strike all of the material down to the period on line 8 and insert "[, no person other than a bona fide member of said organization takes any part in the management or operation of said game, and no person who takes any part in the management or operation of said game takes any part in the management or operation of any game conducted by any other organization or

any other branch of the same organization and no part of the proceeds thereof inure to the benefit of any person other than the organization conducting said game]

On page 6, section 1, line 12 after "than" and before "thousand" strike "five" and insert "[five] *twenty*"

Signed by: Senators Gissberg, Chairman; Atwood, Clarke, Durkan, Francis, Twigg, Walgren.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

POINT OF INQUIRY

Senator Greive: "Would Senator Gissberg yield to a question? What about my little St. Vincent's Home amendment?"

Senator Gissberg: "My committee clerk worked on that for about sixteen hours, Senator Greive, and he came up with at least a half a dozen drafts and at the end he still was not able to say that that is all that it did. I had a lot of pressure on me from a lot of people here who thought that I was trying to do something to this bill other than to accommodate you in trying to work out an amendment. It could not be done within the time and consequently I just had to throw it in the ash can."

MOTION

Senator Greive moved that further consideration of Substitute House Bill No. 411 be held following consideration of House Bill No. 86 on today's second reading calendar.

POINT OF INQUIRY

Senator Ridder: "Will Senator Gissberg yield to a question? With the amendments as they now stand, it is not necessary that a bona fide member run these games, and secondly you can go up to twenty thousand dollars in income. Is that true?"

Senator Gissberg: "The second part is correct."

Senator Ridder: "It says, 'No person other than a bona fide member of said organization takes any part in the management or operation of said game.' We have stricken that."

Senator Gissberg: "We have, in order to accommodate Senator Woodall's county fair situation where you have. . . . Do you want to explain how that works, Senator?"

POINT OF INQUIRY

Senator Canfield: "It is quite true that the illustrious Senator in the front row was president of the fair for twenty-one years and we have had our problems, but I would like to speak to this fact, that I have been given sort of the responsibility to help look after the fairs' problems as far as legislation is concerned. I have been concerned about this bill and I have been concerned about the bills that have been drawn in the past. And I am quite aware that this last bill had some kind of hanky-panky in it, as Senator Woodall has pointed out, and for that reason we did not want to tamper with the bingo situation at all, because it was too touchy. And I advised every fair to lay off of bingo because the penalties for noncompliance were extremely severe.

"Now my main point for speaking at this moment is, how does this bill improve the one that we just kicked over? Senator Woodall said it was declared unconstitutional and I cannot see how this is any great improvement as far as constitutionality is concerned. But I had no idea, Senator Gissberg, that throwing darts at balloons and things like that was unlawful because that was cleared as being lawful under the act, at least by the Attorney General and his staff, who claimed that games containing a substantial element of skill were not lotteries and were not gambling. They were simply games of amusement, and that is the way they are defined in the act. And gentlemen, I see nothing sinful about throwing a dart at a balloon. I do not see any great sin in throwing a baseball at a doll. I do not see any great sin in tossing a ring over something. I do not think there is any penitentiary offense for

doing some of those things. And so we tried to differentiate between games of skill and such things as professional gambling and lotteries.

"But I want to come back to the main reason why I am raising this question. All the fans in this state, and you gentlemen have one in your community, every one of you has one, and they are going to be wanting to know how they are going to operate this year, under what kind of a law and so I would like to have some kind of a decision or an opinion rendered in this body. If the Attorney General's opinion is not good enough, I would like to find one that is better so we will have something to rely upon, and I ask somebody here to give us a little help."

Senator Walgren: "Senator Canfield, as you know and as you probably have read in the press, heard on the radio and perhaps seen on TV, the Attorney General of this state has indicated that this bill will 'go a long way to providing a constitutional basis on the bill that we passed last year.' Now you asked the question, 'Does this help the constitutionality of that bill?' The answer unequivocally is no, it does not do one thing at all to help the constitutionality of that bill. That bill is still unconstitutional in King County, probably Snohomish County, Thurston County, and in this state. And this bill is too."

The motion by Senator Greive carried and Substitute House Bill No. 411 was ordered placed on the second reading calendar for today immediately following consideration of House Bill No. 86.

SECOND READING

SUBSTITUTE SENATE BILL NO. 261, by Senators Mardesich, Peterson (Ted) and Durkan:

Licensing journeymen plumbers.

The Senate resumed consideration of Substitute Senate Bill No. 261 and the pending amendment by Senator Woodall to page 4, section 8, line 17.

MOTION

On motion of Senator Woodall, Substitute Senate Bill No. 261, and the pending amendment, was ordered placed at the beginning of the second reading calendar for Saturday, February 12, 1972.

HOUSE BILL NO. 150, by Representatives Conner, Hubbard, Randall and Gilleland (by Department of Highways request):

Amending the rules of the road pertaining to the use of the roadway.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 150 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 150, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 5; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odgaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson—42.

Absent or not voting: Senators Connor, Dore, Durkan, Francis, Woodall—5.

Excused: Senators Huntley, Keefe—2.

HOUSE BILL NO. 150, having received the 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. 289, by Representatives Jastad, Moon, Marzano, Haussler, Adams, Martinis, Ceccarelli and Merrill:

Defining dognapping as a crime and prescribing penalties therefor.

REPORT OF STANDING COMMITTEE

February 9, 1972.

HOUSE BILL NO. 289, defining dognapping as a crime and prescribing penalties therefor (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 16 strike the remainder of the section.

Signed by: Senators Gissberg, Chairman; Andersen, Atwood, Clarke, Foley, Greive, Holman, Woodall.

The bill was read the second time by sections.

On motion of Senator Talley, the committee amendment was adopted.

On motion of Senator Andersen, the following amendment was adopted:

On page 1, section 1, line 16, add a new section as follows:

"NEW SECTION. Sec. 2. There is added to chapter 19.60 RCW a new section to read as follows:

Whenever the owner of stolen goods locates said stolen goods in the possession of a pawnbroker or secondhand dealer, and is forced to bring an action for replevin to recover possession thereof, the owner shall be entitled to reasonable attorney fees and costs in connection with said replevin action."

On motion of Senator Mardesich, the following amendment was adopted:

On page 1, section 1, line 11, strike "Kills" and insert "Willfully kills"

On motion of Senator Andersen, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "to" strike "crimes concerning dogs; creating a new section" and insert "the taking or withholding of property; creating two new sections;"

On motion of Senator Talley, the rules were suspended, House Bill No. 289, 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.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 289, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senator Francis—1.

Excused: Senators Huntley, Keefe—2.

HOUSE BILL NO. 289, 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 Atwood, House Bill No. 86 was ordered placed on the second reading calendar for Saturday, February 12, 1972.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 411, by Committee on Business and Professions (Originally sponsored by: Representatives Kuehnle, Bagnariol and Litchman):

Implementing law relating to authorizing gambling.

The Senate resumed consideration of Substitute House Bill No. 411, the committee amendments having been previously adopted.

On motion of Senator Greive, the rules were suspended, Substitute House Bill No. 411, 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.

POINTS OF INQUIRY

Senator Walgren: "Would Senator Greive and Senator Gissberg yield in order? Senator Greive, I am sure you are aware of the statement of the Attorney General that this bill will indeed go a long way to improving the constitutionality of our last bill. Is this your opinion?"

Senator Greive: "Senator, I appreciate that this question is asked in the spirit of--is asked for the purpose of use in court. Now I went through this once before this session and I juggled it around and apparently I juggled pretty well and so I am going to just continue to juggle."

Senator Walgren: "Senator Gissberg, Senator Greive has juggled that question. How do you answer it?"

Senator Gissberg: "My problem is that in Snohomish County, before we passed the original bingo bill, so-called, our superior court granted a permanent injunction at the request of the Snohomish County prosecutor, an injunction which enjoined all of the nonprofit charitable bingo games in Snohomish County. Mr. Schillberg, our prosecutor, initiated that action. Then after we passed the bingo bill it was thought that we would be able to get that injunction dissolved so that people could play bingo and the proceeds of those worthy endeavors could be utilized for the purposes of operating schools and other very fine community purposes. However, when we sought to dissolve that injunction the court looked at the bill that we passed and held it to be unconstitutional. Since then the superior court of King County has found the bill to be unconstitutional and I might say, however, that I think the judges could have easily held that there is a strong judicial presumption that legislative acts are constitutional and that they could have held, as the Pierce County prosecutor wisely did that the bingo bill or the so-called gambling bill was constitutional and would be constitutional at least in his county until such time as the highest court of this state spoke, namely the supreme court. However, in the absence of the courts utilizing the presumption, that strong judicial presumption that legislative acts are constitutional, I would find and declare this act to be totally unconstitutional."

POINT OF INQUIRY

Senator Canfield: "Senator Gissberg, will you act as acting Attorney General? You see I am just a curbstome lawyer and I am not licensed to practice before the Bar, so I have got to rely upon experts for advice. But at any rate, in the bill which we passed, which was written into the Laws of 1971, Chapter 280, there is a severability clause. My first question is, when this judge recently declared the act unconstitutional, did he declare the whole act unconstitutional or did he save any part of it? That is my first question."

Senator Gissberg: "I am talking about the Snohomish County judge now and he declared the entire act to be unconstitutional. We argued and the severability clause was advanced to him but he disregarded that and found the whole act to be unconstitutional. There was also something else that we put in the bill. We said that this act shall be constitutional until declared unconstitutional by the supreme court, not a superior court. And we thought that by that device we could, having the legislative power we have to give the court jurisdiction in certain cases, that we thought we could then delay by the time factor the effective appeal of that case to the supreme court. That argument was also not appealing to the judge."

Senator Canfield: "My next comment is this. I talked to the Attorney General about this matter and asked his advice and while I am not at liberty to quote the Attorney General, my impression was that in view of the litigation and in view of the judicial decision

rendered, he did not care to express much of an opinion and certainly he did not want to put anything in writing. So, I am at a loss to know what to tell these various people. Are we going to tell them now that they will have to rely upon the individual judgments of their local prosecuting attorneys, or what is the proper advice that you would give?"

Senator Gissberg: "I have no doubt that if the prosecuting attorneys of this state followed the advice, the same tack as the prosecuting attorney of Pierce County that there would be no problem in the respective counties except insofar as the federal act which has something to do about corruption of public officials, which cuts across this whole matter and becomes quite serious, and of course our Attorney General is cooperating with the federal authorities on his intelligence surveillance of public officials in this state on their failure to enforce public laws against gambling. And that is a federal statute, and Mr. Pitkin, of course, is closely associated with that, is such that if a prosecuting attorney does not enforce the federal law which prohibits the transportation of gambling devices or also prohibits the—and I am not using the correct phrase now when I say condoning, but when a public official conspires to allow gambling within his jurisdiction, that in itself is a federal crime. And so the prosecuting attorneys unless they diligently and vigilantly enforce laws against gambling they do so at their peril. That is the very difficult thing about the entire matter. It is not as simple as it might seem on the surface."

Senator Canfield: "We thought we were protecting ourselves in the field of amusement games at fairs. I want to point out again that every one of you gentlemen has one or more fairs in your county. You have a very excellent one in your county, Senator Gissberg. And there are a number of these fairs that do have these amusement games and I am not trying to make any case at all for bingo because I heartily agree with Senator Woodall that the thing was unlawful and unconstitutional on the face of it. But I am directing my remarks solely to these little, what I would call harmless, amusement games and I would be hopeful that legislative intent at least would be that those would not be criminal acts."

Senator Gissberg: "Well, of course, that is the thrust of the entire legislation, has been since its inception, so as to provide no criminal penalties for those activities."

Senator Canfield: "Thank you, judge."

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 411, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 27; nays, 18; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Clarke, Connor, Cooney, Day, Dore, Elicker, Gardner, Greive, Guess, Henry, Herr, Jolly, Knoblauch, Lewis, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Sandison, Sellar, Stortini, Talley, Twigg, Washington—27.

Voting nay: Senators Andersen, Canfield, Donohue, Fleming, Foley, Gissberg, Holman, Mardesich, Newschwander, Peterson (Ted), Rasmussen, Ridder, Scott, Stender, Walgren, Whetzel, Wilson, Woodall—18.

Absent or not voting: Senators Durkan, Francis—2.

Excused: Senators Huntley, Keefe—2.

SUBSTITUTE HOUSE BILL NO. 411, 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 SENATE BILL NO. 261, by Senators Mardesich, Peterson (Ted) and Durkan:

Licensing journeymen plumbers.

The Senate resumed consideration of Substitute Senate Bill No. 261, and the amendment by Senator Woodall to page 4, section 8, line 19.

On motion of Senator Bailey, the following amendment to the amendment by Senator Woodall was adopted:

In the amendment by Senator Woodall, after "was" and before "engaged" insert the words "bona fidely"

The motion by Senator Woodall carried and the amendment, as amended, was adopted.

On motion of Senator Woodall, the following amendment was adopted:

On page 7, section 15, line 1, after "license" and before "in" insert "or a certificated plumber"

Senator Wilson moved adoption of the following amendment:

On page 7, section 15, line 14, after "operates" insert ": PROVIDED FURTHER, That nothing in this chapter shall be construed to restrict the right of any householder to assist or receive assistance from a friend, neighbor or relative when none of the individuals doing such plumbing hold themselves out as engaged in the trade or business of plumbing"

POINT OF INQUIRY

Senator Mardesich: "I wonder if Senator Wilson would mind if we add to neighbor or relative, the words 'of either sex'?"

The motion by Senator Wilson carried and the amendment was adopted.

Senator Bailey moved adoption of the following amendments by Senators Greive, Guess and Bailey:

On page 3, section 5, line 11, after "department" strike "such" and insert "a fifteen dollar" and after "fee" strike the material down through "chapter" on line 14.

On page 4, section 7, line 5, after "July." strike "A" and insert "An annual" and on line 6 after "fee" insert "of fifteen dollars" and after "certificate" insert a period and strike the rest of the sentence.

The motion by Senator Bailey carried and the amendments were adopted.

On motion of Senator Greive, the rules were suspended, Engrossed Senate Bill No. 261 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 261, and the bill passed the Senate by the following vote: Yeas, 31; nays, 15; absent or not voting, 1; excused, 2.

Voting yea: Senators Bailey, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—31.

Voting nay: Senators Andersen, Atwood, Canfield, Elicker, Fleming, Lewis, Matson, Metcalf, Murray, Newschwander, Scott, Sellar, Twig, Whetzel, Woodall—15.

Absent or not voting: Senator Francis—1.

Excused: Senators Huntley, Keefe—2.

ENGROSSED SUBSTITUTE 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.

PERSONAL PRIVILEGE

Senator Holman: "I would just like to inform the body that the House just passed Substitute House Joint Resolution No. 82 by a vote of seventy-four to twenty-four."

MOTION

At 11:10 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Saturday, February 12, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, February 12, 1972.

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 Francis, Gardner and Keefe. On motion of Senator Knoblauch, Senator Keefe was excused.

The Color Guard, consisting of Pages Hector Cerrillo, Color Bearer, and Cassandra Smith, presented the Colors. Reverend Charles Loyer, pastor of Westminster United Presbyterian Church of Olympia, offered prayer as follows:

“God of all grace and mercy, we are grateful for the rest of the night and the promise of another day. Remember the legislators as they move through the overtime period of this weekend. Despite their political commitments, help them to make common cause in resolving the problems which shall come before them. Brighten their day with moments of relaxation, flashes of humor, and expressions of mutual respect and concern. Amen.”

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

REPORT OF STANDING COMMITTEE

LETTER OF INFORMATION

February 12, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON 98504

MR. PRESIDENT:

The Senate Committee on Revenue and Taxation has referred the following bills to the full Committee on Ways and Means:

- *HOUSE BILL NO. 137: Assessor's Comparable Sales Data.
- *SENATE BILL NO. 293: Assessor's Budget Board; Cost Sharing.
- SENATE BILL NO. 207: Timber, Forest Taxation, Title Only.
- HOUSE BILL NO. 44: Cigarette Tax.
- HOUSE BILL NO. 142: University Tract, In Lieu Tax Payments.

Sincerely,
HUBERT F. DONOHUE, Chairman,
Committee on Revenue and Taxation.

*With Amendments

MESSAGES FROM THE GOVERNOR

GUBERNATORIAL APPOINTMENTS

Office of the Governor, January 10, 1972.
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Thomas Cerna, Jr., appointed August 3, 1971 for a term ending July 1, 1975 as a
member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Tino Cervantes, appointed August 3, 1971 for a term ending July 1, 1973 as a
member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Francisco Mancillas, appointed August 3, 1971 for a term ending July 1, 1973 as a
member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, January 10, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Raymond Lopez, appointed August 3, 1971 for a term ending July 1, 1973 as a
member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

MESSAGES FROM THE HOUSE

February 11, 1972.

Mr. President: The House has passed:

SENATE BILL NO. 38,

SUBSTITUTE SENATE BILL NO. 128, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 11, 1972.

Mr. President: The House has passed ENGROSSED SUBSTITUTE HOUSE BILL NO.
112, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

February 11, 1972.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL
NO. 234 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 11, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 160 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 11, 1972.

Mr. President: The House has concurred in the amendment to SUBSTITUTE HOUSE BILL NO. 8 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 112, by Committee on Appropriations (Originally sponsored by: Representatives Goldsworthy and Kopet (by executive request):

Adopting a supplemental budget and making appropriations.

Referred to Committee on Ways and Means—Appropriations.

MOTION

On motion of Senator Atwood, House Bill No. 86 was ordered placed at the beginning of the second reading calendar on Monday, February 14, 1972.

SECOND READING

HOUSE BILL NO. 482, by Representatives North, Moon and Cunningham:

Providing for the establishment and the administration of certain natural area preserves.

REPORT OF STANDING COMMITTEE

February 7, 1972.

HOUSE BILL NO. 482, providing for the establishment and the administration of certain natural area preserves (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 3, line 17, strike "other methods" and insert "means other than eminent domain"

Signed by: Senators Peterson (Lowell), Chairman; Matson, Metcalf, Peterson (Ted), Rasmussen, Talley.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the committee amendment was adopted.

On motion of Senator Mardesich, the following amendment was adopted:

On page 2, section 4, line 31, after "An area" insert "consisting of public land or state-owned trust lands"

Senator Gissberg moved adoption of the following amendment:

On page 1, section 2, line 25, after "such public" strike "or private"

Debate ensued.

POINT OF INQUIRY

Senator Elicker: "Would Senator Gissberg yield? Senator, the thrust of this bill is not an inventory particularly. The thrust of this bill is to provide a mechanism whereby natural area preserves, a mechanism whereby they can be held, and I am concerned that if you strike the words, 'or private areas of land,' we might run into the problem perhaps that Senator Mardesich alluded to. It is the thought of the sponsors of this bill that there might be landowners in the state who would be willing to permit the use of their lands for these

natural area preserves and so on and perhaps in some cases donate less than a fee title. In other words donate what would be a public easement, I suppose you would call it. And my question to you is, do you think that by eliminating the words that your amendment says, 'or private' that you have made it impossible for the Department of Natural Resources to act as, let us say title holder or custodian of such types of land?"

Senator Gissberg: "Yes, that would certainly be possible in view of subsection 3 of section 3."

There being no objection, the amendment proposed by Senator Gissberg was withdrawn.

On motion of Senator Peterson (Lowell), the rules were suspended, House Bill No. 482, 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 Wilson: "Will Senator Elicker yield? Simply to put the area of concern on record, no privately owned land would become involved in this program in any way without the owner's voluntary consent?"

Senator Elicker: "Precisely, Senator Wilson, and particularly in view of the Senate committee amendment which strikes the possibility that eminent domain might be used."

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 482, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Greive, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—42.

Voting nay: Senators Gissberg, Guess, Twigg, Woodall—4.

Absent or not voting: Senators Francis, Gardner—2.

Excused: Senator Keefe—1.

HOUSE BILL NO. 482, 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. 6,
SENATE BILL NO. 109,
SENATE BILL NO. 152,
SENATE BILL NO. 189,
SENATE BILL NO. 350.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 14, by Committee on Local Government (Originally sponsored by: Representatives Zimmerman, Smythe, Wolf and Bottiger):
Enumerating amounts of bonds required for outdoor music festivals.

REPORT OF STANDING COMMITTEE

February 10, 1972.

SUBSTITUTE HOUSE BILL NO. 14, enumerating amounts of bonds required for outdoor music festivals (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 1 strike everything after the enacting clause and insert the following:

"Section 1. Section 23, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.040 are each amended to read as follows:

Application for an outdoor music festival permit shall be in writing and filed with the clerk of the issuing authority wherein the festival is to be held. Said application shall be filed not less than [sixty] *ninety* days prior to the first scheduled day of the festival and shall be accompanied with a permit fee in the amount of two thousand five hundred dollars. Said application shall include:

(1) The name of the person or other legal entity on behalf of whom said application is made: PROVIDED, That a natural person applying for such permit shall be eighteen years of age or older;

(2) A financial statement of the applicant;

(3) The nature of the business organization of the applicant;

(4) Names and addresses of all individuals or other entities having a ten percent or more proprietary interest in the festival;

(5) The principal place of business of applicant;

(6) A legal description of the land to be occupied, the name and address of the owner thereof, together with a document showing the consent of said owner to the issuance of a permit, if the land be owned by a person other than the applicant;

(7) The scheduled performances and program;

(8) Written confirmation from the local health officer that he has reviewed and approved plans for site and development in accordance with rules, regulations and standards adopted by the state board of health. Such rules and regulations shall include criteria as the following and such other matters as the state board of health deems necessary to protect the public's health;

(a) Submission of plans

(b) Site

(c) Water supply

(d) Sewage disposal

(e) Food preparation facilities

(f) Toilet facilities

(g) Solid waste

(h) Insect and rodent control

(i) Shelter

(j) Dust control

(k) Lighting

(l) *Emergency medical facilities*

(m) *Emergency air evacuation*

(n) *Attendant physicians*

(o) *Communication systems*

(9) A written confirmation from the appropriate law enforcement agency where the outdoor music festival is to take place, showing that traffic control and crowd protection policing have been contracted for or otherwise provided by the applicant meeting the following conditions:

(a) One person for each two hundred persons reasonably expected to be in attendance at any time during the event for purposes of traffic and crowd control.

(b) The names and addresses of all traffic and crowd control personnel shall be provided to the appropriate law enforcement authority: PROVIDED, That not less than twenty percent of the traffic and crowd control personnel shall be commissioned police officers or deputy sheriffs: *PROVIDED FURTHER, That on and after the effective date of this 1972 amendatory act any commissioned police officer or deputy sheriff who is employed and compensated by the promoter of an outdoor music festival shall not be eligible and shall not receive any benefits whatsoever from any public pension or disability plan of which he is a member for the time he is so employed or for any injuries received during the course of such employment.*

(c) During the hours that the festival site shall be open to the public there shall be at

least one *regularly commissioned* police officer *employed by the jurisdiction wherein the festival site is located* for every one thousand persons in attendance and said officer shall be on duty within the confines of the actual outdoor music festival site [: PROVIDED, That the local enforcement authority may authorize an additional or lesser number of police officers to be in attendance at the festival site at such times or in such numbers as he deems necessary in keeping with the provisions of this chapter. The officers referred to by this subsection shall be counted as part of the twenty percent quota referred to in subsection (b) of subsection (9)].

(d) All law enforcement personnel shall be charged with enforcing the provisions of this chapter and all existing statutes, ordinances and regulations.

(10) A written confirmation from the appropriate law enforcement authority that sufficient access roads are available for ingress and egress to the parking areas of the outdoor music festival site and that parking areas are available *on the actual site of the festival or immediately adjacent thereto* which are capable of accommodating one auto for every four persons in estimated attendance at the outdoor music festival site.

(11) A written confirmation from the department of natural resources, where applicable, and the office of the state fire marshal that all fire prevention requirements have been complied with.

(12) A written statement of the applicant that all state and local law enforcement officers, fire control officers and other necessary governmental personnel shall have free access to the site of the outdoor music festival.

(13) A statement that the applicant will abide by the provisions of this chapter.

(14) The verification of the applicant warranting the truth of the matters set forth in the application to the best of the applicant's knowledge, under the penalty of perjury.

Sec. 2. Section 24, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.050 are each amended to read as follows:

Within [twenty-one] *fifteen* days after the filing of the application the issuing authority shall either approve or deny the permit to the applicant. Any denial shall set forth in detail the specific grounds therefor. The applicant shall have [ten] *fifteen* days after the receipt of such denial or such additional time as the issuing authority shall grant to correct the deficiencies set forth and the issuing authority shall within [fourteen] *fifteen* days after receipt of such corrections either approve or deny the permit. Any denial shall set forth in detail the specific grounds therefor.

After the applicant has filed corrections and the issuing authority has thereafter again denied the permit, the applicant may within five days after receipt of such second denial seek judicial review of such denial by filing a petition in the superior court for the county of the issuing authority. The review shall take precedence over all other civil actions and shall be conducted by the court without a jury. The court shall, upon request, hear oral argument and receive written briefs and shall either affirm the denial or order that the permit be issued. An applicant may not use any other procedure to obtain judicial review of a denial.

Sec. 3. Section 26, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.070 are each amended to read as follows:

After the application has been approved the promoter shall deposit with the issuing authority, a cash deposit or surety bond. The bond or deposit shall be used to pay any costs or charges incurred to regulate health or to clean up afterwards outside the festival grounds or any extraordinary costs or charges incurred to regulate traffic or parking. The bond or other deposit shall be returned to the promoter when the issuing authority is satisfied that no claims for damage or loss will be made against said bond or deposit, or that the loss or damage claimed is less than the amount of the deposit, in which case the uncommitted balance thereof shall be returned: PROVIDED, That the bond or cash deposit or the uncommitted portion thereof shall be returned not later than thirty days after the last day of the festival.

In addition, the promoter shall be required to furnish evidence that he has in full force and effect a liability insurance policy in an amount of *not less than one hundred thousand dollars bodily injury coverage per person* covering any bodily injury negligently caused by any officer or employee of the festival while acting in the performance of his or her duties. The policy shall name the issuing authority of the permit as an additional named insured.

In addition, the promoter shall be required to furnish evidence that he has in full force

and effect a *one hundred thousand dollar* liability property damage insurance policy covering any property damaged due to negligent failure by any officer or employee of the festival to carry out duties imposed by this chapter. The policy shall have the issuing authority of the permit as an additional named insured.

NEW SECTION. Sec. 4. There is added to chapter 70.108 RCW a new section to read as follows:

The department of revenue shall be allowed to inspect the books and records of any outdoor music festival during the period of operation of the festival and after the festival has concluded for the purpose of determining whether or not the tax laws of this state are complied with.

NEW SECTION. Sec. 5. There is added to chapter 70.108 RCW a new section to read as follows:

It shall be unlawful for any person, except law enforcement officers, to carry, transport or convey, or to have in his possession or under his control any firearm while on the site of an outdoor music festival.

Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars and not more than two hundred dollars or by imprisonment in the county jail for not less than ten days and not more than ninety days or by both such fine and imprisonment.

NEW SECTION. Sec. 6. There is added to chapter 302, Laws of 1971 ex. sess. and to chapter 70.108 RCW a new section to read as follows:

All preparations required to be made by the provisions of this chapter on the music festival site shall be completed thirty days prior to the first day scheduled for the festival. Upon such date or such earlier date when all preparations have been completed, the promoter shall notify the issuing authority thereof, and the issuing authority shall make an inspection of the festival site to determine if such preparations are in reasonably full compliance with plans submitted pursuant to RCW 70.108.040. If a material violation exists the issuing authority shall move to revoke the music festival permit in the manner provided by RCW 70.108.080.

NEW SECTION. Sec. 7. There is added to chapter 302, Laws of 1971 ex. sess. and to chapter 70.108 RCW a new section to read as follows:

Nothing in this chapter shall be construed as precluding counties, cities and other political subdivisions of the state of Washington from enacting ordinances or regulations for the control and regulation of outdoor music festivals nor shall this chapter repeal any existing ordinances or regulations.

NEW SECTION. Sec. 8. This 1972 amendatory 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."

On page 1 strike the entire title and insert the following:

"An Act relating to outdoor music festivals; amending section 23, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.040; amending section 24, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.050; amending section 26, chapter 302, Laws of 1971 ex. sess. and RCW 70.108.070; adding new sections to chapter 70.108 RCW; defining crimes; prescribing penalties; and declaring an emergency."

Signed by: Senators Walgren, Chairman; Atwood, Day, Elicker, Henry, Jolly, Newschwander.

The bill was read the second time by sections.

Senator Walgren moved adoption of the committee amendment striking everything after the enacting clause.

Debate ensued.

POINT OF INQUIRY

Senator Odegaard: "Would Senator Walgren yield to a question? Senator Walgren, could you point out some of the highlights, compare the differences between the House bill and the Senate bill on this subject?"

Senator Walgren: "I might say first that there were, as you recall, two bills that were introduced in the Senate, Senate Bills Nos. 150 and 151. One of these bills is a bill that had

been worked up by the interim Municipal Committee and approved of and assisted in by the Advisory Committee on Law Enforcement through a municipal committee so that that particular bill had a tremendous amount of input from local law officers all throughout the state. The other bill, Senator Odegaard, is the bill that yourself and Senator Bailey were very much concerned with and it was a combination of those two bills that the State Government Committee prepared into one and passed here and sent over to the House of Representatives. That final conglomerate of the bill was not acted upon by the House of Representatives and so consequently they sent over this House Bill No. 14. The committee amendment that we are talking about here now and I hope are about ready to adopt is the complete combination of the Municipal Committee bill and the bill that yourself and Senator Bailey and the rest of the Senators who were interested in, Senator Lewis, worked up and it is a combination bill that is really over there in the House. Now the differences, for instance, and I will just pick a couple of these out, for instance with regards to the plans being completed prior to the commencement of the festival. In the House Bill No. 14 that came over, it required that all health facilities be installed and operating one week prior to start, but no time was specified as to other facilities. In the combination bill, the amendment that we have here, it will require that everything must be done thirty days prior to the start.

"The surety bonding is somewhat different. The parking, for instance, House Bill No. 14 required parking on the site. We required parking on the site or adjacent. With regard to air evacuation, fourteen required helicopter landing facilities, we require approval of emergency air evacuation plans, it is a little bit broader. So all through this you can find differences. It was just the feeling of the State Government Committee that the bill that we had prepared and passed through here earlier was a better bill on the face of it."

POINT OF INQUIRY

Senator Woodall: "Would Senator Lewis yield to a question? Senator Lewis, last session you were quite active in a bill of this type and we passed it and you got the item veto treatment rather extensively and the bill was totally gutted. Is the Governor as strong that way as he was then or has he changed or is this an exercise in uselessness or will he allow some of the regulations on those camps to stand if we pass it this time?"

Senator Lewis: "Well it is pretty hard to predict what the Governor is going to do with the item veto powers that he has. I would like to say that the items that were vetoed last time in this rock festival bill have been plugged back in; they have been plugged back in at the request of law enforcement people based on experience at the festival down in Satsop. We had that same type of input last session when we passed the bill and I think that the amendment as Senator Walgren presented it has been very carefully and thoroughly thought out and I am very hopeful that the bill will stand as it is."

The motion by Senator Walgren carried and the committee amendment was adopted.

On motion of Senator Walgren, the committee amendment to the title was adopted.

On motion of Senator Walgren, the rules were suspended, Substitute House Bill No. 14, 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.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 14, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Voting nay: Senator Lewis—1.

Absent or not voting: Senators Durkan, Francis, Gardner—3.

Excused: Senator Keefe—1.

SUBSTITUTE HOUSE BILL NO. 14, 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. 5, by Representatives Smythe and Zimmerman:

Allowing certain police officers of cities and towns to transfer to the county sheriff's office.

The bill was read the second time by sections.

On motion of Senator Foley, the rules were suspended, Engrossed House Bill No. 5 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 Bailey: "Would Senator Foley yield? Senator Foley, is it the intent of this bill in any way to set aside the county sheriff civil service act and make it unnecessary for these people to take the regular course of examinations as other people?"

Senator Foley: "To the best of my knowledge it is not. You might read new section 4 on page 3 where it states, 'The civil service commission shall make such rules and regulations as may be necessary to provide for the orderly integration of employees of a city or town and shall transfer to the county sheriff's office pursuant to these particular sections.'"

Senator Bailey: "Another question. As a lawyer, Senator Foley, you do not read that to mean though that they have any power to set aside the statute passed by the people making deputy sheriffs members of civil service?"

Senator Foley: "You mean a new deputy sheriff?"

Senator Bailey: "This provision that you read does not in any way set aside the statute . . ."

Senator Foley: "No, it does not. Not the way I read it. I think that was the very intent of this particular section."

POINT OF INQUIRY

Senator Wilson: "Will Senator Foley yield please? Does this act, if the sheriff's office contracts with a municipality to provide law enforcement services and because of that a person employed by the city or town in law enforcement would lose his position, does this act require that the sheriff's office engage this man if he can meet the specifications?"

Senator Foley: "If he can meet all other requirements and meets the civil service regulations that are set up pursuant to this particular act and other civil service regulations. That is my idea of what this particular law means."

Senator Wilson: "Well then what is the situation if we have an extremely small town with one officer and this town finds that it could more economically contract its law enforcement to the sheriff's office but the sheriff's office can handle that additional responsibility without adding personnel? Is it still required to add this displaced officer to its staff?"

Senator Foley: "I believe the law sets out that there is a seniority system set up and when the proper time comes that this individual may have the right to go on the sheriff's rolls."

Senator Wilson: "Whether the sheriff actually needed him or not?"

Senator Foley: "If and when the time comes that he would need somebody, he might have priority. If he meets all the other requirements."

POINT OF INQUIRY

Senator Atwood: "Would Senator Foley yield? Senator Foley, under the LEFF system we have provided that they have to meet certain qualifications in order to get on the LEFF system. Now if this particular individual in the small town contracting with the sheriff's department could not meet the LEFF standards, would they nevertheless have to hire him?"

Senator Foley: "In my opinion he has to meet the same standards that all other people would have to meet."

Senator Atwood: "Including the qualifications to be in the LEFF system?"

Senator Foley: "I am not familiar with all the qualifications that he might have to meet but in my opinion he would have to meet the same qualifications that others in a like and comparable class would have to meet."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 5, and the bill passed the Senate by the following vote: Yeas, 44; nays, 1; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Woodall—44.

Voting nay: Senator Wilson—1.

Absent or not voting: Senators Connor, Francis, Gardner—3.

Excused: Senator Keefe—1.

ENGROSSED 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.

ENGROSSED HOUSE BILL NO. 20, by Representatives May, Adams, Anderson, Bottiger, Douthwaite, Gallagher, Grant, Haussler, Hurley, Kilbury, Luders, Martinis, Marzano, McCormick and O'Brien:

Providing for appeal to local county court and payment of attorneys' fees in certain appeals from decisions of the board of industrial insurance appeals.

The bill was read the second time by sections.

On motion of Senator Fleming, the rules were suspended, Engrossed House Bill No. 20 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 Holman: "Would Senator Fleming yield to a question? Senator, as I read the law as it will now stand with this amendment, I wonder what meaning can be assigned to the sentence that begins in line 23 that says, 'In all other cases the appeal shall be to the superior court of Thurston County.' My question is, it seems to me that sentence is now surplus since you have got the same thing now in the preceding sentence."

Senator Fleming: "This is a question I raised too and it was not answered to me. Evidently there are some other cases, special appeal cases that they would have to come to Thurston County."

Senator Holman: "As I see it now if you have a situation where a man is injured and he neither lives in the state nor the injury took place in the state then you go to Thurston County."

Senator Fleming: "I think that is . . ."

Senator Holman: "That is what the House amendment says. Then it says, 'in all other cases the appeal shall be to the superior court.' I cannot imagine what other cases there would be because the case where he lives here in the state, then that is taken care of, you go to his county, or if the injury took place here you go to that county, and I cannot see that leaving that sentence in will do other than confuse the lawyers."

Senator Fleming: "Mr. President, maybe I can address myself to Senator Holman's question. I have been informed that as I indicated before there might be special cases. I was informed that at one time there was a plane crash in Oregon and they wanted to bring the case back to Washington, so they would bring that case back to Thurston County and not

the county that the person lived in. There are special cases that develop that they can come to Thurston County and, because it did not happen in their area, in the area that they live in.”

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 20, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senators Francis, Gardner—2.

Excused: Senator Keefe—1.

ENGROSSED HOUSE 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.

HOUSE BILL NO. 34, by Representatives Kopet, Backstrom and Goldsworthy (by Legislative Budget Committee request):

Updating state land reclamation procedures.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, House Bill No. 34 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 34, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senators Francis, Gardner—2.

Excused: Senator Keefe—1.

HOUSE 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.

HOUSE BILL NO. 35, by Representatives Kopet, Backstrom and Goldsworthy (by Legislative Budget Committee request):

Abolishing the land settlement act.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, House Bill No. 35 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 35, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senators Gardner, Twigg—2.

Excused: Senator Keefe—1.

HOUSE BILL NO. 35, having received the 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 Knoblauch, Senator Gardner was excused.

ENGROSSED HOUSE BILL NO. 159, by Representatives Jueling and Grant (by Legislative Council request):

Authorizing the department of labor and industries to charge a fee for explosives user's and purchaser's licenses.

REPORT OF STANDING COMMITTEE

February 10, 1972.

ENGROSSED HOUSE BILL NO. 159, authorizing the department of labor and industries to charge a fee for explosives user's and purchaser's licenses (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass with the following amendment:

On line 11 of the title following RCW and before the (.) insert “; and providing penalties”.

Signed by: Senators Fleming, Chairman; Matson, Ridder, Sellar, Stender.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendment was adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed House Bill No. 159, 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 Bailey: “Would Senator Guess yield? Senator Guess, does this make it any more difficult for people such as small loggers and those that have had trouble with the current law to blast stumps and things of that sort?”

Senator Guess: “No, Senator Bailey, they still have to be registered and licensed, in order to purchase explosive material, but it will make it easier for them to buy explosives across the state line, either in Oregon or in Idaho. Particularly I have come into it because there is a manufacturing plant just across the line in Idaho and those people who are registered with us can now buy over there on the same registration as they have in this state. But it does not make it easier to purchase explosives. No, sir.”

Senator Bailey: “Well, Senator Guess, does it make it any more difficult for them to remain in business, doing their own work?”

Senator Guess: “It does not change their status in doing business.”

Senator Bailey: “Senator Guess, how much more is this going to cost these people by allotment by the Department of Labor and Industries?”

Senator Guess: “The same people who have been inspecting the explosives and the use of explosives will continue to do so and it will not require any more people on the staff, on the payroll.”

Senator Bailey: “At no additional cost to the licensee?”

Senator Guess: “No sir.”

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 159, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 4; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Woodall—42.

Voting nay: Senators Odegaard, Peterson (Lowell), Sandison, Wilson—4.

Absent or not voting: Senator Durkan—1.

Excused: Senators Gardner, Keefe—2.

ENGROSSED HOUSE BILL NO. 159, 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. 45, by Representatives Hubbard, Kilbury, Benitz, Bozarth, Amen, Copeland, Morrison, Bledsoe, Flanagan and Newhouse:

Exempting sugar beets in transit from the property tax.

The Senate resumed consideration of House Bill No. 45. A point of order was raised on the previous day by Senator Holman on the scope and object of the committee amendment to page 2, line 3, adding a new section.

RULING BY THE PRESIDENT

The President: "In ruling on the point of order as presented by Senator Holman, the President finds that both the amendment and the bill pertain to tax exemptions as set forth in RCW 84.36.140. The existing law referred to by reference to House Bill No. 45 requires that the products must be kept in a warehouse to be exempt and the new language of the amendment includes storage area and adds unprocessed timber to the unfinished or unprocessed products exempt under the existing law. Both of these items are the subject of Engrossed Senate Bill No. 175 which passed the Senate recently and both are sufficiently closely related so that the President does not believe that the amendment enlarges the scope and object of the bill."

REMARKS BY SENATOR HOLMAN

Senator Holman: "Mr. President, would it be possible for the Secretary to compile for us the various rulings on scope and object that have taken place during this session? I say this most respectfully because I think your ruling on this point is one that I would have made and I think it is correct, but I must confess that I am at a loss to reconcile it with certain other rulings that have been made. I am sure there must be a way to do it and I think that it is just like trying to read decisions of the courts. You like to study them and see if you can find a rationale that runs through each one to develop some consistency. We are going to have a lot more of these points made, I am sure, and if it would be possible for the Secretary to compile these opinions that you and Senator Henry have given, I think it would be very helpful to the members."

REPLY BY THE PRESIDENT

The President: "The President has been advised by the Secretary that it would be possible to do so, Senator."

The committee amendment moved for adoption on Friday, February 11, 1972 by Senator Donohue, was adopted.

Senator Whetzel moved adoption of the following amendment by Senators Whetzel and Elicker:

On page 2, line 3, add a new section to read as follows and renumber section 2 to read section 3.

"Sec. 2. Section 43, chapter 149, Laws of 1967 ex. sess. and RCW 84.36.260 are each amended to read as follows:

All property, whether real or personal, owned in fee or by contract purchase by any nonprofit corporation or association the primary purpose of which is providing education and recreation for the general public, *conducting or facilitating scientific research, or conserving natural resources for such education, recreation and scientific research* and the conservation of natural resources for such education and recreation shall be exempt from ad valorem taxation if the following conditions are met:

(1) Such property shall be used *and effectively dedicated* solely for the purpose of providing recreation or education for the general public *or the preservation of native plants or animals, or biotic communities, or works of ancient man or geological or geographical formations, of distinct scientific and educational interest*, and not for the pecuniary benefit of any person or company, as defined in RCW 82.04.030; and *shall be open to the general public for educational, recreational and scientific research purposes subject to reasonable restrictions designed for its protection; or*

(2) Such property shall be subject to an option, accepted in writing by the state, a city or a county, *or department of the United States government* for the purchase thereof by the state, a city or a county, *or the United States* at a price not exceeding the lesser of the following amounts: (a) the sum of the original purchase cost to such nonprofit corporation or association plus interest from the date of acquisition by such corporation or association at the rate of six percent per annum compounded annually to the date of the exercise of the option; or (b) the appraised value of the property at the time of the granting of the option, as determined by the department of revenue *or when the option is held by the United States, by an appropriate agency thereof.*

Upon any expiration of the option, or cessation of the use, which has given rise to an exemption hereunder, such exemption shall cease. Upon a voluntary cessation, the county treasurer shall impose and collect all taxes which would have been paid had the property not been exempt during the ten years preceding, or the life of such exemption if such be less, together with interest at the same rate and computed in the same way as that upon delinquent property taxes."

POINT OF ORDER

Senator Donohue: "I suggest that the amendment increases the scope and object of the present bill before us."

RULING BY THE PRESIDENT

The President: "The President in ruling on the point of order as raised by Senator Donohue finds that House Bill No. 45 is a measure which pertains to the tax exemption of unprocessed materials in storage. The amendment proposed by Senators Whetzel and Elicker, however, pertains to the tax exemption of both real and personal property used for recreational and scientific purposes; and further this far reaching amendment grants certain governmental agencies or the government itself the right to have an option on certain exempt property. The amendment therefore does increase the scope and object of the bill. Senator Donohue's point is well taken."

The amendment as proposed by Senators Whetzel and Elicker was ruled out of order.

On motion of Senator Donohue, the following committee amendment to the title was adopted:

In line 3 of the title after "84.36.160;" and before "and prescribing" insert "amending section 84.36.140, chapter 15, Laws of 1961 and RCW 84.36.140;"

On motion of Senator Donohue, the rules were suspended, House Bill No. 45, 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.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 45, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 35; nays, 9; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Greive, Guess, Henry, Herr, Huntley, Jolly, Knoblauch, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—35.

Voting nay: Senators Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Holman, Mardesich, Rasmussen—9.

Absent or not voting: Senators Connor, Lewis, Stender—3.

Excused: Senators Gardner, Keefe—2.

HOUSE BILL NO. 45, 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 Bailey, House Bill No. 45, as amended by the Senate, was ordered immediately transmitted to the House.

HOUSE BILL NO. 244, by Representatives Amen, Hubbard, Haussler, Bozarth, Gladder, Flanagan, Goldsworthy, Wolf, Kuehne, Spanton, Wanamaker, Richardson, Schumaker, Bauer, Zimmerman, May, Martinis and Mentor:

Removing power of eminent domain under shoreline management act.

The Senate resumed consideration of House Bill No. 244 and the amendment by Senators Henry and Clarke to page 1, beginning on line 20.

There being no objection, the amendment was withdrawn.

Senator Clarke moved adoption of the following amendment:

On page 1, line 1 after "amending", strike the balance of the bill.

POINT OF ORDER

Senator Fleming: "Mr. President, my point of order is that to try to get around an adverse ruling possibly from the Chair and then withdraw an amendment to put one up to strike the balance of the bill, I think should be out of order. That is beyond the scope and object of the matter too."

RULING BY THE PRESIDENT

The President: "In ruling upon the point of order presented by Senator Fleming, the President finds that the proposed amendment is in order."

MOTION

Senator Day moved that the amendment by Senator Clarke, be laid upon the table.

Senator Henry demanded a roll call and the demand was sustained by Senators Stender, Scott, Ridder, Whetzel, Newschwander, Rasmussen, Odegaard, Jolly and Wilson.

ROLL CALL

The Secretary called the roll and the motion by Senator Day failed by the following vote: Yeas, 19; nays, 25; absent or not voting, 3; excused, 2.

Voting yea: Senators Cooney, Day, Dore, Elicker, Fleming, Francis, Greive, Herr, Knoblauch, Rasmussen, Ridder, Sandison, Scott, Stender, Stortini, Talley, Whetzel, Wilson, Woodall—19.

Voting nay: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Durkan, Foley, Gissberg, Guess, Henry, Holman, Huntley, Jolly, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sellar, Walgren, Washington—25.

Absent or not voting: Senators Connor, Donohue, Twigg—3.

Excused: Senators Gardner, Keefe—2.

POINT OF INQUIRY

Senator Wilson: "Would Senator Clarke yield? As I understand it, Senator, the motion before us is to strip everything off House Bill No. 244 except for the title. Is that correct?"

Senator Clarke: "In substance, yes."

Senator Wilson: "And then the next step, I assume, would be to hang the bridge material on it and then amend the title to correspond with the bridge material?"

Senator Clarke: "Well the title is already sufficiently broad. I mean, it relates to the Shoreline Act. There would be no problem with the title. It would be necessary to amend the title to add the specific sections that are being amended but that is the only title amendment being required."

Senator Wilson: "In this process as you envision it, what happens to the eminent domain proposal? Does that simply fall by the wayside without an opportunity to debate and resolve that question?"

Senator Clarke: "In substance, insofar as this body is concerned, that is true. The effect of the motion to strike would strike that portion of the enactment. However, this would still have to go back to the House and if the House felt sufficiently strongly about this, why we could end up in a conference possibly."

Further debate ensued.

Senator Francis demanded a roll call on the amendment by Senator Clarke, and the demand was sustained by Senators Henry, Odegaard, Greive, Metcalf, Sellar, Scott, Knoblauch, Connor, Peterson (Ted) and Newschwander.

Senators Henry, Greive 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. The Secretary called the roll on the Call of the Senate, all members being present except Senators Gardner and Keefe who had previously been excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The President declared the question before the Senate to be the adoption of the amendment proposed by Senator Clarke to page 1, line 1.

ROLL CALL

The Secretary called the roll, and the amendment was not adopted by the following vote: Yeas, 19; nays, 28; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Clarke, Connor, Foley, Gissberg, Guess, Henry, Huntley, Jolly, Lewis, Mardesich, Matson, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Washington—19.

Voting nay: Senators Canfield, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Francis, Greive, Herr, Holman, Knoblauch, Metcalf, Odegaard, Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Whetzel, Wilson, Woodall—28.

Excused: Senators Gardner, Keefe—2.

PARLIAMENTARY INQUIRY

Senator Gissberg: "All we have done, apparently, is refuse to have stricken section 1. Is that not correct?"

REPLY BY THE PRESIDENT

The President: "That is correct, Senator."

Senator Gissberg: "Senator Clarke, I would suggest that surely you should allow your amendments to be considered that are up there at this point and get directly to that issue. Now the posture of it is that the bill is, remains as it was when it came over here with section 1 in it. Now I would suggest that you throw your amendment up there amending the bill by adding new sections."

Senator Clarke moved adoption of the following amendment by Senators Clarke and Henry:

On page 1, section 20, add new sections as follows:

"Sec. 2. Section 14, chapter 296, Laws of 1971 ex. sess. and RCW 90.58.140 are each amended to read as follows:

(1) No development shall be undertaken on the shorelines of the state except those which are consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, regulations or master program.

(2) No substantial development shall be undertaken on shorelines of the state without first obtaining a permit from the government entity having administrative jurisdiction under this chapter.

A permit shall be granted:

(a) From June 1, 1971 until such time as an applicable master program has become effective, only when the development proposed is consistent with: (i) The policy of RCW 90.58.020; and (ii) after their adoption, the guidelines and regulations of the department; and (iii) so far as can be ascertained, the master program being developed for the area. In the event the department is of the opinion that any permit granted under this subsection is inconsistent with the policy declared in RCW 90.58.020 or is otherwise not authorized by this section, the department may appeal the issuance of such permit within thirty days to the hearings board upon written notice to the local government and the permittee;

(b) After adoption or approval, as appropriate, by the department of an applicable master program, only when the development proposed is consistent with the applicable master program and the policy of RCW 90.58.020.

(3) Local government shall establish a program, consistent with rules adopted by the department, for the administration and enforcement of the permit system provided in this section. Any such system shall include a requirement that all applications and permits shall be subject to the same public notice procedures as provided for applications for waste disposal permits for new operations under RCW 90.48.170. The administration of the system so established shall be performed exclusively by local government.

(4) Such system shall include provisions to assure that construction pursuant to a permit will not begin or be authorized until forty-five days from the date of final approval by the local government or, *except as otherwise provided in subsection (4) of section 2 of this 1972 amendatory act*, until all review proceedings are terminated if such proceedings were initiated within forty-five days from the date of final approval by the local government.

(5) Any ruling on an application for a permit under authority of this section, whether it be an approval or a denial, shall be *made within ninety days after the application has been filed and shall*, concurrently with the transmittal of the ruling to the applicant, be filed with the department and the attorney general.

(6) Applicants for permits under this section shall have the burden of proving that a proposed substantial development is consistent with the criteria which must be met before a permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.160(1), the person requesting the review shall have the burden of proof.

(7) Any permit may be rescinded by the issuing authority upon the finding that a permittee has not complied with conditions of a permit. In the event the department is of the opinion that such noncompliance exists, the department may appeal within thirty days to the hearings board for a rescission of such permit upon written notice to the local government and the permittee.

(8) The holder of a certification from the governor pursuant to chapter 80.50 RCW shall not be required to obtain a permit under this section.

(9) No permit shall be required for any development on shorelines of the state included within a preliminary or final plat approved by the applicable state agency or local government prior to April 1, 1971, if:

(a) The final plat was approved after April 13, 1961, or the preliminary plat was approved after April 30, 1969, or

(b) Sales of lots to purchasers with reference to the plat, or substantial development incident to platting or required by the plat, occurred prior to April 1, 1971, and

(c) The development to be made without a permit meets all requirements of the applicable state agency or local government, other than requirements imposed pursuant to this chapter, and

(d) The development does not involve construction of buildings, or involves construction on wetlands of buildings to serve only as community social or recreational facilities for the use of owners of platted lots and the buildings do not exceed a height of thirty-five feet above average grade level, and

(e) The development is completed within two years after the effective date of this chapter.

(10) The applicable state agency or local government is authorized to approve a final plat with respect to shorelines of the state included within a preliminary plat approved after April 30, 1969, and prior to April 1, 1971: PROVIDED, That any substantial development within the platted shorelines of the state is authorized by a permit granted pursuant to this section, or does not require a permit as provided in subsection (9) of this section, or does not require a permit because of substantial development occurred prior to June 1, 1971.

(11) Any permit for a variance or a conditional use by local government under approved master programs must be submitted to the department for its approval or disapproval.

Sec. 3. Section 18, chapter 286, Laws of 1971 ex. sess., and RCW 90.58.180 are each amended to read as follows:

(1) Any person aggrieved by the granting or denying of a permit on shorelines of the state, or rescinding a permit pursuant to RCW 90.58.150 may seek review from the shorelines hearings board by filing a request for the same within thirty days of receipt of the final order. Concurrently with the filing of any request for review with the board as provided in this section pertaining to a final order of a local government, the requestor shall file a copy of this request with the department and the attorney general. If it appears to the department or the attorney general that the requestor has valid reasons to seek review, either the department or the attorney general may certify the request within thirty days after its receipt to the shorelines hearings board following which the board shall then but not otherwise, review the matter covered by the requestor: PROVIDED, That the failure to obtain such certification shall not preclude the requestor from obtaining a review in the superior court under any right to review otherwise available to the requestor. The department and the attorney general may intervene to protect the public interest and insure that the provisions of this chapter are complied with at any time within forty-five days from the date of the filing of said copies by the requestor.

(2) The department or the attorney general may obtain review of any final order granting a permit, or granting or denying an application for a permit issued by a local government by filing a written request with the shorelines appeals board and the appropriate local government within forty-five days from the date the final order was filed as provided in subsection (5) of RCW 90.58.140.

(3) The review proceedings authorized in subsections (1) and (2) of this section are subject to the provisions of chapter 34.04 RCW pertaining to procedures in contested cases. The provisions of chapter 43.21B RCW and the regulations adopted pursuant thereto by the pollution control hearings board, insofar as they are not inconsistent with chapter 34.04 RCW, relating to the procedures for the conduct of hearings and judicial review thereof, shall be applicable to all requests for review as provided for in subsections (1) and (2) of this section.

(4) *The filing of a request or petition for a review of a local governmental order granting a permit to the Washington State Highway Commission shall not prior to the*

effective date of this 1972 amendatory act stay construction authorized by this permit. In such case the party requesting the review may apply to the shorelines hearings board of the court, as the case may be, for a temporary stay of construction pending the review of the order granting the permit. In granting or denying a temporary stay, the board or court shall consider the probability of the ultimate success or failure of the appeal, the relative importance of the interests of the parties and the interests of the public.

[4] (5) Local government may appeal to the shorelines hearing board any rules, regulations, guidelines, designations or master programs for shorelines of the state adopted or approved by the department within thirty days of the date of the adoption or approval. The board shall make a final decision within sixty days following the hearing held thereon.

(a) In an appeal relating to a master program for shorelines, the board, after full consideration of the positions of the local government and the department, shall determine the validity of the master program. If the board determines that said program:

(i) is clearly erroneous in light of the policy of this chapter; or

(ii) constitutes an implementation of this chapter in violation of constitutional or statutory provisions; or

(iii) is arbitrary and capricious; or

(iv) was developed without fully considering and evaluating all proposed master programs submitted to the department by the local government; or

(v) was not adopted in accordance with required procedures; the board shall enter a final decision declaring the program invalid, remanding the master program to the department with a statement of the reasons in support of the determination, and directing the department to adopt, after a thorough consultation with the affected local government, a new master program. Unless the board makes one or more of the determinations as hereinbefore provided, the board shall find the master program to be valid and enter a final decision to that effect.

(b) In an appeal relating to a master program for shorelines of state-wide significance the board shall approve the master program adopted by the department unless a local government shall, by clear and convincing evidence and argument, persuade the board that the master program approved by the department is inconsistent with the policy of RCW 90.58.020 and the applicable guidelines.

(c) In an appeal relating to rules, regulations, guidelines, master programs of state-wide significance and designations, the standard of review provided in RCW 34.04.070 shall apply.

[(5)] (6) Rules, regulations, designations, master programs and guidelines shall be subject to review in superior court, if authorized pursuant to RCW 34.04.070: PROVIDED, That no review shall be granted by a superior court on petition from a local government unless the local government shall first have obtained review under subsection [(4)] (5) of this section and the petition for court review is filed within three months after the date of final decision by the shorelines hearing board.

NEW SECTION. Sec. 4. This 1972 amendatory 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."

POINT OF ORDER

Senator Fleming: "I raise the question of scope and object on this."

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 12:20 p.m., on motion of Senator Greive, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:30 p.m.

There being no objection, the Senate was declared to be at ease until 3:10 p.m.

The President called the Senate to order at 3:10 p.m.

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order as presented by Senator Fleming, finds that House Bill No. 244 is a measure which amends section 24 of the Shoreline Management Act by deleting the powers of eminent domain. The amendment proposed by Senators Henry and Clarke, however, pertains to the matter of whether or not an appeal from a local governmental order granting a permit to any state agency shall stay the construction authorized by the permit and sets forth the criteria which shall control in determining whether or not a stay should be granted. The amendment does therefore increase the scope and object of the bill."

The amendment proposed by Senators Henry and Clarke was ruled out of order.

On motion of Senator Peterson (Lowell), 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.

Debate ensued.

ROLL CALL

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, 26; nays, 21; excused, 2.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Gissberg, Guess, Herr, Knoblauch, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Sandison, Sellar, Stortini, Talley, Twigg, Wilson, Woodall—26.

Voting nay: Senators Atwood, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Henry, Holman, Huntley, Jolly, Lewis, Murray, Peterson (Ted), Ridder, Scott, Stender, Walgren, Washington, Whetzel—21.

Excused: Senators Gardner, Keefe—2.

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.

HOUSE BILL NO. 521, by Representatives Kopet and Gladder (by Department of Social and Health Services request):

Providing tuberculosis treatment of persons unable to pay.

REPORT OF STANDING COMMITTEE

February 12, 1972.

HOUSE BILL NO. 521, providing tuberculosis treatment of persons unable to pay (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution): MAJORITY recommendation: Do pass with the following amendments:

Strike every thing after the enacting clause and insert the following:

"Section 1. Section 11, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.070 are each amended to read as follows:

Tuberculosis is a communicable disease and tuberculosis control, including hospitalization, case finding, prevention and followup of known cases of tuberculosis represent the basic step in the conquest of this major health problem. In order to carry on work effectively in these fields there shall be levied for tuberculosis hospital district purposes in the district annually a tax in a sum equal to the amount which would be raised by a levy of one-eighth of a mill against the actual value of the taxable property in the district, or the equivalent thereof, such levy to be made by the board of county commissioners in each county constituting the district, *fifty percent of the receipts therefrom to be forwarded quarterly in January, April, July and October of each year by the treasurers of such county, other than the headquarters county where tuberculosis control activities will be carried out by the hospital*, to the treasurer of the headquarters district county, who shall be treasurer for the district. [The commission shall return a total

of thirty-five percent of moneys received from the levy provided under this section to the chief health officers of the counties, other than the headquarters county, which funds are to be allocated to specific counties based on caseload in the counties pursuant to standards promulgated by the district commission returned] *The retained fifty percent of the funds* are to be used by the chief health officers to carry out tuberculosis control on a local county level *pursuant to rules and regulations adopted by the district commission*. The sum herein provided for, and any income that may occur from miscellaneous receipts in connection with the aforesaid programs shall be placed in a special fund in the treasury of the headquarters county and obligations incurred for such programs shall be paid from such fund upon order of the district commissioners by the treasurer in the same manner as general county obligations are paid.

NEW SECTION. Sec. 2. There is added to chapter 70.30 RCW a new section to read as follows:

Any person residing in the state and needing treatment for tuberculosis, may apply in person to the local health officer or to any licensed physician for examination and if such physician has reasonable cause to believe that said person is suffering from tuberculosis in any form he may apply to the local health officer or tuberculosis hospital director for admission of said person to the appropriate tuberculosis facility.

NEW SECTION. Sec. 3. There is added to chapter 70.30 RCW a new section to read as follows:

Upon admission of a patient to a tuberculosis hospital, the secretary or the hospital director, as appropriate, or their designees, shall determine the patient's ability to pay for his care in whole or in part. If the patient or said relatives are not financially able to contribute in whole or in part to his care in the facility, said patient shall be admitted free of charge, or upon the payment of a portion of the charges.

NEW SECTION. Sec. 4. There is added to chapter 70.30 RCW a new section to read as follows:

All hospitals established or maintained for the treatment of persons suffering from tuberculosis shall be subject to annual inspection, or more frequently if required by federal law, by agents of the department of social and health services, and the medical director shall admit such agents into every part of the facility and its buildings, and give them access on demand to all records, reports, books, papers, and accounts pertaining to the facility.

NEW SECTION. Sec. 5. There is added to chapter 70.35 RCW a new section to read as follows:

Upon certificate of the district tuberculosis control officer or his designee that any county in the district has an unexpended balance of the funds returned to the county from the above-provided for levy, over and above the amount required for adequate tuberculosis control, including case finding, prevention and follow-up of known cases of tuberculosis within such county, the board of county commissioners may budget and reappropriate the same for such tuberculosis control for the ensuing year, or it may allocate from time to time such certified unexpended balance, or any portion thereof to the county health department, or to a health district encompassing the entire county, for use in furtherance of other communicable disease prevention or control, or for other general county purposes. The sum herein provided for, that is the fifty percent of such levy returned to the county, and income that may accrue from miscellaneous receipts in connection with the tuberculosis control program of such county, shall be placed in the county treasury in a special fund to be known as the tuberculosis fund, and obligations incurred for the tuberculosis control program shall be paid from said fund by the county treasurer in the same manner as general county obligations are paid. The county auditor shall furnish to the legislative authority of the county and the district tuberculosis control officer a monthly report of receipts and disbursements in the tuberculosis fund, which report shall also show balance of cash on hand.

NEW SECTION. Sec. 6. There is added to chapter 70.35 RCW a new section to read as follows:

Each county of the district or health district within a county may contract on such terms as are agreeable to the county commissioners of such county or health district and the commission of the tuberculosis hospital district for the performance of services by the

hospital superintendent to carry out tuberculosis control in the county and to appoint the hospital superintendent as the tuberculosis control officer for such county or health district.

NEW SECTION. Sec. 7. The following acts and parts of acts are each repealed:

- (1) Section 1, chapter 172, Laws of 1913, section 8, chapter 54, Laws of 1967 and RCW 70.30.010;
- (2) Section 2, chapter 172, Laws of 1913, section 1, chapter 68, Laws of 1945 and RCW 70.30.020;
- (3) Section 3, chapter 172, Laws of 1913, section 9, chapter 54, Laws of 1967 and RCW 70.30.040;
- (4) Section 4, chapter 172, Laws of 1913, section 10, chapter 54, Laws of 1967 and RCW 70.30.050;
- (5) Section 5, chapter 172, Laws of 1913, section 11, chapter 54, Laws of 1967 and RCW 70.30.060;
- (6) Section 12, chapter 54, Laws of 1967 and RCW 70.30.071.
- (7) Section 7, chapter 172, Laws of 1913, section 1, chapter 80, Laws of 1915, section 13, chapter 54, Laws of 1967 and RCW 70.30.080;
- (8) Section 9, chapter 172, Laws of 1913, section 14, chapter 54, Laws of 1967 and RCW 70.30.100;
- (9) Section 15, chapter 172, Laws of 1913, section 3, chapter 80, Laws of 1915 and RCW 70.30.130;
- (10) Section 12, chapter 172, Laws of 1913 and RCW 70.30.160.
- (11) Section 2, chapter 4, Laws of 1953 ex. sess., section 12, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.015;
- (12) Section 1, chapter 4, Laws of 1953 ex. sess., section 2, chapter 117, Laws of 1959, section 13, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.021;
- (13) Section 3, chapter 162, Laws of 1943, section 3, chapter 66, Laws of 1945 and RCW 70.32.030;
- (14) Section 4, chapter 162, Laws of 1943, section 4, chapter 66, Laws of 1945, section 15, chapter 54, Laws of 1967 and RCW 70.32.040;
- (15) Section 3, chapter 4, Laws of 1953 ex. sess., section 18, chapter 54, Laws of 1967, section 1, chapter 161, Laws of 1969 ex. sess. and RCW 70.32.080;
- (16) Section 2, chapter 161, Laws of 1969 ex. sess. and RCW 70.32.085; and
- (17) Section 25, chapter 277, Laws of 1971 ex. sess. and RCW 70.33.070."

On page 1, line 1 of the title strike all material after the word "to" down to and including "RCW 70.33.070." on line 7 of page 2 and insert the following: "tuberculosis and tuberculosis hospitalization; amending section 11, chapter 277, Laws of 1971 ex. sess. and RCW 70.35.070; adding new sections to chapter 70.30 RCW; adding new sections to chapter 70.35 RCW; repealing section 1, chapter 172, Laws of 1913, section 8, chapter 54, Laws of 1967 and RCW 70.30.010; repealing section 2, chapter 172, Laws of 1913, section 1, chapter 68, Laws of 1945 and RCW 70.30.020; repealing section 3, chapter 172, Laws of 1913, section 9, chapter 54, Laws of 1967 and RCW 70.30.040; repealing section 4, chapter 172, Laws of 1913, section 10, chapter 54, Laws of 1967 and RCW 70.30.050; repealing section 5, chapter 172, Laws of 1913, section 11, chapter 54, Laws of 1967 and RCW 70.30.060; repealing section 12, chapter 54, Laws of 1967 and RCW 70.30.071; repealing section 7, chapter 172, Laws of 1913, section 1, chapter 80, Laws of 1915, section 13, chapter 54, Laws of 1967 and RCW 70.30.080; repealing section 9, chapter 172, Laws of 1913, section 14, chapter 54, Laws of 1967 and RCW 70.30.100; repealing section 15, chapter 172, Laws of 1913, section 3, chapter 80, Laws of 1915 and RCW 70.30.130; repealing section 12, chapter 172, Laws of 1913 and RCW 70.30.160; repealing section 2, chapter 4, Laws of 1953 ex. sess., section 12, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.015; repealing section 1, chapter 4, Laws of 1953 ex. sess., section 2, chapter 117, Laws of 1959, section 13, chapter 110, Laws of 1967 ex. sess. and RCW 70.32.021; repealing section 3, chapter 162, Laws of 1943, section 3, chapter 66, Laws of 1945 and RCW 70.32.030; repealing section 4, chapter 162, Laws of 1943, section 4, chapter 66, Laws of 1945, section 15, chapter 54, Laws of 1967 and RCW 70.32.040; repealing section 3, chapter 4, Laws of 1953 ex. sess., section 18, chapter 54, Laws of 1967, section 1, chapter 161, Laws of 1969 ex. sess. and RCW 70.32.080; repealing section 2, chapter 161,

Laws of 1969 ex. sess. and RCW 70.32.085; and repealing section 25, chapter 277, Laws of 1971 ex. sess. and RCW 70.33.070.”

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Greive, Holman, Keefe, Newschwander, Odegaard.

The bill was read the second time by sections.

Senator Day moved adoption of the committee amendment.

Senator Day moved adoption of the following amendment to the committee amendment:

On page 3, section 5, line 18, after “county” insert “health”

Debate ensued.

POINT OF INQUIRY

Senator Holman: “Would Senator Day yield to a question? Senator Day, I am asking you a question so it will be sure to be in the record. As I understand it, this bill with the amendments and so forth has nothing to do with other than the east side of the state?”

Senator Day: “The main thrust of the entire bill is to the eastern district. This particular portion will merely make it possible for any county which uses the eighth of a mill in any other direction than control of tuberculosis to use it for other health purposes. Which some of them have already been doing.”

Senator Holman: “It is purely permissive?”

Senator Day: “Yes.”

The motion by Senator Day carried and the amendment to the committee amendment was adopted.

The motion by Senator Day carried and the committee amendment, as amended, was adopted.

On motion of Senator Day, the committee amendment to the title was adopted.

On motion of Senator Day, the rules were suspended, House Bill No. 521, 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.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 521, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Gardner, Keefe—2.

HOUSE BILL NO. 521, 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.

SECOND READING

HOUSE BILL NO. 17, by Representatives Cunningham, Bluechel, Kirk and Shinpoch: Extending the exemption from special fuel tax for urban passenger transportation systems.

The bill was read the second time by sections.

On motion of Senator Washington, the rules were suspended, House Bill No. 17 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 17, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Bailey, Connor—2.

Excused: Senators Gardner, Keefe—2.

HOUSE 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.

ENGROSSED HOUSE BILL NO. 33, by Representatives Wolf, May, Zimmerman, Cunningham and Hoggins:

Providing school districts create reserve funds for equipment depreciation reimbursement.

REPORT OF STANDING COMMITTEE

February 10, 1972.

ENGROSSED HOUSE BILL NO. 33, relating to school districts' use of transportation depreciation reimbursements received from the state (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendment:

Strike the House Committee on Education and Libraries amendment on page 1, section 1, line 23, being line 23 of the engrossed bill, after "superintendent:" insert "*PROVIDED, That reimbursements for the acquisition of approved transportation equipment received by school districts shall be held within the general fund exclusively for the future purpose of approved transportation equipment and major transportation equipment repairs consistent with rules and regulations authorized and promulgated under RCW 28A.41.170, 28A.65.050, and 28A.65.180.*"

Signed by: Senators Fleming, Metcalf, Murray, Newschwander, Odegaard, Rasmussen, Ridder, Stender, Washington.

The bill was read the second time by sections.

On motion of Senator Francis, the committee amendment was adopted.

On motion of Senator Francis, the rules were suspended, Engrossed House Bill No. 33, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 33, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 2; excused, 2.

Voting yea: Senators Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Voting nay: Senators Gissberg, Huntley, Odegaard—3.

Absent or not voting: Senators Andersen, Bailey—2.

Excused: Senators Gardner, Keefe—2.

ENGROSSED HOUSE BILL NO. 33, 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. 93, by Representatives Pardini, Bottiger and Barden (by Department of Social and Health Services request):

Amending the uniform reciprocal enforcement of support act.

The bill was read the second time by sections.

On motion of Senator Gissberg, the rules were suspended, House Bill No. 93 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 93, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Excused: Senators Gardner, Keefe—2.

HOUSE BILL NO. 93, having received the 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. 426, by Committee on Natural Resources and Ecology (originally sponsored by Representatives Smythe, Zimmerman and Lysen):

Relating to litter control.

The bill was read the second time by sections.

On motion of Senator Peterson (Lowell), the rules were suspended, Substitute House Bill No. 426 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Canfield yield to a question? Could you enlighten us as to the amount of the assessment and how it is collected?"

Senator Canfield: "This assessment was a figure agreed upon by the industries concerned and although I have not looked at the bill for a year, as I recollect it was .0015 mills."

Senator Rasmussen: "Based on what?"

Senator Canfield: "Based upon the wholesale price of the products sold by these particular industries. And these industries, Senator Rasmussen, were those that agreed that they were in large part responsible for the litter problem, carton manufacturers and container manufacturers and the like, beer can manufacturers, bottles and all that."

Senator Rasmussen: "What is the total amount that will be collected?"

Senator Canfield: "It is roughly around a million dollars wasn't it, Senator Peterson?"

Senator Peterson (Lowell): "Senator Canfield, I am just about in the same position you are. I do not have a copy of the act that we passed last session but, Senator Rasmussen, I can assure you that this measure had no opposition from industry particularly. It might be a million and two."

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 426, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senator Fleming—1.

Excused: Senators Gardner, Keefe—2.

SUBSTITUTE HOUSE 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 417, by Committee on Business and Professions (originally sponsored by Representatives Kuehnle, Chatalas, Copeland, Litchman, Morrison, Sawyer and Wolf):

Implementing provisions of the franchise investment protection act.

REPORT OF STANDING COMMITTEE

February 12, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 417, implementing provisions of the franchise investment protection act (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass with the following amendments:

On page 9, section 2, line 22, after "I" and before "of this" strike "(10)" and insert "(11)"

On page 18, line 3, add a new section to read as follows:

"Sec. 9. Section 14, chapter 252, Laws of 1971 ex. sess. and RCW 19.100.140 are each amended to read as follows:

(1) It is unlawful for any person to offer to sell or sell a franchise which is subject to the registration requirements of RCW [19.100.030(4)(d) or] 19.100.040 unless he is registered under this chapter. It is unlawful for any franchisor, subfranchisor, or franchisee, except if the transaction is exempt under RCW 19.100.030 [(1), (2), and (3)] to employ a franchise broker or selling agent unless he is registered.

(2) The franchise broker or selling agent may apply for registration by filing with the director an application together with a consent to service of process in such form as the director shall prescribe and payment of the fee prescribed in RCW 19.100.240.

(3) The application shall contain whatever information the director requires concerning such matters as:

(a) The applicant's form and place of organization.

(b) The applicant's proposed method of doing business.

(c) The qualifications and business history of the applicant.

(d) Any injunction or administrative order or conviction of a misdemeanor involving a security or any aspect of the securities business and any conviction of a felony; and

(e) The applicant's financial condition and history."

Re-number the remaining sections consecutively.

On page 25, following section 15 now renumbered as section 16, add a new section to read as follows:

"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 public institutions, and shall take effect on May 1, 1972."

On page 1, line 11 of the title after "19.100.120;" and before "amending" insert "amending section 14, chapter 252, Laws of 1971 ex. sess. and RCW 19.100.140;"

On page 1, line 18 of the title following "19.100.220;" on line 17 strike "and"

On page 1, line 19 of the title following "19.100.250" and before the period insert "; and declaring an emergency"

Signed by: Senators Mardesich, Chairman; Clarke, Day, Fleming, Foley, Gardner, Gissberg, Huntley, Keefe, Knoblauch, Peterson (Lowell), Walgren.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendments were adopted.

On motion of Senator Mardesich, the rules were suspended, Engrossed Substitute House Bill No. 417, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 417, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Dore, Francis—2.

Excused: Senators Gardner, Keefe—2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 417, 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. 133, by Representatives Julin, Eikenberry, North, Rabel and Litchman:

Providing that additional departments of municipal court may be added as needed.

The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, Engrossed House Bill No. 133 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 133, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Voting nay: Senators Guess, Rasmussen—2.

Excused: Senators Gardner, Keefe—2.

ENGROSSED HOUSE BILL NO. 133, having received the 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. 210, by Representatives Hansey and Haussler:

Authorizing counties to establish ambulance service.

The bill was read the second time by sections.

On motion of Senator Stender, the following amendment was adopted:

On page 1, section 1, line 9, after "service" and before the period insert "": PROVIDED, That such legislation may not provide for the establishment of any system which would compete with any existing private system"

On motion of Senator Stortini, the rules were suspended, House Bill No. 210, 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 Talley: "I have a question I wonder if somebody could answer. If a private timber company has their own ambulances, would they still be able to have them under this bill?"

Senator Stortini: "Yes, Senator Talley. In no way will they compete against them. It is just to provide good services within the community itself."

Senator Talley: "It would not allow the county to . . ."

Senator Stortini: "No, no problem."

Senator Talley: "Thank you."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 210, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; nays, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Voting nay: Senators Gissberg, Talley—2.

Excused: Senators Gardner, Keefe—2.

ENGROSSED HOUSE BILL NO. 210, 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. 228, by Representatives Kuehnle, Ceccarelli, Garrett, Gilleland, Wanamaker and Wolf:

Proposing amendments to real estate license law.

REPORT OF STANDING COMMITTEE

February 10, 1972.

HOUSE BILL NO. 228, proposing amendments to real estate license law (reported by Committee on Commerce and Regulatory Agencies):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 23, strike "*broker-dealer licensed by*" and insert "*division of*"

On page 4, section 3, line 25, strike "institute" and insert "institute"

On page 6, section 8, line 28, after "examination" and before the period strike "and of those who failed" and insert "[and of those who failed]"

Signed by: Senators Mardesich, Chairman; Clarke, Cooney, Day, Foley, Gardner, Gissberg, Knoblauch, Peterson (Lowell), Stortini, Twigg, Walgren, Whetzel.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendments were adopted.

On motion of Senator Greive, the following amendment was adopted:

On page 2, section 1, line 24, after "engaged;" insert "*an attorney admitted and entitled to practice law in this state shall be qualified, without examination, for a license as a real estate broker upon application and payment of the requisite license fee;*"

On motion of Senator Mardesich, the rules were suspended, House Bill No. 228, 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.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 228, as amended by

the Senate, and the bill passed the Senate by the following vote: Yeas, 39; nays, 6; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Foley, Gissberg, Greive, Guess, Henry, Herr, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Woodall--39.

Voting nay: Senators Fleming, Holman, Rasmussen, Scott, Whetzel, Wilson--6.

Absent or not voting: Senators Durkan, Francis--2.

Excused: Senators Gardner, Keefe--2.

HOUSE BILL NO. 228, 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. 279, by Representatives Thompson, Zimmerman, Luders, North and Randall:

Requiring permits for operation of sewerage systems owned by any county, municipal or public corporation.

REPORT OF STANDING COMMITTEE

February 10, 1972.

HOUSE BILL NO. 279, requiring permits for operation of sewerage systems owned by any county, municipal or public corporation (reported by Committee on Medicine, Dentistry and Health Care, Air and Water Pollution):

MAJORITY recommendation: Do pass with the following amendments:

In section 1, beginning on line 6, strike the remainder of the section and insert:

"Any person conducting or proposing to conduct any activity or operation (including a sewerage system), other than a commercial or industrial operation covered by RCW 90.48.160, which results in the disposal of waste materials into the waters of the state shall procure a permit from the department of ecology under this section. This section extends the permit system of RCW 90.48.160; and the provisions of RCW 90.48.170 through RCW 90.48.210 and RCW 90.52.040 are applicable to the permit requirement imposed by this section. With respect to an activity or operation covered by this section disposing waste materials into waters of the state prior to the effective date of this act, an application for a permit shall be submitted to the department of ecology by July 1, 1972. With respect to an activity or operation covered by this section not disposing waste materials prior to the effective date of this act, the permit required herein shall be obtained prior to any disposal of waste materials into waters of the state.

Sec. 2. Section 4, chapter 71, Laws of 1955 as last amended by section 17, chapter 13, Laws of 1967, and RCW 90.48.190 are amended to read as follows:

A permit shall be subject to termination *or modification* upon thirty days' notice in writing if the commission finds:

(1) That it was procured by misrepresentation of any material fact or by lack of full disclosures in the application;

(2) That there has been a variation of the conditions thereof;

(3) That a material change in quantity or type of waste disposal exists; *or*

(4) *That changes in conditions require either a temporary or permanent reduction or elimination of the permitted discharge."*

In line 2 of the title after "90.48 RCW" and before the period insert "and amending section 4, chapter 71, Laws of 1955 as last amended by section 17, chapter 13, Laws of 1967, and RCW 90.48.190"

Signed by: Senators Day, Chairman; Cooney, Elicker, Francis, Holman, Keefe, Newschwander, Odegaard.

The bill was read the second time by sections.

On motion of Senator Day, the committee amendments were not adopted.

On motion of Senator Peterson (Lowell), the following amendment was adopted:

On page 1, line 17, after "January 1," strike "1973" and insert "1975"

On motion of Senator Day, the rules were suspended, House Bill No. 279, 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 Wilson: "Would Senator Day yield? While everybody is for clean water, my question is whether the standards which the Department of Ecology is likely to apply will be within the financial means of many of the smaller cities and towns of the state to meet."

Senator Day: "I believe that is why Senator Peterson's amendment is a good one. It gives us an opportunity in 1973 to review, or possibly 1974, the requirements that they apply and if they apply requirements that are not reasonable, why we will do something about it right here, Senator."

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 279, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senators Durkan, Herr—2.

Excused: Senators Gardner, Keefe—2.

HOUSE BILL NO. 279, 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

Senator Fleming moved that House Bill No. 57 be considered immediately following House Bill No. 130.

Debate ensued.

The motion by Senator Fleming carried.

ENGROSSED HOUSE BILL NO. 221, by Representatives Gilleland, Conner, Perry, Amen, Gallagher, Spanton, Wanamaker, O'Brien and Berentson:

Clarifying provisions relative to motor fuel tax exemption.

REPORT OF STANDING COMMITTEE

February 9, 1972.

ENGROSSED HOUSE BILL NO. 221, clarifying provisions relative to motor fuel tax exemption (reported by Committee on Transportation):

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 3, subsection (9), line 27 of the printed bill, being line 28 of the engrossed bill, before "*days*" strike "*fifteen*" and insert "*thirty*"

On page 5, section 3, subsection (9), line 29 of the printed bill, being line 30 of the engrossed bill, after "*such*" and before "*day*" strike "*fifteen*" and insert "*thirty*"

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Elicker, Guess, Herr, Jolly, Matson, Murray, Peterson (Lowell), Sellar, Walgren.

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 House Bill No.

221, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 221, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 4; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Absent or not voting: Senators Connor, Durkan, Francis, Ridder—4.

Excused: Senators Gardner, Keefe—2.

ENGROSSED HOUSE BILL NO. 221, 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. 177, by Representatives Hubbard, Julin and Copeland:

Providing for the state to pay the costs of an appeal constitutionally guaranteed to a person unable to pay such costs.

REPORT OF STANDING COMMITTEE

February 8, 1972.

ENGROSSED HOUSE BILL NO. 177, providing for the state to pay the costs of an appeal constitutionally guaranteed to a person unable to pay such costs (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1 beginning on line 1 strike all of the material down to and including "*appeals and*" on line 6 and insert "the defendant in any criminal case, [or] a juvenile in any case determining such juvenile to be a delinquent or incorrigible child under RCW 13.04.010, or *petitioner for a writ of habeas corpus* [shall present to the court satisfactory proof by affidavit or otherwise that he is unable]"

On page 2, section 2, line 15 after "[behalf of]" and beginning with "[an individual]" strike all of the material down to "*appeals and*" on line 19 and insert "an individual criminal defendant, [or] a juvenile in any case determining such juvenile to be a delinquent or incorrigible child under RCW 13.04.010, or *petitioner for a writ of habeas corpus* [who is]"

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Atwood, Clarke, Foley, Francis, Twigg, Walgren.

The bill was read the second time by sections.

On motion of Senator Gissberg, the committee amendments were adopted.

On motion of Senator Gissberg, the rules were suspended, Engrossed House Bill No. 177, 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: "Would Senator Gissberg yield to a question? Is this only for the appeal in the case of a habeas corpus?"

Senator Gissberg: "It covers the other cases which have already been determined by the supreme court, namely where you have an indigent criminal who seeks review of his case, who is also entitled to an appeal and it simply adds to the existing law the recent supreme court decision which said that a writ of habeas corpus is also entitled to the same

treatment. This just puts into law what the supreme court has said. The way the bill first came over from the House, it would have been open so that as to any future supreme court decision as to not only any criminal matter but as to any civil matter where the court said that a defendant was entitled to have his matter heard on appeal that this would be done. But we thought rather than having that broad a bill to simply rewrite it so as to authorize the things that had already been determined by the court. That is what we did."

Senator Rasmussen: "When a person through his attorney files a notice of appeal, then the court would say that that appeal was justified and could go on higher up and then they would pay regardless of how high they had to go. Would this extend just to the state supreme court or to the United States Supreme Court?"

Senator Gissberg: "I believe just to the state supreme court."

Senator Rasmussen: "What would that cost be, approximately? What does it cost to go to the appeals court on the average?"

Senator Gissberg: "I know Senator Atwood has had two of these writs of habeas corpus where he has been appointed to defend ones who on criminal matters had sought the writ and he can probably answer that question as to specifically what allowance the court makes in that type of a case. The question, Senator Atwood, is the cost to the state for attorney fees and transcript costs, of course the transcript costs could vary, on an appeal on a writ of habeas corpus."

Senator Atwood: "Senator Rasmussen, right now the attorneys do not get paid for them. They are free. But what they do is they make a claim in the small claims upstairs. We have had several of them over the years. We had two or three last time and I forget what we allowed. If they have to have a fact hearing in the superior courts it would probably run around two or three hundred and then on the appeal up here another, the judge would probably allow seven or eight hundred total with the transcript. It is not very much."

Senator Rasmussen: "Now, Senator Atwood, with the new liberalized policies that we have in our institutions, would this increase the appeals on habeas corpus?"

Senator Atwood: "I do not think so. I think the great rash of writs of habeas corpus that have taken place the last five years have more or less slowed down considerably. For a while there the courts were inundated and our own supreme court was no exception with writs of habeas corpus from Walla Walla and Monroe."

Senator Rasmussen: "It is your opinion this will not open the floodgates then?"

Senator Atwood: "Listen, these judges are so tight with their fees that you are lucky to just make your lunches down here when you come down here on your plumbers time. About ten bucks an hour."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 177, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 4; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gissberg, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Absent or not voting: Senators Bailey, Elicker, Greive, Metcalf—4.

Excused: Senators Gardner, Keefe—2.

ENGROSSED HOUSE BILL NO. 177, 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. 130, by Representatives Charnley, Kilbury, King, Douthwaite, McCormick, Bozarth, Williams, Backstrom, Merrill, Bradley, McDermott, North, Blair, Paris, Hoggins, Jones and Van Dyk:

Providing for notice to each property owner assessed by a local improvement district.

REPORT OF STANDING COMMITTEE

February 8, 1972.

ENGROSSED HOUSE BILL NO. 130, providing for notice to each property owner assessed by a local improvement district (reported by Committee on Cities, Towns and Counties):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 7, after section 1 insert the following:

"*NEW SECTION.* Sec. 2. There is added to chapter 35.43 RCW a new section to read as follows:

Any city of the first class in this state ordering any local improvement upon which shall be levied and collected special assessments on property specifically benefited thereby may provide as part of the ordinance creating any local improvement district that the collection of any assessment levied therefor may be deferred until a time previous to the dissolution of the district for those economically disadvantaged property owners or other persons who, under the terms of a recorded contract of purchase, recorded mortgage, recorded deed of trust transaction or recorded lease are responsible under penalty of forfeiture, foreclosure or default as between vendor/vendee, mortgagor/mortgagee, grantor and trustor/trustee and grantee, and beneficiary and lender, or lessor and lessee for the payment of local improvement district assessments, and in the manner specified in the ordinance qualify for such deferment, upon assurance of property security for the payment thereof.

NEW SECTION. Sec. 3. There is added to chapter 35.54 RCW a new section to read as follows:

Whenever payment of a local improvement district assessment is deferred pursuant to the provisions of section 2 of this 1972 amendatory act the amount of the deferred assessment shall be paid out of the local improvement guaranty fund. The local improvement guaranty fund shall have a lien on the benefited property in an amount equal to the deferral together with interest as provided for by the establishing ordinance.

The lien may accumulate up to an amount not to exceed the sum of two installments: *PROVIDED*, That the ordinance creating the local improvement district may provide for one or additional deferrals of up to two installments. Local improvement assessment obligations deferred under this 1972 amendatory act shall become payable upon the earliest of the following dates:

(1) Upon the date and pursuant to conditions established by the political subdivision granting the deferral; or

(2) Upon the sale of property which has a deferred assessment lien upon it from the purchase price; or

(3) Upon the death of the person to whom the deferral was granted from the value of his estate; except a surviving spouse shall be allowed to continue the deferral which shall then be payable by that spouse as provided in this section.

Sec. 4. Section 35.50.030, chapter 7, Laws of 1965 and RCW 35.50.030 are each amended to read as follows:

If on the first day of January in any year, two installments of any local improvement assessment are delinquent, or if the final installment thereof has been delinquent for more than one year, the city or town shall proceed with the foreclosure of the delinquent assessment or delinquent installments thereof by proceedings brought in its own name in the superior court of the county in which the city or town is situate: *PROVIDED*, That *properties as to which payment of the principal of local improvement assessments or installments thereof have been deferred pursuant to section 2 of this 1972 amendatory act shall not be subject to foreclosure proceedings required by this section.*

The proceedings shall be commenced on or before March 1st of that year or on or before such other date in such year as may be fixed by general ordinance but not before the city or town treasurer has mailed to the persons whose names appear on the assessment roll as owners of the property charged with the assessments or installments which are delinquent, at the address last known to the treasurer, a notice thirty days before the commencement of the proceedings.

The notice shall state the amount due upon each separate lot, tract or parcel of land

and the date after which the proceedings will be commenced. The city or town treasurer shall file with the clerk of the superior court at the time of commencement of the foreclosure proceeding the affidavit of the person who mailed the notices. This affidavit shall be conclusive proof of compliance with the requirements of this section.

Sec. 5. Section 35.50.050, chapter 7, Laws of 1965 and RCW 35.50.050 are each amended to read as follows:

An action to collect a local improvement assessment or any installment thereof or to enforce the lien thereof whether brought by the city or town, or by any person having the right to bring such action must be commenced within ten years after the assessment becomes delinquent or within ten years after the last installment becomes delinquent, if the assessment is payable in installments: *PROVIDED, That the time during which payment of principal is deferred as to economically disadvantaged property owners as provided for in section 2 of this 1972 amendatory act and in RCW 35.50.030 shall not be a part of the time limited for the commencement of action.*

NEW SECTION. Sec. 6. If any provision of this 1972 amendatory 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. 7. This 1972 amendatory 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."

On page 1, line 1 of the title, after "local improvements;" strike "and"

On page 1, line 3 of the title, after "RCW 35.49.010" and before the period insert the following: "; amending section 35.50.030, chapter 7, Laws of 1965 and RCW 35.50.030; amending section 35.50.050, chapter 7, Laws of 1965 and RCW 35.50.050; adding a new section to chapter 35.43 RCW; adding a new section to chapter 35.54 RCW; and declaring an emergency"

Signed by: Senators Stortini, Chairman; Rasmussen, Vice Chairman; Elicker, Fleming, Herr, Ridder, Talley, Walgren, Whetzel, Wilson.

The bill was read the second time by sections.

Senator Stortini moved adoption of the committee amendments:

POINT OF INQUIRY

Senator Rasmussen: "Mr. President, my only question I would like to ask, before we adopt this amendment, from one of the constitutional lawyers on the floor if they figure that this would be constitutional. I do not know which one of the constitutional lawyers to ask. Senator Whetzel, did you get up to take that question on?"

Senator Whetzel: "I will try to answer the question. I do not have the constitutional skill of some of the other constitutional lawyers like Senator Stender or yourself, sir, but the present law has a provision in it on liens. If you go past two installments the city is forced to start foreclosure. Now in the city of Seattle we had about eighty of these on low income people. This bill says that you can defer them under this procedure for up to about two more installments and it provides that these deferred installments become a lien in the event the property is sold. It does relieve some hardship for people who might otherwise lose their property because of foreclosure of assessment liens. It is also regarded as perhaps to be of some use in encouraging the establishment of some of these LID's where people may be afraid of the present provisions of the law."

MOTION

On motion of Senator Fleming, House Bill No. 130, and the pending committee amendments, was made a special order of business for 5:45 p.m. today.

HOUSE BILL NO. 57, by Representatives Hoggins and Charette (by Joint Committee on Education request):

Providing for the distribution of funds for educational opportunities of secondary school pupils residing in non-high school districts.

REPORT OF STANDING COMMITTEE

February 8, 1972.

HOUSE BILL NO. 57, providing for the distribution of funds for educational opportunities of secondary school pupils residing in nonhigh school districts (reported by Committee on Education):

MAJORITY recommendation: Do pass with the following amendment:

On page 4, section 2, line 7, after "state guarantee" and before "per weighted" insert "including the equal guarantee provided for in section 1 of this 1972 amendatory act,"

Signed by: Senators Francis, Chairman; Fleming, Metcalf, Murray, Newschwander, Peterson (Ted), Ridder, Washington.

The bill was read the second time by sections.

On motion of Senator Ridder, the committee amendment was adopted.

On motion of Senator Ridder, the rules were suspended, 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.

MOTION

On motion of Senator Newschwander, Senator Peterson (Ted) was excused.

POINT OF INQUIRY

Senator Talley: "Will Senator Ridder yield? You haven't DuPont hid in here too have you?"

Senator Ridder: "No, DuPont by the way has quite a millage or will have shortly to sustain itself very well. This is a real sad problem though with those school districts financially and fiscally. It is impossible to carry on as school districts and I suppose some of these may get caught in the crunch."

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 57, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 36; nays, 7; absent or not voting, 3; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Cooney, Day, Dore, Elicker, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel—36.

Voting nay: Senators Donohue, Gissberg, Guess, Lewis, Talley, Wilson, Woodall—7.

Absent or not voting: Senators Andersen, Connor, Durkan—3.

Excused: Senators Gardner, Keefe, Peterson (Ted)—3.

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.

ENGROSSED HOUSE BILL NO. 223, by Representatives Douthwaite, Van Dyk, Ross, Thompson, Bagnariol, Charnley, King, Maxie, Grant, Chatalas, Sawyer, Randall, Kilbury, Merrill, Rosellini, Bradley, May, Gallagher, Jastad, Kraabel, Litchman and McDermott: Allowing hitchhiking in certain areas.

REPORT OF STANDING COMMITTEE

February 9, 1972.

ENGROSSED HOUSE BILL NO. 223, allowing hitchhiking in certain areas (reported by Judiciary Committee):

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 14 after "any" and before "except" strike "limited access facility" and insert "public roadway"

Signed by: Senators Gissberg, Chairman; Clarke, Foley, Francis, Greive, Holman, Woodall.

The bill was read the second time by sections.

Senator Francis moved that the committee amendment not be adopted.

POINT OF INQUIRY

Senator Guess: "Would Senator Holman yield? Senator Holman, would you mind reading on line 15 and 16 and inform Senator Woodall that it is going to prohibit the casual hitchhiker from starting home and turns around and puts his thumb up at every automobile. This says 'posting' does it not?"

Senator Holman: "Senator Guess, it does but it only refers to limited access facilities."

Senator Guess: "The amendment that we are talking about would just open that up to a public roadway so the public roadway would then have to be posted, wouldn't it?"

Senator Holman: "It certainly would."

Senator Guess: "Gentlemen, I do not really believe that you are solving the problem that you set out to solve."

Senator Holman: "With this amendment that Senator Francis is trying to keep off, you are quite correct. If you put this amendment on, the bill is no good the way I look at it."

Senator Guess: "Senator, read it again. The bill is no good. The language is going to prohibit except at posted locations, a person from picking up a hitchhiker."

Senator Holman: "On a limited access facility only."

Senator Guess: "No, no, with the amendment I am talking about."

Senator Holman: "With the amendment it is any roadway and then of course it is no good. We are trying to take the amendment off, not put it on, Senator."

Senator Guess: "Okay."

The motion by Senator Francis carried and the committee amendment was not adopted.

Senator Ridder moved adoption of the following amendment:

On page 1, section 1, line 17, after "highway" insert the following new subsection and renumber the remaining subsections consecutively. "(3) it shall be unlawful for any person under sixteen years of age to solicit for himself or another, from a motor vehicle operator, or to accept from a motor vehicle operator, a ride for himself or another on, along or within the roadway or right of way of any street, highway, or roadway in this state."

MOTION

Senator Peterson (Lowell) moved that the amendment by Senator Ridder be laid upon the table.

Senator Ridder demanded a roll call and the demand was sustained by Senators Knoblauch, Guess, Andersen, Washington, Mardesich, Odegaard, Bailey, Peterson (Lowell) and Metcalf.

ROLL CALL

The Secretary called the roll and the motion by Senator Peterson (Lowell) failed by the following vote: Yeas, 16; nays, 26; absent or not voting, 4; excused, 3.

Voting yea: Senators Bailey, Fleming, Foley, Francis, Henry, Holman, Jolly, Mardesich, Matson, Murray, Odegaard, Peterson (Lowell), Sellar, Stender, Wilson, Woodall—16.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Dore, Elicker, Greive, Guess, Huntley, Knoblauch, Lewis, Metcalf, Newschwander, Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Twigg, Walgren, Washington, Whetzel—26.

Absent or not voting: Senators Donohue, Durkan, Gissberg, Herr—4.

Excused: Senators Gardner, Keefe, Peterson (Ted)—3.

The President declared the question before the Senate to be the adoption of the amendment by Senator Ridder.

Senator Ridder demanded a roll call and the demand was sustained by Senators Andersen, Canfield, Cooney, Day, Rasmussen, Stortini, Washington, Talley, Guess, Odegaard and Woodall.

ROLL CALL

The Secretary called the roll and the amendment by Senator Ridder was not adopted by the following vote: Yeas, 14; nays, 30; absent or not voting, 2; excused, 3.

Voting yea: Senators Andersen, Atwood, Clarke, Durkan, Guess, Knoblauch, Lewis, Metcalf, Newschwander, Rasmussen, Ridder, Scott, Stortini, Talley—14.

Voting nay: Senators Bailey, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Mardesich, Matson, Murray, Odegaard, Peterson (Lowell), Sandison, Sellar, Stender, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—30.

Absent or not voting: Senators Canfield, Connor—2.

Excused: Senators Gardner, Keefe, Peterson (Ted)—3.

On motion of Senator Francis, the rules were suspended, Engrossed House Bill No. 223 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 223, and the bill passed the Senate by the following vote: Yeas, 35; nays, 9; absent or not voting, 2; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Clarke, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Jolly, Lewis, Mardesich, Matson, Metcalf, Murray, Odegaard, Peterson (Lowell), Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—35.

Voting nay: Senators Canfield, Connor, Cooney, Day, Guess, Knoblauch, Newschwander, Ridder, Scott—9.

Absent or not voting: Senators Huntley, Rasmussen—2.

Excused: Senators Gardner, Keefe, Peterson (Ted)—3.

ENGROSSED HOUSE 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.

MOTION

On motion of Senator Bailey, the rules were suspended, and a three minute time limit for speaking on each bill with no yields was adopted.

HOUSE BILL NO. 527, by Representatives Zimmerman and Bauer:

Clarifying and directing collection and use of funds in fire protection projects.

The bill was read the second time by sections.

On motion of Senator Henry, the rules were suspended, House Bill No. 527 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 527, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 1; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Absent or not voting: Senator Gissberg—1.

Excused: Senators Gardner, Keefe, Peterson (Ted)—3.

HOUSE BILL NO. 527, having received the 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. 240, by Representatives Marsh, Kirk and Farr (by Department of Social and Health Services request):

Providing wage rate exemptions for vocationally handicapped on public works.

REPORT OF STANDING COMMITTEE

February 10, 1972.

ENGROSSED HOUSE BILL NO. 240, providing wage rate exemptions for vocationally handicapped on public works (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass with the following amendment:

Line 12, section 1, following "director," strike out remainder of line 12.

Signed by: Senators Fleming, Chairman; Matson, Ridder, Sellar, Stender.

The bill was read the second time by sections.

On motion of Senator Fleming, the committee amendment was adopted.

On motion of Senator Fleming, the rules were suspended, Engrossed House Bill No. 240, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 240, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 4; excused, 3.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Cooney, Day, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Absent or not voting: Senators Andersen, Connor, Donohue, Gissberg—4.

Excused: Senators Gardner, Keefe, Peterson (Ted)—3.

ENGROSSED HOUSE BILL NO. 240, 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.

SPECIAL ORDER OF BUSINESS

SECOND READING

HOUSE BILL NO. 130, by Representatives Charnley, Kilbury, King, Douthwaite, McCormick, Bozarth, Williams, Backstrom, Merrill, Bradley, McDermott, North, Blair, Paris, Hoggins, Jones and Van Dyk:

Providing for notice to each property owner assessed by a local improvement district.

The time having arrived, the Senate resumed consideration of House Bill No. 130 and the committee amendment which had been moved for adoption by Senator Stortini.

The motion by Senator Stortini carried and the committee amendment was adopted.

On motion of Senator Rasmussen, the following amendments were adopted:

On page 2, line 20, after "year," and before "installments" strike "two" and insert "[two] five"

On page 3, line 12, after "section" and before the period insert ": PROVIDED, That nothing in this 1972 amendatory act shall have application to LID assessments delinquent at or prior to the time of its effective date"

On motion of Senator Stortini, the committee amendment to the title was adopted.

On motion of Senator Stortini, the rules were suspended, House Bill No. 130, 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.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 130, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 2; excused, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Absent or not voting: Senators Connor, Gissberg—2.

Excused: Senators Gardner, Keefe, Peterson (Ted)—3.

ENGROSSED HOUSE BILL NO. 130, 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.

POINT OF INQUIRY

Senator Canfield: "Senator Mardesich, would you yield to a question? Do I take it from your statement that this no fault bill is dead for this session?"

Senator Mardesich: "Well I have attached an appropriation to it."

Senator Canfield: "My question is asked in all sincerity. I know there has been a lot of interest in it but it is not going to move, is that correct?"

Senator Mardesich: "As far as I know."

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 38,

SUBSTITUTE SENATE BILL NO. 128.

MOTION

At 5:55 p.m., on motion of Senator Greive, the Senate adjourned until 12:00 noon, Monday, February 14, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-SIXTH DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Monday, February 14, 1972.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Dore, Gardner, Herr, Keefe, Lewis, Peterson (Ted), Stender and Whetzel. On motion of Senator Knoblauch, Senators Dore, Gardner, Herr and Keefe were excused. On motion of Senator Matson, Senators Lewis and Stender were excused. On motion of Senator Guess, Senator Peterson (Ted) was excused.

The Color Guard, consisting of Pages Mark Mullenix, Color Bearer, and Kathleen McCarthy, presented the Colors. Reverend J. Alan Justad, pastor of First United Methodist Church of Olympia, offered prayer as follows:

"O Loving Father and great Physician, we come to You today to plead for the healing of our sick land and society. As we commemorate in this month the birth of Washington and Lincoln whose very life's blood was given freely to pass on to us our glorious inheritance, the home of the brave and the land of the free, we bow in shame for the poor stewardship care of our beautiful America. Our waters are polluted, our soil is polluted, and our air is polluted. But far worse is the pollution of the minds and spirits of our people.

"Our Father, we pray for these distinguished Senators and their families who work diligently to help change this condition in our once fair land. But we are aware, Our Father, that no municipal state or national legislation will coerce the people of our land to change. We bow in Your presence knowing that the one solution for dispelling the hatred, fear, greed and despair in our minds and spirits must come from the changed inner attitudes of those who proudly call themselves Americans. We acknowledge that this calls for true repentance of all Americans on their knees before Thee, Our True God.

"Help us to remember our history lessons which remind us daily that most great civilizations before us did not crack from an outside blow, but rather crumbled from the weakness and sinful indulgence of her people within. We Thank You Father, that we still have a chance if we listen to the voice as it comes through one of Your prophets. 'If My people, which are called by My Name, shall seek My face and pray and turn from their wicked ways, then will I hear and forgive their sins and heal—their land.' This we ask in the name of our God who would have us truly to love one another in this beautiful spirit. Amen."

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

REPORTS OF STANDING COMMITTEE

February 12, 1972.

SENATE BILL NO. 235, Jetty Island, acquisition, study (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Atwood, Canfield, Connor, Cooney, Donohue, Dore, Elicker, Fleming, Francis, Herr, Jolly, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Stortini, Twigg.

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

February 12, 1972.

SENATE BILL NO. 293, providing for cost-sharing property assessment costs and creating an assessor's budget board (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Andersen, Canfield, Day, Donohue, Dore, Elicker, Foley, Francis, Herr, Holman, Jolly, Mardesich, Sandison, Stortini, Talley, Walgren, Washington, Wilson, Woodall.

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

February 12, 1972.

SENATE BILL NO. 322, relating to revenue and taxation (reported by Committee on Ways and Means):

MAJORITY recommendation: That Substitute Senate Bill No. 322 be substituted therefor and that the substitute bill do pass.

Signed by: Senators Durkan, Chairman; Atwood, Canfield, Connor, Cooney, Donohue, Dore, Elicker, Francis, Greive, Herr, Jolly, Metcalf, Newschwander, Odegaard, Peterson (Ted), Sandison, Scott, Twigg, Woodall.

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

February 12, 1972.

SENATE BILL NO. 427, state lands development (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by Committee on Natural Resources, Fisheries and Game.

Signed by: Senators Durkan, Chairman; Bailey, Connor, Cooney, Donohue, Elicker, Francis, Gissberg, Greive, Herr, Jolly, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Twigg, Wilson.

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

February 12, 1972.

HOUSE BILL NO. 36, state services, advance payment (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Atwood, Canfield, Cooney, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gissberg, Herr, Holman, Huntley, Lewis, Mardesich, Odegaard, Peterson (Ted), Ridder, Stortini, Walgren.

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

February 11, 1972.

ENGROSSED HOUSE BILL NO. 44, cigarette tax (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Andersen, Atwood, Canfield, Cooney, Dore, Elicker, Foley, Greive, Holman, Huntley, Jolly, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Ted), Scott, Twigg, Wilson, Woodall.

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

February 12, 1972.

HOUSE BILL NO. 87, property taxes, amendment corrected (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Atwood, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Francis, Gissberg, Herr, Holman, Huntley, Lewis, Mardesich, Newschwander, Odegaard, Peterson (Ted), Ridder, Stortini, Walgren, Woodall.

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

February 12, 1972.

ENGROSSED HOUSE BILL NO. 270, establishing requirements for the executive budget proposal (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Atwood, Canfield, Cooney, Donohue, Dore, Elicker, Fleming, Francis, Gissberg, Herr, Holman, Huntley, Lewis, Mardesich, Newschwander, Odegaard, Peterson (Ted), Ridder, Stortini, Walgren.

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

February 12, 1972.

HOUSE BILL NO. 275, authorizing the transfer of funds from the state trade fair account to the general fund (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Atwood, Canfield, Cooney, Day, Donohue, Dore, Elicker, Fleming, Francis, Gissberg, Herr, Holman, Huntley, Lewis, Mardesich, Newschwander, Odegaard, Peterson (Ted), Ridder, Stortini, Walgren.

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

LETTER OF INFORMATION

February 14, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON

MR. PRESIDENT:

The Senate Committee on Appropriations has referred the following bills to the full Committee on Ways and Means:

SUBSTITUTE SENATE BILL NO. 261: Licensing Journeymen Plumbers.

ENGROSSED HOUSE BILL NO. 190: Social and Health Facilities Bonds.

SENATE BILL NO. 130: Establishing Eighteen as Legal Age for Purchasing Alcoholic Beverages.

Sincerely,
FRED H. DORE, Chairman,
Senate Appropriations Committee.

MESSAGES FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed:

ENGROSSED SENATE BILL NO. 62,

ENGROSSED SENATE BILL NO. 90,

SUBSTITUTE SENATE BILL NO. 96,

ENGROSSED SENATE BILL NO. 111,

SENATE BILL NO. 414, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 12, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 45 and passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 12, 1972.

Mr. President: The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 324,

ENGROSSED HOUSE BILL NO. 337, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 12, 1972.

Mr. President: The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 8,

HOUSE BILL NO. 160,

HOUSE BILL NO. 234, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 12, 1972.

Mr. President: The House has failed to pass ENGROSSED SENATE BILL NO. 79, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 12, 1972.

Mr. President: The House has passed:

HOUSE BILL NO. 128,

SUBSTITUTE HOUSE BILL NO. 261,

ENGROSSED HOUSE BILL NO. 340, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 14, 1972.

Mr. President: The Speaker has signed:

SENATE BILL NO. 6,

SENATE BILL NO. 38,

SENATE BILL NO. 109,

SUBSTITUTE SENATE BILL NO. 128,

SENATE BILL NO. 152,

SENATE BILL NO. 189,

SENATE BILL NO. 350, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 14, 1972.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 38,

HOUSE BILL NO. 45,

HOUSE BILL NO. 150,

HOUSE BILL NO. 155,

HOUSE BILL NO. 164,

HOUSE BILL NO. 199,

HOUSE BILL NO. 243,

HOUSE BILL NO. 254,

HOUSE BILL NO. 266,

HOUSE BILL NO. 277,

HOUSE BILL NO. 348,

HOUSE BILL NO. 446,

HOUSE BILL NO. 468,

SUBSTITUTE HOUSE BILL NO. 508,

HOUSE JOINT MEMORIAL NO. 2, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 12, 1972.

Mr. President: The House has passed:

ENGROSSED SENATE BILL NO. 3,

SENATE BILL NO. 23,

SENATE BILL NO. 56,

SENATE BILL NO. 82,

SENATE BILL NO. 84,

SENATE BILL NO. 98,

ENGROSSED SENATE BILL NO. 102,

ENGROSSED SENATE BILL NO. 149,
 SENATE BILL NO. 181,
 SENATE BILL NO. 246,
 SENATE BILL NO. 253,
 SENATE BILL NO. 263,
 SUBSTITUTE SENATE BILL NO. 272,
 SENATE BILL NO. 276,
 ENGROSSED SENATE BILL NO. 298,
 SENATE BILL NO. 312,
 ENGROSSED SENATE BILL NO. 393,
 SENATE BILL NO. 417, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 128, by Representatives Wolf, Pardini, Curtis, Polk, Hatfield, Barden, Brown, Ceccarelli, Eikenberry, Hoggins, Jones, Litchman, Mentor and Shera:

Providing sales and use taxes deferral for new or expanded manufacturing businesses. Requiring five year payback after first year of operation. Encouraging development with resultant increased jobs.

Referred to Committee on Ways and Means—Revenue and Taxation.

SUBSTITUTE HOUSE BILL NO. 261, by Committee on Financial Institutions and Insurance (Originally sponsored by: Representatives Morrison, Chatalas and Bagnariol (by departmental request):

Making certain substantive, procedural, and housekeeping amendments to the law enforcement and fire fighters' retirement system.

Referred to Committee on Public Pensions and Social Security.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 324, by Committee on State Government (Originally sponsored by Representative Bluechel):

Relating to state government.

Referred to Committee on State Government.

ENGROSSED HOUSE BILL NO. 337, by Representatives Hansey, Conner, Newhouse and Costanti:

Providing for a personal use salmon license.

Referred to Committee on Natural Resources, Fisheries and Game.

ENGROSSED HOUSE BILL NO. 340, by Representatives Kraabel, Luders, Gilleland, Douthwaite and Hurley:

Crediting use of tax revenues for research and planning of mass transit systems and altering source of local revenues to be used as a base for matching of motor vehicle excise funds.

Referred to Committee on Transportation.

SIGNED BY THE PRESIDENT

The President signed:
 SUBSTITUTE HOUSE BILL NO. 8,
 HOUSE BILL NO. 160,
 HOUSE BILL NO. 234,
 SENATE BILL NO. 62,
 SENATE BILL NO. 90,
 SUBSTITUTE SENATE BILL NO. 96,
 SENATE BILL NO. 111,
 SENATE BILL NO. 414.

PERSONAL PRIVILEGE

Senator Newschwander: "I would like to announce that this beautiful box of candy that is on all of our desks today was presented to us by Dick Haley from Brown and Haley Company. Dick has been doing this for years. I am sure you all know Dick and I would like to thank Dick personally for all of you and suggest that maybe you take this box home and give it to your wife for a little sweetness on this Valentine's Day."

MOTION

At 12:25 p.m., on motion of Senator Greive, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.
There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 27 with the following amendments:

On page 1, line 2 of the title after "judges," and before "superior" strike "and"

On page 1, line 2 of the title after "judges" and before the semicolon insert ", and district court judges"

On page 1, line 7 of the title after "2.08.090;" and before "making" insert "amending section 100, chapter 299, Laws of 1961 as last amended by section 1, chapter 52, Laws of 1969 and RCW 3.58.010;"

On page 2, after section 3, beginning on line 7 insert a new section as follows:

"Sec. 4. Section 100, chapter 299, Laws of 1961 as last amended by section 1, chapter 52, Laws of 1969 and RCW 3.58.010 are each amended to read as follows:

The annual salary of each full time justice of the peace shall be [twenty] *twenty-four* thousand dollars: PROVIDED, 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: PROVIDED FURTHER, That no full time justice of the peace shall [receive any fees or emoluments for the solemnization of] *perform any civil marriage[s* during courthouse hours or during scheduled sessions of the court] *between 8:00 A.M. and 5:00 P.M. Monday through Friday.*"

On page 2, after line 14 insert a new section as follows:

"*NEW SECTION.* Sec. 5. This act shall be subject to the provisions of the Economic Stabilization Act of 1970 (P. L. 91-379; 84 Stat. 749; 12 USCA sec. 1901, et seq.) and the Executive Order of the President dated August 17, 1971 (36 F. R. 15727)."

Renumber the remaining section consecutively., and the same is herewith transmitted.
MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Greive moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 27.

POINT OF ORDER

Senator Gissberg: "I raise the point of order that the House amendment to Senate Bill No. 27 enlarges the scope and object thereof and under Rule 62, I believe it is."

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order as presented by Senator Gissberg would like to point out that the President Pro Tempore, the Honorable Al Henry, decided this issue in the proper manner when Senate Bill No. 27 was before the Senate at an earlier time in the session. The House of Representatives cannot by changing the title of the bill eliminate the issue of whether or not the House amendment changes the scope and object of the Senate bill. The point of order is therefore still well taken and pursuant to Senate Rule 62, the President is required to refer the bill to committee. Senate Bill 27 is referred to the Senate Committee on Judiciary. The President wishes to respectfully remind the members of the Senate also that the Judiciary Committee may sign this bill out at a proper time and if not, the majority of the members may relieve the committee of further consideration of the measure."

Senate Bill No. 27 was referred to the Judiciary Committee.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 10, by Senators Bailey, Greive and Atwood:

Extending limitations of Senate Concurrent Resolution No. 2.

On motion of Senator Atwood, the rules were suspended, Senate Concurrent Resolution No. 10 was advanced to second reading and read the second time in full.

Senator Atwood moved adoption of the following amendment:

On page 1, line 10, after "amendments" strike "passed by either house" and on line 11 after "measures" insert "passed by one house prior to the cutoffs established hereinabove." Debate ensued.

POINT OF INQUIRY

Senator Whetzel: "I wonder if Senator Bailey would clarify for me where we are on this. Do I understand that Senate Concurrent Resolution 10 in its form as presented to us with this amendment, prior to Senator Atwood's amendment, has the word 'previously' after 'amendment' so it reads, 'legislative matters relating to revenue and taxation or appropriations, bond issues, constitutional amendments previously passed by either house.' Is that . . .?"

Senator Bailey: "You have not read the comma in there. It sounds worse that it is, Senator. It says 'constitutional amendments previously adopted'."

Senator Whetzel: "That was my next question. The 'previously' just relates to constitutional amendments and not to measures relating to revenue and taxation or appropriations and bond issues. Is that not our intention, that this relates only to constitutional amendments?"

Senator Bailey: "That is the understanding with which the house will use it."

POINT OF INQUIRY

Senator Rasmussen: "Senator Bailey, tell us what we are referring to as constitutional amendments passed by either house. What specifically are we referring to?"

Senator Bailey: "We are referring to constitutional amendments passed by either house, Senator Rasmussen. I have not made an audit of all these. I could name extension of the credit of the state, item veto, tax reform comes under taxes so it does not necessarily have to come under this but it could, and conceivably annual sessions. I can think of three. This is beside the point. Each member would have to use his judgment on the bill that comes before him if it comes out of committee and goes on the floor."

MOTIONS

On motion of Senator Dore, the amendment by Senator Atwood was laid upon the table.

Senator Guess moved adoption of the following amendment:

On page 1, line 9, after "house", strike remainder of underlined material.

Debate ensued.

POINT OF INQUIRY

Senator Holman: "Would Senator Bailey yield to a question? Senator Bailey, I am concerned about one item and maybe you can set my mind at rest. I am concerned about Senate Bill 27 which has now been returned to the Judiciary Committee and as I read Rule 62 it says it shall take the same course as for original bills and I am wondering if the committee should conclude to report the bill out again, with perhaps some change in it, if it would be cut off by this resolution. Would you have any views on that? It is an appropriations bill."

Senator Gissberg: "The judges pay raise bill and it carries an appropriation on it. I put that on here on the Senate floor before the cutoff date so that there is no question that that would be alive."

Senator Holman: "Thank you."

The motion by Senator Guess failed and the amendment was not adopted on a rising vote.

POINT OF INQUIRY

Senator Canfield: "Would Senator Greive yield? Senator, I read this over several times and I found no statement on redistricting. I wonder if you would care to comment on that?"

Senator Greive: "I think the position of the Senate majority has been pretty solid that we negotiated everything we could up to the fourteenth day. We have stood regularly since then, including yesterday, to do something. And anytime they want to conclude it and they have a plan, we are willing to listen. But we want to conclude this session and we are not here to fool around with redistricting or any other subject other than appropriations and go home."

REMARKS BY SENATOR BAILEY

Senator Bailey: "Mr. President, Senator Canfield, we arrived at the idea that if they could come forth with a negotiated settlement that was near acceptance, then we could consider a simple resolution to take care of redistricting. Otherwise there is no use of holding out a false hope here and just playing around, where we have not made any headway in the last few days at least. If this should start coming forth and we are willing and they are willing to add that to the list of considerations."

REMARKS BY SENATOR GREIVE

Senator Greive: "I should point out to the Senate, I suppose most people do not know but they have never called a meeting that we were not there, virtually every time for one of the few times in my life we are on time. We have been at the beck and call of the Speaker because they felt that if they had met on our side that somehow their caucus might mistrust them if they did. And we said we would meet anytime, anyplace and he phones us and we get over there. We drop whatever we are doing and we are perfectly willing to negotiate at any time under any circumstances."

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 10 was advanced to third reading, the second reading considered the third and the resolution was adopted.

MOTION

On motion of Senator Atwood, the following resolution was adopted:

SENATE RESOLUTION: 1972-38

By Senators Dore, Atwood, Sandison, Ridder, Washington, Bailey, Foley, Greive, Holman, Clarke, Whetzel, Peterson (Ted) and Fleming:

WHEREAS, Higher education has developed into one of the most significant and driving forces in modern society; and

WHEREAS, Private institutions of higher learning in the State of Washington are playing a significant role in providing outstanding educational opportunities for students of all faiths and ethnic backgrounds; and

WHEREAS, Seattle University is the largest private institution in the Pacific Northwest, with three thousand one hundred seventy students enrolled in thirty-eight undergraduate and six graduate programs of study; and

WHEREAS, Forty-two percent of the student body is non-Catholic and fifteen percent of the student body is multiracial; and

WHEREAS, Over fifty percent of the University's students are from public high schools and community colleges; and

WHEREAS, Thirty-five percent of the students are receiving financial assistance from the University's own funds; and

WHEREAS, Since 1909 Seattle University has granted thirteen thousand bachelor's and graduate degrees and provided quality educational programs for thirty-three thousand alumni; and

WHEREAS, The alumni largely remain in the area to make significant contributions to the cultural, social, economic and political progress of the state as evidenced by the seven Seattle University alumni presently serving in the Washington State Legislature; and

WHEREAS, In addition to the foregoing contributions, Seattle University's location in the community adds approximately ten million dollars a year to the local economy; and

WHEREAS, Father Louis Gaffney was recently appointed as permanent President of the University;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate accords its highest commendation to Seattle University as a prime contributor to and supporter of the educational, cultural, civic and professional life of the community and the state;

BE IT FURTHER RESOLVED, That the Washington State Senate extends its best wishes for continuing success to Father Louis Gaffney as he assumes his new position of leadership as President of Seattle University.

MOTION

On motion of Senator Woodall, the following resolution was adopted:

SENATE RESOLUTION: 1972-39

By Senators Andersen, Atwood, Washington and Foley:

WHEREAS, Abraham Lincoln is one of the foremost Americans among those who have contributed so much to our country's greatness; and

WHEREAS, Today marks the 163rd anniversary of the birth of Abraham Lincoln; and

WHEREAS, Abraham Lincoln, by reason of his deeply sympathetic and understanding nature, his genuine humility and his completely unselfish idealism, has been universally loved and respected by the people of this country and the peoples of the countries throughout the world; and

WHEREAS, Abraham Lincoln's indomitable courage and great achievement in rising from the most humble and difficult circumstances to the position of highest leadership in our country in the time of its greatest crisis, will long continue to be a source of inspiration to all our people and especially to our younger people;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, in legislative session assembled, that we do hereby solemnly observe this anniversary of the birth of Abraham Lincoln with the deepest sense of appreciation, humility and dedication.

MOTION

On motion of Senator Talley, the following resolution was adopted:

SENATE RESOLUTION: 1972-40

By Senators Talley and Guess:

WHEREAS, There exists a need for one-day fishing licenses; and

WHEREAS, Tourists would purchase many such licenses; and

WHEREAS, Resort operators and fishing guides should be able to sell such licenses;

NOW, THEREFORE, BE IT RESOLVED, That the Senate authorizes and requests that the Interim Committee on Fisheries, Game and Game Fish undertake a study to determine the feasibility of implementing a program of one-day fishing licenses;

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the next regular session of the legislature for its consideration.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 38,

HOUSE BILL NO. 45,

HOUSE BILL NO. 150,

HOUSE BILL NO. 155,

HOUSE BILL NO. 164,

HOUSE BILL NO. 199,

HOUSE BILL NO. 243,

HOUSE BILL NO. 254,

HOUSE BILL NO. 266,

HOUSE BILL NO. 277,

HOUSE BILL NO. 348,

HOUSE BILL NO. 446,

HOUSE BILL NO. 468,

SUBSTITUTE HOUSE BILL NO. 508,

HOUSE JOINT MEMORIAL NO. 2.

MOTION

At 2:30 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Tuesday, February 15, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, February 15, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Gardner and Whetzel. On motion of Senator Knoblauch, Senator Gardner was excused. On motion of Senator Matson, Senator Whetzel was excused.

The Color Guard, consisting of Pages George Taylor, Color Bearer, and Cynthia Reiner, presented the Colors. Reverend J. Alan Justad, pastor of First United Methodist Church of Olympia, offered prayer as follows:

"Eternal God, in whose peace our restless spirits are quieted; from the flickering torches of our own understanding, we would lift the difficult decisions of the public service into Thy holy light. In the silence of this moment, may the open windows of faith flood our darkness with the radiance of the eternal, that in Thy sunshine's blaze this day may brighter, fairer be. In this troubled and uncertain day, when the seamless robe of our common humanity is rent by inner strife and fears and outward foes, teach us to be ministers of reconciliation, and to be anxious for nothing but to do the right and our best. Grant us inner greatness of spirit and clearness of vision to meet and match the large design of this demanding, yet glorious day, that we may keep step with the drumbeat of Thy truth, which is marching on to the coming kingdom for which we pray. In the dear Redeemer's name we ask it. Amen."

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

REPORTS OF STANDING COMMITTEES

February 12, 1972.

SENATE BILL NO. 207, pertaining to taxation of timber and forest lands (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Andersen, Bailey, Canfield, Cooney, Day, Donohue, Elicker, Fleming, Foley, Guess, Huntley, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Ted), Ridder, Scott, Stortini, Twigg, Wilson, Woodall.

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

GUBERNATORIAL APPOINTMENTS

February 15, 1972.

THE HONORABLE TED PETERSON, to the position of member of the Pacific Marine Fisheries Commission, appointed by the Governor on January 10, 1972 for the term ending June 12, 1975, succeeding Dwight S. Hawley (reported by the Committee on Natural Resources, Fisheries and Game):

Recommends that said appointment be confirmed.

Signed by: Senators Peterson (Lowell), Chairman; Bailey, Clarke, Donohue, Gissberg, Matson, Metcalf, Peterson (Ted), Rasmussen, Sandison, Talley.

Passed to Committee on Rules and Joint Rules.

February 15, 1972.

MR. HAROLD E. LOKKEN, to the position of member of the Pacific Marine Fisheries Commission, appointed by the Governor on January 10, 1972 for the term ending June 12, 1975, succeeding himself (reported by the Committee on Natural Resources, Fisheries and Game):

Recommends that said appointment be confirmed.

Signed by: Senators Peterson (Lowell), Chairman; Bailey, Clarke, Donohue, Gissberg, Matson, Metcalf, Peterson (Ted), Rasmussen, Sandison, Talley.

Passed to Committee on Rules and Joint Rules.

MESSAGES FROM THE GOVERNOR

GUBERNATORIAL APPOINTMENTS

Office of the Governor, February 14, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. Adan Farias Tijerina, appointed August 3, 1971 for a term ending July 1, 1975 as a member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, February 14, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. Tomas Villaneueva, appointed August 3, 1971 for a term ending July 1, 1975 as a member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, February 14, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mrs. Theresa Aragon de Shepro, appointed August 3, 1971 for a term ending July 1, 1973 as a member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, February 14, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:

Mr. Martin Yanez, appointed August 3, 1971 for a term ending July 1, 1973 as a member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, February 14, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Guadalupe Gamboa, appointed August 3, 1971 for a term ending July 1, 1973 as a member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, February 14, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Dr. Zenaido Camacho, appointed August 3, 1971 for a term ending July 1, 1975 as a member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, February 14, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Keo J. Capestany, appointed August 3, 1971 for a term ending July 1, 1975 as a member of the Washington State Mexican-American Affairs Commission.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

Office of the Governor, February 14, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to submit the following appointment, subject to your confirmation:
Mr. Raymond Garcia, appointed May 11, 1971 for a term ending March 1, 1977, succeeding Joseph Panatoni as a member of the Board of Trustees of Central Washington State College.

Sincerely,
DANIEL J. EVANS
Governor.

Referred to Committee on State Government.

MESSAGES FROM THE HOUSE

February 14, 1972.

Mr. President: The Speaker has signed:

SENATE BILL NO. 62,

SENATE BILL NO. 90,

SUBSTITUTE SENATE BILL NO. 96,

SENATE BILL NO. 111,

SENATE BILL NO. 414, and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

February 14, 1972.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 5,
 HOUSE BILL NO. 17,
 HOUSE BILL NO. 20,
 HOUSE BILL NO. 34,
 HOUSE BILL NO. 35,
 HOUSE BILL NO. 93,
 HOUSE BILL NO. 133,
 HOUSE BILL NO. 223,
 HOUSE BILL NO. 244,
 SUBSTITUTE HOUSE BILL NO. 426,

HOUSE BILL NO. 527, and the same are herewith transmitted. DONALD R. WILSON,
 Assistant Chief Clerk.

February 11, 1972.

Mr. President: The House has passed ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 82, and the same is herewith transmitted. DONALD R. WILSON,
 Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 82, by Committee on Revenue and Taxation (Originally sponsored by: Representatives Bledsoe, King, Kiskaddon, Brouillet, Mentor, McDermott, Blair, Savage, Hoggins, Conner, Ross, Douthwaite, Rabel, Williams, Brown, Kraabel, Jones, Charnley and Litchman):
 Authorizing the imposition of a tax on income.

MOTION

Senator Durkan moved that the rules be suspended and Engrossed Substitute House Joint Resolution No. 82 be advanced to second reading and read the second time in full.
 Debate ensued.

POINT OF INQUIRY

Senator Stender: "Will Senator Durkan yield to a question? Senator, in your analysis of the measure you say you cannot support this measure. One reason being that it does nothing to relieve the load on property tax. Now as I read the measure I see that it eliminates the M and O school levies on property tax and that is about fifty percent of the tax in the Federal Way district. On what basis could you make a statement this does nothing for property tax?"

Senator Durkan: "The property taxes are determined by valuation and as I read this proposal and Senator Atwood, I apologize for getting into the merits of this, but as I read this proposal it does nothing that is going to keep the valuations down. And furthermore the special levies are still there as I read the proposal that is before us. But that is something that we are going to have to debate and this Senate is going to have to determine. But that is my opinion, Senator, and that is why I want to get it out of Ways and Means and I want to get it on the floor."

The motion by Senator Durkan carried. Engrossed Substitute House Joint Resolution No. 82 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, Engrossed Substitute House Joint Resolution No. 82 was ordered placed on the second reading calendar for Wednesday, February 16, 1972.

MESSAGE FROM THE HOUSE

February 14, 1972.

Mr. President: The House refuses to recede from its amendments to SENATE BILL

NO. 173 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Senate Bill No. 173 and the House amendments thereto: Representatives Smythe, Kopet and Charette.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Woodall, the request of the House for a conference on Senate Bill No. 173 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Senate Bill No. 173 and the House amendments thereto: Senators Talley, Huntley and Foley.

MOTION

On motion of Senator Atwood, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 4 with the following amendments:

On page 1, line 1 of the title following "taxation," strike the remainder of the title down to and including the period on line 30, on page 2 and insert the following: "and amending section 82.50.030, chapter 15, Laws of 1961 as last amended by section 37, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.030."

On page 2 beginning with line 32 strike the remainder of the bill down to and including the period on line 7 of page 18 and insert the following:

"Section 1. Section 82.50.030, chapter 15, Laws of 1961 as last amended by section 37, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.030 are each amended to read as follows:

The rate and measure of tax imposed by this chapter for each calendar year shall be two percent of the fair market value of the mobile home[,] *and one percent of the fair market value of the travel trailer[,] or the camper*, as determined in the manner provided in this chapter: PROVIDED, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon a mobile home, travel trailer, or camper used for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the mobile home, travel trailer, or camper is first used: PROVIDED FURTHER, That the minimum amount of tax payable shall be two dollars.

A mobile home, travel trailer, or camper shall be deemed used for the first time in this state when such vehicle or such camper was not previously licensed by this state for the year or any part thereof immediately preceding the year in which application for license is made.", and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Guess, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 4, and asks the House to recede therefrom.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 28 with the following amendment:

On page 3, line 16 of the engrossed bill, being line 5 of the Senate committee amendment, after "of the" strike "Association of Washington County Commissioners" and insert "Washington State Association of Counties", and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Foley, the Senate concurred in the House amendments to Engrossed Senate Bill No. 28.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 28, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall-46.

Absent or not voting: Senator Connor-1.

Excused: Senators Gardner, Whetzel-2.

ENGROSSED 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 29 with the following amendment:

On page 25, section 31, line 18 of the engrossed bill being line 12 of the printed bill, after "effective" strike the rest of the sentence and insert "January 1, 1974.", and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Day, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 29.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 29, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Woodall-43.

Voting nay: Senators Rasmussen, Wilson-2.

Absent or not voting: Senators Connor, Mardesich-2.

Excused: Senators Gardner, Whetzel-2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 29, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 42 with the following amendments:

On page 1, line 14 of the engrossed bill, being the last line of the Senate amendment, following "education," insert "and review by the advisory board for school building systems established in RCW 28A.04.310,"

On page 1, line 18 of the engrossed bill, being line 17 of the printed bill, following "to" insert "or higher than", and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Washington, the Senate concurred in the House amendments to Engrossed Senate Bill No. 42.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 42, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—46.

Absent or not voting: Senator Connor—1.

Excused: Senators Gardner, Whetzel—2.

ENGROSSED SENATE BILL NO. 42, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 50 with the following amendment:

On page 2, section 1, line 3 of the engrossed bill, after "1965." strike the remainder of the section, this being the second Senate amendment., and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Day, the Senate concurred in the House amendments to Engrossed Senate Bill No. 50.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 50, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—44.

Absent or not voting: Senators Connor, Francis, Matson—3.

Excused: Senators Gardner, Whetzel—2.

ENGROSSED SENATE BILL NO. 50, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 13 with the following amendments:

On page 1, line 7 of the title, after "46.12.120;" and before "and" insert the following:

"amending section 46.70.060, chapter 12, Laws of 1961 as last amended by section 3, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.060;"

On page 4, line 29, following section 4, add a new section to read as follows:

"Sec. 5. Section 46.70.060, chapter 12, Laws of 1961 as last amended by section 3, chapter 74, Laws of 1971 ex. sess. and RCW 46.70.060 are each amended to read as follows:

The fee for original dealer license for each calendar year or fraction thereof shall be as follows: Motor vehicle dealers, fifty dollars; subagencies, five dollars; which shall include one set of dealer license plates. The annual renewal fee for motor vehicle dealers shall be twenty-five dollars, and five dollars for each subagency. Additional sets of the dealer license plates, bearing the same license number, may be obtained for three dollars per set: PROVIDED, HOWEVER, That the maximum number of sets of dealer plates the department may issue to a dealer shall not exceed the greater of ten sets or a figure which represents four percent of the dealer's total vehicle sales for the previous year, except that the department may issue what it determines to be a reasonable number of sets in those cases where the dealer has not been previously licensed or where he can satisfy the department that the previous year's sales were unnaturally low for reasons beyond his control: *PROVIDED FURTHER, That the department may, in its discretion, issue a reasonable number of additional sets in those cases where a dealer sells motor homes:* AND PROVIDED FURTHER, That no dealer who sold less than twenty passenger cars and/or pickup trucks during the previous year shall be entitled to receive any additional sets, unless he can satisfy the department that additional sets are necessary for the purposes indicated by subsection (1), (3) or (4) of RCW 46.70.090. If any dealer shall fail or neglect to apply for such renewal prior to February 1st in each year, his license shall be declared canceled by the director, in which case the dealer will be required to apply for an original license and pay the fee required for such original license. The fees prescribed herein shall be in addition to any excise taxes imposed by chapter 82.44 RCW.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Washington, the Senate concurred in the House amendments to Engrossed Senate Bill No. 13.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 13, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—47.

Excused: Senators Gardner, Whetzel—2.

ENGROSSED SENATE BILL NO. 13, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 63 with the following amendments:

On page 1, line 1 of the title after "vehicles;" strike "and"

On page 1, line 3 of the title after "RCW 46.20.100" and before the period insert "; and declaring an emergency"

On page 2, section 1, line 5 of the engrossed bill following "*department*" being the last word of the Senate committee amendment, and before the period insert "*in concert with the supervisor of the traffic safety education section, office of the superintendent of public instruction*"

On page 2, following section 1 of both the printed and engrossed bills insert a new section 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.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Henry, the Senate concurred in the House amendments to Engrossed Senate Bill No. 63.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 63, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—45.

Absent or not voting: Senators Lewis, Mardesich—2.

Excused: Senators Gardner, Whetzel—2.

ENGROSSED 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.

INTRODUCTION OF GUEST

President Cherberg turned the gavel over to President Pro Tempore Henry to introduce a long time friend, Senator Dean, from the state of Utah. Business was suspended to permit Senator Dean to address the Senate.

President Pro Tempore Henry returned the gavel to President Cherberg.

MOTION

At 12:45 p.m., on motion of Senator Greive, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.
 Senator Lewis was invited by the President to assume the Chair.

REMARKS BY SENATOR LEWIS

Senator Lewis: "Gentlemen of the Senate, recognizing that we have a busy schedule, in making this brief presentation to the Lieutenant Governor and to the members of the Senate, I have eliminated much of the ceremony that might have been more pleasant in less rushing times. I would, however, like to present to the Lieutenant Governor a framed copy and to each one of the Senators today a limited edition reproduction of a lithograph of Olympia which was originally published in 1879. I will hold it up so you can just get an idea of what it looks like. This is an original copy, it is a very limited edition and each one of you, will receive one very shortly, if the pages would now circulate these scrolls individually. They are very suitable for framing. This is being presented in thanks to the legislature, it reflects the fact that our capitol city here has extended its hospitality to you over the years since the day when it was just a struggling village as this picture exemplifies. It is a gift to you, to the Lieutenant Governor and to each of the Senators from your three Thurston County legislators who, in cooperation with the State Capitol Museum, arranged this gift for you. I hope that you will accept it in the spirit that it is given and I would like to at this time present to the Lieutenant Governor this lithograph.

"Thank you very much for your courtesy. I think you can have a little fun trying to find on the picture just where the capitol sits today."

REPLY BY THE PRESIDENT

The President: "Thank you very much, Senator Lewis, and my deep appreciation to Representative Wolf and Representative Conway and the members of the Olympia Historical Society. If I had a library I would hang this in it, but in lieu of that I will put it up in the front room. And thank you so much."

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed SENATE BILL NO. 68 with the following amendment:

On page 1, section 1, line 12 after "administered" insert "all of the foregoing acts to have the same effect as if performed by a notary public", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Holman, the Senate concurred in the House amendments to Senate Bill No. 68.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 68, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 39; nays, 2; absent or not voting, 6; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Donohue, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—39.

Voting nay: Senators Guess, Huntley—2.

Absent or not voting: Senators Cooney, Day, Dore, Durkan, Henry, Rasmussen—6.
Excused: Senators Gardner, Whetzel—2.

SENATE BILL NO. 68, 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.

PARLIAMENTARY INQUIRY

Senator Bailey: "In view of the rule that we have relating to conference committees having a report on the desk thirty-six hours prior to adjournment, would you clarify the hour and time that conference committee reports would have to be on the desks of the Senate if we adjourn Friday night?"

REPLY BY THE PRESIDENT

The President: "Senator Bailey, if the Senate adjourns *Sine Die* Friday night at midnight, the time would be twelve noon Thursday."

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed REENGROSSED SENATE BILL NO. 71 with the following amendment:

On page 1, section 1, line 12 of the reengrossed bill, which is the last line of the Senate amendment by Senator Clarke, after "twenty-five thousand dollars" insert "AND FURTHER PROVIDED AS FOLLOWS: (1) That neither an acquittal in a criminal prosecution nor the absence of any such prosecution shall be admissible in any action under this 1972 act as evidence of the noncriminal character of the acts giving rise to such action; (2) that evidence of a criminal conviction arising from acts which are the basis for an action under this 1972 act shall be admissible in such action for the limited purpose of proving the criminal character of the acts; (3) that acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct shall be deemed to be criminal conduct within the meaning of this section; (4) that the liability of the state of Washington under this 1972 act shall extend to damage caused by acts occurring prior to the effective date of this 1972 act.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Gissberg, the Senate concurred in the House amendment to Reengrossed Senate Bill No. 71.

ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 71, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 1; absent or not voting, 3; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Wilson, Woodall—43.

Voting nay: Senator Francis—1.

Absent or not voting: Senators Cooney, Rasmussen, Twigg—3.

Excused: Senators Gardner, Whetzel—2.

REENGROSSED SENATE BILL NO. 71, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 74 with the following amendment:

On page 1, section 1, beginning on line 8 of both the printed and engrossed bills, after "RCW 83.24.010," strike everything through "death," on line 13 and insert "the local and state taxes due from the decedent prior to his death; a reasonable sum for funeral expenses, monument or crypt; the cost of appraisal made for purposes of determining the inheritance tax, the amount of said deduction as to each appraisal not to exceed one-tenth of one percent of the gross value of the assets appraised; reasonable attorney's fees; and all debts owing by the decedent at the time of his death;" and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Gissberg, the Senate concurred in the House amendment to Engrossed Senate Bill No. 74.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 74, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—45.

Absent or not voting: Senators Cooney, Rasmussen—2.

Excused: Senators Gardner, Whetzel—2.

ENGROSSED SENATE BILL NO. 74, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed SENATE BILL NO. 89 with the following amendments:

On page 1, section 1, line 18 after "paid" and before the semicolon insert "*or has not been received by him*"

On page 1, section 1, line 23 after "PROVIDED," insert "*That the proper owner, payee, or legal representative thereof and sureties shall not be liable where the payment of the original warrant resulted from forgery or fraud by others, not aided or abetted by such proper owner, payee or legal representative thereof or sureties, or occurred as a result of their negligence: PROVIDED FURTHER,*" and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Fleming, the Senate concurred in the House amendments to Senate Bill No. 89.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 89, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—47.

Excused: Senators Gardner, Whetzel—2.

SENATE BILL NO. 89, 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, Reengrossed Senate Bill No. 92 was ordered placed at the beginning of the fourth order of business for Wednesday, February 16, 1972.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 100 with the following amendments:

On page 1, line 2 of the title after "9.45.240;" strike the balance of the title and insert "amending section 2, page 101, Laws of 1854 as last amended by section 1, chapter 83, Laws of 1969 and RCW 10.79.015; defining crimes and providing penalties."

On page 1, line 8 strike the balance of the bill and insert:

"Section 1. Section 1, chapter 114, Laws of 1955 and RCW 9.45.240 are each amended to read as follows:

Every person who, with intent to evade the provisions of any order of the Washington public service commission or of any tariff, rule or regulation lawfully filed with said commission by any telephone or telegraph company, or with intent to defraud, obtains telephone or telegraph service from any telephone or telegraph company through the use of a false or fictitious name or telephone number or the unauthorized use of the name or telephone number of another, or through any other trick, deceit or fraudulent device, shall be guilty of a misdemeanor: *PROVIDED HOWEVER, That if the value of the telephone or telegraph service which any person obtains in violation of this section during a period of ninety days exceeds seventy-five dollars in the aggregate, then such person shall be guilty of a gross misdemeanor: AND FURTHER PROVIDED, That as to any act which constitutes a violation of both this 1972 act and RCW 9.26A.050 the provisions of RCW 9.26A.050 shall be exclusive.*

Sec. 2. Section 2, page 101, Laws of 1854 as last amended by section 1, chapter 83, Laws of 1969 and RCW 10.79.015 are each amended to read as follows:

Any such magistrate, when satisfied that there is reasonable cause, may also, upon like complaint made on oath, issue search warrant in the following cases, to wit:

(1) To search for and seize any counterfeit or spurious coin, or forged instruments, or tools, machines or materials, prepared or provided for making either of them.

(2) To search for and seize any gaming apparatus used or kept, and to be used in any unlawful gaming house, or in any building, apartment or place, resorted to for the purpose of unlawful gaming.

(3) To search for and seize any evidence material to the investigation or prosecution of any homicide or any felony.

(4) *To search for and seize any instrument, apparatus or device used to obtain telephone or telegraph service in violation of RCW 9.45.240.*", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Gissberg, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 100.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 100, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—47.

Excused: Senators Gardner, Whetzel—2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 100, 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.

Senators Ridder, Donohue and Stender 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 Gardner and Whetzel who had previously been excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 163 with the following amendment:

On page 1, following the enacting clause, strike the remainder of the act and insert:

“*NEW SECTION.* Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

Notwithstanding other provisions of this chapter or any other provision of law and except as otherwise provided in section 2 of this 1972 act, as of July 1, 1972, any United States military reservation in the state of Washington with more than two thousand five hundred common school age children in public schools resident thereon shall be included wholly within the boundaries of a single school district. Such single school district shall be one of the school districts presently having boundary lines within such military reservation and serving pupils thereon. The procedure for achieving such single school districts where they do not now exist, or in any year in the future when there are more than two thousand five hundred common school age children on such a military reservation resident therein, shall be as prescribed in section 2 of this 1972 act.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW a new section to read as follows:

On or before June 1, 1972, or in any year in the future when there are more than two thousand five hundred common school age children on a military reservation as referred to in section 1 of this 1972 act resident therein, whichever is the case, and notwithstanding other provisions of this chapter or any other provision of law, the county committee on school district organization of each county in which such a United States military reservation is located, or in the case such military reservation is located in two counties, the joint county committee established pursuant to RCW 28A.57.240, shall order effective July 1st of the then calendar year the annexation of portions of reservation territory not currently within the single school district, as required by section 1 of this 1972 act, to one of the school districts encompassing a portion of the military reservation: PROVIDED, That notwithstanding any other provision of this act the annexation order shall not include territory of school districts on such military reservations in which none or less than a

majority of the pupils residing within that portion of the district within such military reservation have one or more parents serving in the military and under such military command. Notwithstanding any other provision of law, the decision as to which school district shall serve the pupils residing within such military reservation shall rest solely with the county committee on school district organization of the county in which the affected military reservation is located. The county committee on school district organization shall order such equitable transfer of assets and liabilities as is deemed necessary for the orderly transfer of the territory in accordance with transfers in other annexation proceedings authorized under this chapter.

NEW SECTION. Sec. 3. This 1972 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.”, and the same is herewith transmitted.
DONALD R. WILSON, Assistant Chief Clerk.

MOTIONS

Senator Metcalf moved that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 163, and that the House be asked to recede therefrom.

Senator Newschwander moved that the Senate do concur in the House amendment to Engrossed Senate Bill No. 163.

Debate ensued.

POINT OF INQUIRY

Senator Canfield: “I think this legislature created a committee to make a study of this problem. I think that we have these county school organizations, county committees and intermediate school districts that may be concerned with this problem. Therefore I would like to direct a question to Senator Ridder, if I may, to give this body the report of the committee’s findings that studied this problem and the recommendation of the county committee concerned.”

Senator Ridder: “I think my position should be made clear.”

Senator Canfield: “Did you get my questions alright?”

Senator Ridder: “Would you like to repeat them as questions? I thought they were statements.”

Senator Canfield: “The first question, Senator Ridder, was that it is my understanding that we had created a committee to make a study of this problem, so my first question was if you will be kind enough to give the body the findings of the committee. Secondly, since we have county committees and intermediate school districts in the area, would you be kind enough to give the body the findings of these committees.”

Senator Ridder: “I was chairman of the task force that looked into this situation over the interim, as were two other Senators on this floor. We were faced with a political problem and the final vote was within one of the position. And so I do not think that it was a unanimous position that we go either way. We did come out with the idea that it should be one school district. But we did not come out with the idea that either Clover Park or DuPont should have this school district. Strangely this bill before you says that the school district should be annexed to the largest district. So this is not the problem before you, gentlemen. The problem has been skewed and this is the problem again that we get into the political fuss. Now, as to what groups have done what, I think it is a fifty-fifty situation. Many groups have stood for maintaining DuPont. Many groups have stood against it. There has been a slow eroding over the years to take away this school district, to remove it, even to the point of taking away the money given to it for its high school program. So we cannot say that somebody is for it or against it. The fort commander has always taken a middle of the road position. The Superintendent of Public Instruction in our testimony took a middle of the road position. So we do not know how they stand. And again, this is the question that is before us but remember that it has been changed. The problem now says 106, it must be mandated to the largest district. I want you to remember that.”

The President declared the question before the Senate to be positive motion by Senator Newschwander that the Senate do concur in the House amendment to Engrossed Senate Bill No. 163.

Senator Atwood demanded a roll call and demand was sustained by Senators Stender, Holman, Donohue, Peterson (Ted), Talley, Mardesich, Connor, Odegaard, Rasmussen and Murray.

ROLL CALL

The Secretary called the roll and the Senate concurred in the House amendment to Engrossed Senate Bill No. 163 by the following vote: Yeas, 25; nays, 22; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Day, Elicker, Fleming, Foley, Francis, Henry, Herr, Holman, Huntley, Lewis, Mardesich, Matson, Murray, Newschwander, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Woodall—25.

Voting nay: Senators Bailey, Connor, Cooney, Donohue, Dore, Durkan, Gissberg, Greive, Guess, Jolly, Keefe, Knoblauch, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Washington, Wilson—22.

Excused: Senators Gardner, Whetzel—2.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 163, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 163, as amended by the House, and the bill failed to pass the Senate by the following vote: Yeas, 23; nays, 24; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Fleming, Foley, Francis, Henry, Herr, Holman, Huntley, Lewis, Mardesich, Matson, Newschwander, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Woodall—23.

Voting nay: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Gissberg, Greive, Guess, Jolly, Keefe, Knoblauch, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Washington, Wilson—24.

Excused: Senators Gardner, Whetzel—2.

ENGROSSED SENATE BILL NO. 163, as amended by the House, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Newschwander gave notice that he would, on the next working day, move to reconsider the vote by which Engrossed Senate Bill No. 163, as amended by the House, failed to pass the Senate.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, Senator Ridder moved that the Senate immediately reconsider the vote by which Engrossed Senate Bill No. 163, as amended by the House, failed to pass the Senate.

PARLIAMENTARY INQUIRY

Senator Andersen: "Does Senator Ridder's motion require a suspension of the rules?"

POINT OF ORDER

Senator Woodall: "My point of order is that the motion by Senator Andersen is of equal weight with the motion by Senator Ridder and should be put first. Should it fail to carry, then of course the motion of Senator Ridder would automatically win in any event because then it would be immediate consideration so I think because of their being equal in rank, the motion of Senator Andersen being first in time should be placed first."

RULING BY THE PRESIDENT

The President: "The President in ruling upon the point of order presented by Senator Andersen finds that under the provisions of Rule 31 that the motion to reconsider immediately would take a suspension of the rules."

REMARKS BY SENATOR RIDDER

Senator Ridder: "Then I would move to argue against his motion to consider at a point certain. I feel that under this issue, it has very fairly lost on this floor, that that is the consideration of this body at the moment and we should not move to reconsider this motion."

RULING BY THE PRESIDENT

The President: "Senator Ridder, Rule 31 states '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'."

PARLIAMENTARY INQUIRY

Senator Stender: "Did you rule on my parliamentary question?"

The President: "Would you please state your motion, Senator, and then the President will rule."

Senator Stender: "My question was two or three jumps ahead of these other questions, Mr. President. My question is now that the motion to adopt the amendments of the House failed, would a motion to not concur in the House amendment now be in order?"

The President: "Senator, the Senate concurred with the House on the House amendment but the measure lost."

Senator Stender: "Now, wait a minute. If I might speak on this, the bill in final passage lost, the amendment carried. Now the bill is lost as I understand it. Isn't that correct?"

The President: "And the amendment lost too, Senator."

Senator Bailey: "Can I confuse you further and say that I think Senator Andersen's motion is out of order but Senator Newschwander's notice of reconsideration is what is before us and it does not call for a vote; it merely says that tomorrow we will debate the motion to reconsider."

The President: "The President so stated, Senator Bailey, that notice of reconsideration had been received."

MOTION

On motion of Senator Bailey, the House message on Engrossed Senate Bill No. 169 was ordered held for consideration on Wednesday, February 16, 1972.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 200 with the following amendment:

On page 2, section 3, line 2 following "Sec. 3." strike the remainder of the bill and insert the following:

"There is added to Chapter 12, Laws of 1955 and to Chapter 75.28 RCW a new section to read as follows:

Canadian resident personal use licenses issued under this act shall not be transferable and shall be issued to Canadian vessels in the form of a decal. It shall be unlawful for a Canadian vessel engaged in personal use food fish or shellfish fishing to fail to display in a prominent place the license decal required under the provisions of this act.

NEW SECTION. Sec. 4. There is added to Chapter 12, Laws of 1955 and to chapter 75.28 RCW a new section to read as follows:

All moneys received from the issuance of the Canadian resident personal use license shall be paid by the director into a food fisheries revenue account within the general fund which is hereby created. The moneys shall be used exclusively by the department for the propagation and preservation of salmon and shall not affect the determined current level of operations and capital outlay of the department.

NEW SECTION. Sec. 5. There is added to chapter 12, Laws of 1955 and to chapter 75.28 RCW a new section to read as follows:

Upon payment of a fee of fifty cents and the filing of an affidavit that a Canadian resident personal use license has been lost or destroyed, the director of fisheries or his authorized representative shall issue a duplicate license.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act shall remain effective only during the period of time that the present law or regulation of Canada and/or of the Province of British Columbia, and any amendment or reenactment of such law or regulation, and any restatement of a similar licensing or like restrictive law or regulation, continues in full force and effect against residents of any state, territory or possession of the United States of America or against American vessels operated by such residents in Canadian waters.

NEW SECTION. Sec. 7. All sections of this act except sections 8 through 15 and section 19 are 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.

NEW SECTION. Sec. 8. The legislature, recognizing that salmon within the waters of the state and offshore waters are fished for both sport recreation and commercial purposes and that sport salmon fishery is a major recreational and economic asset to the state and improves the quality of life for all residents of the state, hereby declares that it is the policy of the state to enhance and improve sport salmon fishing in the state.

NEW SECTION. Sec. 9. For the purposes of this 1972 amendatory act:

(1) A "resident" means any person who for at least ninety days immediately preceding any application for a license has maintained a permanent place of abode within this state and has established by formal evidence his intent to continue his residence within this state.

(2) A "nonresident" means any person who is not a "resident" as defined in this section.

NEW SECTION. Sec. 10. It shall be unlawful for any person to take, fish for, or have in his possession any salmon that is taken for personal use from the waters or offshore waters of this state, without first having obtained and having in his possession a personal-use salmon license as provided in this 1972 amendatory act: PROVIDED, That a person under the age of sixteen years shall be able to fish for salmon for personal use at any time without obtaining a license for that purpose when it is otherwise lawful to fish for salmon.

NEW SECTION. Sec. 11. The fees for a personal-use salmon license shall be:

Resident	Three dollars	Annual
Nonresident	Ten dollars	Annual
Nonresident	Three dollars	Seven Days
Resident and		
Nonresident	One dollar	One day

NEW SECTION. Sec. 12. Any person over the age of seventy years of age or any blind person shall be issued, upon making an affidavit to such effect, a license to fish for salmon for personal use at any time when it is otherwise lawful to fish for salmon. Such person shall be exempt from paying any license fee or dealer assessments or charges.

NEW SECTION. Sec. 13. Personal-use salmon licenses shall not be transferable. Any person fishing for or having salmon in his possession that are taken for personal use from waters of this state or offshore waters shall upon demand of any fisheries patrol officer, fisheries inspector, deputy fisheries inspector, game protector, sheriff, constable, marshal or police officer within his respective jurisdiction, exhibit his license and write his name for the purpose of comparison with the signature on the license. Failure to exhibit the license and to write his name upon demand shall be prima facie evidence that such person has no license or is not the person named in the license in his possession.

NEW SECTION. Sec. 14. There is established in the general fund a revenue account to be known as the sport salmon license account which shall consist of all moneys received from fees for the sale of personal-use salmon licenses. Such funds shall be added to the current level of support of department programs from the general fund and shall be used upon appropriation for department programs relating to sport fishing and sport fishery propagation, enhancement, regulation, and for distribution of information on sport fishery. No funds accrued from the sale of personal-use salmon licenses shall be diverted to any purpose other than those enumerated herein.

NEW SECTION. Sec. 15. The director of the department of fisheries shall form a sport fishery management unit responsible directly to him which will have as its duty the formation and recommendation of plans and programs to utilize personal-use salmon license revenues for the direct and continuing benefit of sport salmon fisheries.

NEW SECTION. Sec. 16. All personal-use licenses issued under this 1972 amendatory act shall be issued by or under authority of the director of fisheries, who may deputize any reputable citizen to issue such licenses and collect the fees therefor.

Any person deputized by the director to issue personal-use licenses as authorized by this act, shall charge the sum of twenty-five cents in addition to collecting fees prescribed by law for issuing such licenses, which sum shall be retained by him for his services.

The director of fisheries may make all necessary rules and regulations and decide all procedures for the issuance of licenses and for the collection, payment and handling of fees herein provided. He shall also determine the procedures required for audits, statistical and financial returns, bonding, or whatever in his opinion is required to collect and certify the fees required by chapter 75.32 RCW.

NEW SECTION. Sec. 17. Any violations of this 1972 amendatory act or rules and regulations of this 1972 amendatory act shall constitute a misdemeanor. Any person shall, upon conviction, be punished for each offense by a fine not less than ten dollars nor more than one hundred dollars, or by imprisonment not to exceed ninety days in the county jail, or both such fine and imprisonment.

NEW SECTION. Sec. 18. Any person who falsifies any information required on the licenses as required by rules or regulations of the director of fisheries made pursuant to this 1972 amendatory act shall be guilty of a misdemeanor.

NEW SECTION. Sec. 19. In concurrent waters of the Columbia river where the river forms the boundary between the state of Washington and the state of Oregon and in Washington coastal territorial waters from the Oregon-Washington boundary to a point five nautical miles north, an Oregon angling license comparable and similar to the license provided for in this section shall be recognized as valid within the jurisdiction of Oregon and provided that the state of Oregon recognizes as valid a comparable and similar license in Oregon coastal waters from the Oregon-Washington boundary to a point five nautical miles south.

Nothing in this section shall be construed to mean that Oregon licenses are valid for the taking of salmon when angling in concurrent waters of the Columbia River from the Washington shore.

NEW SECTION. Sec. 20. In adopting rules and regulations authorized by Title 75 RCW and specifically RCW 75.08.080, the director of fisheries may adopt regulations to promote orderly sport and commercial fisheries and may consider navigation, enforcement, sport fishery enhancement, environmental and public recreational factors as well as biological factors.

NEW SECTION. Sec. 21. If any provision of this 1972 amendatory act or its application to any person or circumstance is held invalid, the remainder of the act and the application of the provision to other persons or circumstances shall not be affected.

NEW SECTION. Sec. 22. The provisions of Sections 8 through 15 and Section 19 of this 1972 amendatory act shall become effective January 1, 1973.

Sec. 16. Section 75.28.020, chapter 12, Laws of 1955 as amended by section 1, chapter 171, Laws of 1963 are each amended to read as follows:

No license provided for in this title *other than the personal-use salmon license and the Canadian resident personal-use food fish and shellfish license* shall be issued to any person who is not a citizen of the United States, or who is not a bona fide resident of the United States, or who is not of the age of sixteen years or over; nor shall any license be issued to

any corporation unless it is authorized to do business in this state: PROVIDED, That each license issued by the state of Oregon which is comparable and similar to a license provided for in this title shall be recognized as valid by this state in the concurrent waters of the Columbia River only if such license is valid within the jurisdiction of the issuing state, and if the state of Oregon recognizes as valid a comparable and similar license issued by this state.

NEW SECTION. Sec. 23. Sections 1 through 21 of this 1972 amendatory act shall be added to chapter 75.28 RCW."

On line 1 after the ";" strike the remainder of the title and insert the following:

"providing for a personal-use salmon license and a Canadian resident personal-use food fish and shellfish license; amending section 75.28.020, chapter 12, Laws of 1955 as amended by section 1, chapter 171, Laws of 1963 and RCW 75.28.020; designating the uses of moneys received from license fees; adding new sections to chapter 12, Laws of 1955 and to chapter 75.28 RCW; providing penalties; making effective dates; and declaring an emergency.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

POINT OF ORDER

Senator Bailey: "I raise the question of a point of order in Engrossed Substitute Senate Bill No. 200 in that I think that the House amendment has extended the scope and object of the bill and I would like a ruling from the Chair on that point. The bill started out to be a reciprocal license fee between Canada and the state of Washington. It comes back to us from the House extremely expanded to a point where it now calls for a personal salt water salmon fishing license providing for resident and nonresident fees and I think that this has expanded the scope and object of the bill and I request a ruling from the Chair."

RULING BY THE PRESIDENT

The President: "In ruling on the point of order as raised by Senator Bailey, the President finds that Engrossed Substitute Senate Bill No. 200 is a measure solely dealing with the rights of Canadian citizens to fish in waters under the control of this state. The amendment placed on the bill by the House of Representatives pertains to the rights of Washington state citizens to fish in these same waters and imposes on them a fee for this privilege. The amendment does therefore increase the scope and object of the bill and the point of order is well taken. Pursuant to Rule 62 the President is required to assign the measure to committee. Engrossed Substitute Senate Bill 200 as amended by the House is referred to the Senate Committee on Natural Resources, Fisheries and Game."

Engrossed Substitute Senate Bill No. 200, as amended by the House, was referred to the Committee on Natural Resources, Fisheries and Game.

MOTION

On motion of Senator Woodall, the Senate dispensed with the Call of the Senate.

MOTION

On motion of Senator Guess, the House message on Engrossed Senate Bill No. 232 was ordered held for consideration on Wednesday, February 16, 1972.

PARLIAMENTARY INQUIRY

Senator Mardesich: "As in the case of Engrossed Substitute Senate Bill No. 200, as amended by House, assuming that it was not a revenue or appropriation measure, once referred to committee, would a motion to relieve be in order?"

REPLY BY THE PRESIDENT

The President: "The President believes that a motion to relieve the committee of further consideration would be in order, Senator."

Senator Mardesich: "Even though it may not pertain to matters of appropriation or revenue since it was acted upon by both houses?"

The President: "The President would consider it as a measure involving a difference of opinion between the two houses."

MESSAGE FROM THE HOUSE

Mr. President: The House has passed REENGROSSED SENATE BILL NO. 240 with the following amendments:

On page 1, line 4 of the title after "RCW 28B.15.013;" and before "and" insert "amending section 22, chapter 279, Laws of 1971 ex. sess. and RCW 38B.15.620;"

On page 5, section 2, line 10 after "RCW" strike "34.04" and insert "28B.19"

On page 5, beginning on line 11 insert a new section as follows:

"Sec. 3. Section 22, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.620 are each amended as follows:

Veterans of the Vietnam conflict who have served in the southeast Asia theater of operations attending institutions of higher learning shall be exempted from the payment of any increase in tuition and fees as are imposed by this 1971 amendatory act and shall not be required to pay more than the total amount of tuition and fees in effect on March 29, 1971: PROVIDED FURTHER, That for the purposes of this exemption, "veterans of the Vietnam conflict" shall be those persons who have been on active federal service as a member of the armed military or naval forces of the United States between a period commencing August 5, 1964, and ending on such date as shall thereafter be determined by duly adopted concurrent resolution of the legislature of this state or by presidential proclamation or concurrent resolution of the congress terminating the conflict involving United States forces battling in South Vietnam [, and who for a period of one year immediately prior to the date of his entry into such service, was a bona fide citizen or resident of the state of Washington] *and who qualify as a resident student under RCW 28B.15.012.*"

Renumber the remaining section consecutively, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Atwood, the Senate concurred in the House amendments to Reengrossed Senate Bill No. 240.

ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 240, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 2; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall-43.

Voting nay: Senators Fleming, Francis—2.

Absent or not voting: Senators Connor, Gissberg—2.

Excused: Senators Gardner, Whetzel—2.

REENGROSSED SENATE BILL NO. 240, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 403 with the following amendment:

On page 1, strike everything after the enacting clause and insert the following:

“Section 1. Section 32, chapter 282, Laws of 1959 as amended by section 8, chapter 37, Laws of 1961 and RCW 21.20.320 are each amended to read as follows:

Except as hereinafter in this section expressly provided, RCW 21.20.040 through 21.20.300, inclusive, shall not apply to any of the following transactions:

(1) Any isolated transaction, or sales not involving a public offering, whether effected through a broker-dealer or not.

(2) Any nonissuer distribution of an outstanding security by a registered broker-dealer if (a) a recognized securities manual contains the names of the issuer's officers and directors, a balance sheet of the issuer as of a date within eighteen months, and a profit and loss statement for either the fiscal year preceding that date or the most recent year of operations, or (b) the security has a fixed maturity or a fixed interest or dividend provision and there has been no default during the current fiscal year or within the three preceding fiscal years, or during the existence of the issuer and any predecessors if less than three years, in the payment of principal, interest, or dividends on the security.

(3) Any nonissuer transaction effected by or through a registered broker-dealer pursuant to an unsolicited order or offer to buy; but the director may by rule require that the customer acknowledge upon a specified form that the sale was unsolicited, and that a signed copy of each such form be preserved by the broker-dealer for a specified period.

(4) Any transaction between the issuer or other person on whose behalf the offering is made and an underwriter, or among underwriters.

(5) Any transaction in a bond or other evidence of indebtedness secured by a real or chattel mortgage or deed of trust, or by an agreement for the sale of real estate or chattels, if the entire mortgage, deed of trust, or agreement, together with all the bonds or other evidences of indebtedness secured thereby, is offered and sold as a unit.

(6) Any transaction by an executor, administrator, sheriff, marshal, receiver, trustee in bankruptcy, guardian, or conservator.

(7) Any transaction executed by a bona fide pledgee without any purpose of evading this chapter.

(8) Any offer or sale to a bank, savings institution, trust company, insurance company, investment company as defined in the investment company act of 1940, pension or profit-sharing trust, or other financial institution or institutional buyer, or to a broker-dealer, whether the purchaser is acting for itself or in some fiduciary capacity.

(9) Any transaction pursuant to an offer directed by the offerer to not more than twenty persons (other than those designated in subsection (8) of this section) in this state during any period of twelve consecutive months, whether or not the offerer or any of the offerees is then present in this state, if (a) the seller reasonably believes that all the buyers are purchasing for investment, and (b) no commission or other remuneration is paid or given directly or indirectly for soliciting any prospective buyer.

(10) Any offer or sale of a preorganization certificate or subscription if (a) no commission or other remuneration is paid or given directly or indirectly for soliciting any prospective subscriber, (b) the number of subscribers does not exceed ten, and (c) no payment is made by any subscriber.

(11) Any transaction pursuant to an offer to existing security holders of the issuer, including persons who at the time of transaction are holders of convertible securities, nontransferable warrants, or transferable warrants exercisable within not more than ninety

days of their issuance, if (a) no commission or other remuneration (other than a standby commission) is paid or given directly or indirectly for soliciting any security holder in this state, or (b) the issuer first files a notice specifying the terms of the offer and the director does not by order disallow the exemption within the next five full business days.

(12) Any offer (but not a sale) of a security for which registration statements have been filed under both this chapter and the securities act of 1933 if no stop order or refusal order is in effect and no public proceeding or examination looking toward such an order is pending under either act.

(13) The issuance of any stock dividend, whether the corporation distributing the Dividend, is the issuer of the stock or not, if nothing of value is given by stockholders for the distribution other than the surrender of a right to a cash dividend where the stockholder can elect to take a dividend in cash or stock.

(14) Any transaction incident to a right of conversion or a statutory or judicially approved reclassification, recapitalization, reorganization, quasi reorganization, stock split, reverse stock split, merger, consolidation or sales of assets.

(15) The offer or sale by a registered broker-dealer, acting either as principal or agent, of securities previously sold and distributed to the public: PROVIDED, That:

(a) Such securities are sold at prices reasonably related to the current market price thereof at the time of sale, and, if such broker-dealer is acting as agent, the commission collected by such broker-dealer on account of the sale thereof is not in excess of usual and customary commissions collected with respect to securities and transactions having comparable characteristics:

(b) Such securities do not constitute the whole or a part of an unsold allotment to or subscription or participation by such broker-dealer as an underwriter of such securities or as a participant in the distribution of such securities by the issuer, by an underwriter or by a person or group of persons in substantial control of the issuer or of the outstanding securities of the class being distributed; and

(c) The security has been lawfully sold and distributed in this state or any other state of the United States under this or any act regulating the sale of such securities.

(16) Any transactions by a mutual or cooperative association issuing to its patrons any receipt, written notice, certificate of indebtedness or stock for a patronage dividend, or for contributions to capital by such patrons in the association provided that any such receipt, written notice or certificate made pursuant to this paragraph shall be nontransferable except in the case of death or by operation of law and shall so state conspicuously on its face.

The director may by order deny or revoke the exemption specified in subsection (2) of this section with respect to a specific security. Upon the entry of such an order, the director shall promptly notify all registered broker-dealers that it has been entered and of the reasons therefor and that within fifteen days of the receipt of a written request the matter will be set down for hearing. If no hearing is requested and none is ordered by the director, the order will remain in effect until it is modified or vacated by the director. If a hearing is requested or ordered, the director, after notice of an opportunity for hearing to all interested persons, may modify or vacate the order or extend it until final determination. No order under this subsection may operate retroactively. No person may be considered to have violated this chapter by reason of any offer or sale effected after the entry of an order under this subsection if he sustains the burden of proof that he did not know, and in the exercise of reasonable care could not have known of the order. In any proceeding under this chapter, the burden of proving an exemption from a definition is upon the person claiming it."

On line 1 of the title after "transactions;" strike the remainder of the title and insert, "and amending section 32, chapter 282, Laws of 1959 as amended by section 8, chapter 37, Laws of 1961 and RCW 21.20.320.," and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Dore, the Senate concurred in the House amendments to Substitute Senate Bill No. 403.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 403, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—46.

Absent or not voting: Senator Matson—1.

Excused: Senators Gardner, Whetzel—2.

SUBSTITUTE SENATE BILL NO. 403, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 412 with the following amendments:

On page 1, section 1, line 8 after "use" strike everything through "lands." on line 10 and insert "under its own control or the control of other governmental or quasi-governmental agencies, to exchange such lands for lands worth at least ninety percent of the value of the land exchanged, and to manage such lands to produce maximum revenue therefrom."

On page 1, section 3, line 19 after "and" strike "dispose of" and insert "exchange"

On page 3, section 7, line 5 after "persons" strike everything through "advisable" on line 6 and insert ". The procedures and regulations of RCW 36.34.150 through 36.34.200 shall be followed"

On page 3, section 8, line 13 after "and" strike "84.64.270" and insert "84.64.310"

On page 3, add a new section following section 8 as follows:

"*NEW SECTION.* Sec. 9. Nothing in this act shall affect any land deeded in trust to the state forest board or its successors pursuant to the provisions of chapter 76 RCW."

Renumber the remaining section consecutively.

On page 3, section 9, line 16 after "through" strike "8" and insert "9", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Bailey, the Senate concurred in the House amendments to Substitute Senate Bill No. 412.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 412, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; nays, 1; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Wilson, Woodall—45.

Voting nay: Senator Washington—1.

Absent or not voting: Senator Lewis—1.

Excused: Senators Gardner, Whetzel—2.

SUBSTITUTE SENATE BILL NO. 412, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed SENATE BILL NO. 423 with the following amendments:

On page 1, line 2 of the title after "and" strike "RCW 29.34.030" and insert "RCW 39.34.030; and declaring an emergency"

On page 2, following section 1 insert a new section as follows:

"*NEW SECTION.* Sec. 2. This 1972 amendatory 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.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Metcalf, the Senate concurred in the House amendments to Senate Bill No. 423.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 423, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—46.

Absent or not voting: Senator Dore—1.

Excused: Senators Gardner, Whetzel—2.

SENATE BILL NO. 423, 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. 3,
 SENATE BILL NO. 23,
 SENATE BILL NO. 56,
 SENATE BILL NO. 82,
 SENATE BILL NO. 84,
 SENATE BILL NO. 98,
 SENATE BILL NO. 102,
 SENATE BILL NO. 149,
 SENATE BILL NO. 181,
 SENATE BILL NO. 246,
 SENATE BILL NO. 253,
 SENATE BILL NO. 263,
 SUBSTITUTE SENATE BILL NO. 272,
 SENATE BILL NO. 276,
 SENATE BILL NO. 298,
 SENATE BILL NO. 312,
 SENATE BILL NO. 393,
 SENATE BILL NO. 417.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 5,
HOUSE BILL NO. 17,
HOUSE BILL NO. 20,
HOUSE BILL NO. 34,
HOUSE BILL NO. 35,
HOUSE BILL NO. 93,
HOUSE BILL NO. 133,
HOUSE BILL NO. 223,
HOUSE BILL NO. 244,
SUBSTITUTE HOUSE BILL NO. 426,
HOUSE BILL NO. 527.

There being no objection, Senator Donohue was given permission to use the Senate Chamber for the purpose of a hearing on an income tax proposal Wednesday, February 16, 1972 at 8:00 p.m.

MOTION

At 3:40 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Wednesday, February 16, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Wednesday, February 16, 1972.

The Senate was called to order at 11:00 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 David Mansfield, Color Bearer, and Jodi Hudlow, presented the Colors. Reverend J. Alan Justad, pastor of First United Methodist Church of Olympia, offered prayer as follows:

"Our Father, above all I would pray for each Senator here gathered, and for their loving families at home. I would ask in Your Name that their home towns and businesses prosper. Our Father, we know that this is a sacrifice for many, and we are well aware of the pressures that are upon these Senators day and night. So guide their decisions here and in their committee meetings throughout the year that the almost impossible may become the possible. May Thy Holy Spirit so surround this body and each of its members, the Governor of our State and their colleagues in the House that a revival of mutual trust, understanding and love may produce the miracles where none exist now. May we share together as we finish this prayer the words of Abraham Lincoln: 'I am loathe to close, we are not enemies but friends. Though passion may have strained it, must not break our bonds of affection. The mystic chords of memory stretching from every battlefield and patriots group, to every living heart and hearthstone all over this broad land will swell the choruses of the Union when again they surely will be by the better angels of our nature.' "

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

PERSONAL PRIVILEGE

Senator Woodall: "I think the President should welcome some of the foreign students who are visiting us here today. I am sure there must be some students here from some other country because I noticed some people in the galleries do not show tribute to our flag. They must be from some foreign country because no American would fail to show respect for the flag."

REPORT OF STANDING COMMITTEE

February 15, 1972.

ENGROSSED SENATE BILL NO. 27, providing for changes in judges' salaries (reported by Judiciary Committee):

MAJORITY recommendations:

The Judiciary Committee, having considered the amendments made by the House of Representatives to Engrossed Senate Bill No. 27 reports as follows:

1. We do not concur in the House amendment inserting a new section "Sec. 4."
2. We do concur with the House amendment inserting a new section "Sec. 5."
3. We do not concur in any of the three House amendments to the title.
4. We recommend that the title of Engrossed Senate Bill No. 27 be amended as follows:

On page 1, line 7 of the title, after "2.08.090" and before the semicolon insert "; adding a new section"

Signed by: Senators Gissberg, Chairman; Dore, Vice Chairman; Andersen, Clarke, Durkan, Foley, Holman, Twigg, Woodall.

MOTION

On motion of Senator Gissberg, the committee recommendations were adopted.

The Senate concurred in the House amendment to Engrossed Senate Bill No. 27 adding a new section 5, and refused to concur in the House amendment adding a new section 4 and the three amendments to the title.

REPORTS OF STANDING COMMITTEES

February 16, 1972.

SENATE BILL NO. 33, providing for use of highway funds for certain paths and trails (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by the Senate Committee on Transportation.

Signed by: Senators Durkan, Chairman; Atwood, Bailey, Connor, Day, Dore, Elicker, Fleming, Foley, Francis, Gissberg, Holman, Mardesich, Metcalf, Newschwander, Odegaard, Ridder, Scott, Stortini, Walgren, Washington, Wilson.

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

February 16, 1972.

SENATE BILL NO. 432, providing for notice of exemptions (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Connor, Day, Donohue, Dore, Fleming, Foley, Francis, Gissberg, Herr, Holman, Huntley, Jolly, Mardesich, Odegaard, Peterson (Lowell), Ridder, Sandison, Talley, Walgren.

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

February 15, 1972.

ENGROSSED HOUSE BILL NO. 139, providing for notification to property owners of changes in assessed valuation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Bailey, Canfield, Connor, Dore, Elicker, Fleming, Gissberg, Herr, Holman, Huntley, Jolly, Newschwander, Odegaard, Peterson (Ted), Scott, Stortini, Twigg, Walgren, Wilson.

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

February 15, 1972.

ENGROSSED HOUSE BILL NO. 140, amending certain provisions of the senior citizens' property tax exemption statute (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Bailey, Connor, Day, Donohue, Dore, Elicker, Fleming, Gissberg, Herr, Holman, Jolly, Mardesich, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Scott, Stortini, Walgren, Washington, Woodall.

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

February 14, 1972.

ENGROSSED HOUSE BILL NO. 186, providing for waste disposal facilities bonds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Andersen, Atwood, Connor, Cooney, Elicker, Fleming, Foley, Francis, Greive, Herr, Holman, Huntley, Jolly, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Stortini, Washington.

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

February 14, 1972.

ENGROSSED HOUSE BILL NO. 187, providing for water supply bonds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Andersen, Atwood, Connor, Cooney, Elicker, Fleming, Foley, Francis, Greive, Herr, Holman, Huntley, Jolly, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Ted), Stortini, Washington, Wilson.

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

February 14, 1972.

ENGROSSED HOUSE BILL NO. 189, providing for state park and recreation bonds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Bailey, Elicker, Fleming, Foley, Francis, Greive, Holman, Huntley, Jolly, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Stortini, Talley, Walgren, Washington.

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

February 14, 1972.

ENGROSSED HOUSE BILL NO. 190, providing for social and health facilities bonds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Andersen, Bailey, Donohue, Elicker, Fleming, Foley, Francis, Greive, Holman, Huntley, Jolly, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Stortini, Talley, Walgren, Washington.

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

February 16, 1972.

SUBSTITUTE HOUSE BILL NO. 313, relating to appropriations (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Andersen, Bailey, Canfield, Connor, Day, Donohue, Dore, Elicker, Herr, Jolly, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Stortini, Walgren, Washington, Wilson, Woodall.

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

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House has passed SENATE CONCURRENT RESOLUTION NO. 10 with the following amendment:

On line 12 after "*regulation measures*," insert "*congressional and legislative redistricting*," and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Greive, the Senate concurred in the House amendment to Senate Concurrent Resolution No. 10 and the resolution was adopted.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 29 and asks the Senate to recede therefrom, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Wilson, the Senate refused to recede from the Senate amendments to Substitute House Bill No. 29 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute House Bill No. 29 and the Senate amendments thereto: Senators Wilson, Murray and Ridder.

MOTION

On motion of Senator Atwood, the Conference Committee appointments were confirmed.

There being no objection, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

February 15, 1972.

SUBSTITUTE HOUSE BILL NO. 261, making certain substantive, procedural, and housekeeping amendments to the law enforcement and fire fighters' retirement system (reported by Committee on Public Pensions and Social Security):

MAJORITY recommendation: Do pass.

Signed by: Senators Rasmussen, Chairman; Clarke, Day, Herr, Murray, Odegaard.

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

LETTER OF INFORMATION

February 16, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON 98504

MR. PRESIDENT:

The Senate Committee on Appropriations has referred the following bill to the full Committee on Ways and Means:

SUBSTITUTE HOUSE BILL NO. 313: Relating to appropriation.

Sincerely,
FRED H. DORE, Chairman,
Senate Appropriations Committee.

MESSAGES FROM THE HOUSE

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 272 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 279 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 241 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 237 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 210 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 196 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 147 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 90 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 57 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 33 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 13 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 130 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 15, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 299 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 47 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendment to HOUSE BILL NO. 79 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 469 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 482 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendments to HOUSE BILL NO. 521 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 417 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 257 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 240 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 194 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 159 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 98 and has passed the bill as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The Speaker has signed:

SENATE BILL NO. 3,
SENATE BILL NO. 23,
SENATE BILL NO. 56,
SENATE BILL NO. 82,
SENATE BILL NO. 84,
SENATE BILL NO. 98,

SENATE BILL NO. 102,
 SENATE BILL NO. 149,
 SENATE BILL NO. 181,
 SENATE BILL NO. 246,
 SENATE BILL NO. 253,
 SENATE BILL NO. 263,
 SUBSTITUTE SENATE BILL NO. 272,
 SENATE BILL NO. 276,
 SENATE BILL NO. 298,
 SENATE BILL NO. 312,
 SENATE BILL NO. 393,
 SENATE BILL NO. 417, and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

February 16, 1972.

Mr. President: The Speaker has signed:
 SUBSTITUTE HOUSE BILL NO. 13,
 HOUSE BILL NO. 33,
 HOUSE BILL NO. 57,
 HOUSE BILL NO. 90,
 HOUSE BILL NO. 130,
 HOUSE BILL NO. 147,
 SUBSTITUTE HOUSE BILL NO. 196,
 HOUSE BILL NO. 210,
 HOUSE BILL NO. 237,
 HOUSE BILL NO. 241,
 SUBSTITUTE HOUSE BILL NO. 272,
 HOUSE BILL NO. 279,
 HOUSE BILL NO. 299, and the same are herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Greive, the Senate commenced consideration of the House message on Reengrossed Senate Bill No. 92.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed REENGROSSED SENATE BILL NO. 92 with the following amendment:

Strike all material after the enacting clause and insert the following:

“NEW SECTION. Section 1. It is declared to be the public policy of the state of Washington to direct financial resources of this state toward the fostering of economic development through the stimulation of investment and job opportunity in order that the general welfare of the inhabitants of the state is served. The legislature further finds that reducing unemployment as soon as possible is of major concern to the economic welfare of the state.

It is further declared that such economic development should be fostered through provision of investment tax deferrals, construction of public facilities, the insurance of industrial mortgages, and technical assistance; that expenditures made for these purposes as authorized in this chapter are declared to be in the public interest, and to constitute a proper use of public funds.

NEW SECTION. Sec. 2. As used in this chapter the following definitions shall apply:

(1) “Department” shall mean the state department of commerce and economic development.

(2) “Director” shall mean the director of the department of commerce and economic development.

(3) "Council" shall mean the economic assistance program council created by section 3 of this act.

NEW SECTION. Sec. 3. There is hereby created the economic assistance program council, to consist of seven citizen members appointed by the director, of which two shall represent cities, and two shall represent counties. The council members shall serve in accordance with the provisions of RCW 43.31.110.

The director shall consult with the council on matters of policy in the implementation of this chapter and with regard to the approval of loans and grants for public facilities and mortgage guarantees.

NEW SECTION. Sec. 4. In all instances in which the department shall consider providing public facilities construction grants or loans, investment tax deferrals, and industrial mortgage payment insurance as authorized in this act, the department shall give its approval only when the project for which the economic assistance is sought will be consistent with the plans, programs, and policies of state agencies and/or local governmental units within whose jurisdiction the project is located.

NEW SECTION. Sec. 5. The department is authorized to make direct grants and/or loans to political subdivisions of the state and Indian tribes recognized as such by the federal government, for the purpose of assisting such organizations in financing the cost of public facilities, including the cost of acquisition and development of land and improvements for public facilities, as well as the acquisition, construction, rehabilitation, alteration, expansion, or improvement of such facilities.

NEW SECTION. Sec. 6. Public facilities grants or loans shall be used to fund those projects which will improve the opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the creation or retention of long-term economic opportunities: PROVIDED, That the department shall initially consider projects which (1) are scheduled to go to bid within three months of approval of the project by the department, and (2) are scheduled to reach fifty percent of peak employment within six months from the date of letting the bid.

NEW SECTION. Sec. 7. (1) Not less than two-thirds of the amount to be available to the public facilities construction loan and grant revolving account within any biennium shall be made available by the department for public facilities grants and loans to those areas which have been designated by the secretary of the United States department of commerce as redevelopment areas and to those counties in which the rate of increase in population is less than fifteen percent between the two prior decennial federal census figures available for the counties of this state. Such designated areas for the purposes of this act shall be known as economic assistance program areas. Thereafter, the department may from time to time redefine the initially designated economic assistance program areas. The department shall base its determination of redefined economic assistance program areas on one or more of the following criteria:

(a) The rate of unemployment in the area, as determined by appropriate annual statistics for the most recent available calendar year, is six percent or more and has been at least (i) fifty percent above the national average for three of the preceding four calendar years, or (ii) seventy-five percent above the national average for two of the preceding three calendar years, or (iii) one hundred percent above the national average for one of the preceding two calendar years, and has averaged at least six percent for those qualifying time periods; or

(b) The rate of increase in population is less than fifteen percent between the two prior decennial federal census figures available for the counties of this state; or

(c) The area is a federal Indian reservation manifesting economic distress as based on unemployment, low income levels, and other evidence of economic underdevelopment.

(2) No more than one-third of the amount estimated to be available to the public facilities construction loan and grant revolving account within any biennium may be made available by the department to areas not designated economic assistance program areas for public facilities grants and loans when the project for which such funds are sought satisfy one or more of the following criteria:

(a) Provides for greater balance in the distribution of economic opportunity within that region; or

(b) Provides for greater equity in the distribution of economic opportunities for state

residents relative to such factors as racial, ethnic, or social group, and educational or skill levels; or

(c) Provides for continued economic diversification leading to greater seasonal or cyclical stability.

NEW SECTION. Sec. 8. In addition to economic assistance program areas, the department may declare any county, city, or community as a special impact area wherein the department determines that the loss, removal, curtailment, or closing of a major source or sources of employment, including the loss, removal, curtailment, or closing of a major state institution, has caused or will cause an unusual and severe rise in unemployment. Such designation as a special impact area shall be for a period of two years from such time of designation. Special impact areas shall be eligible as an economic assistance program area for public facilities grants and loans as provided in section 7 of this act. The department further, shall with agencies of the federal government, appropriate agencies of state government and local city, county, and community officials develop projects and programs which will assist in alleviating such unemployment.

NEW SECTION. Sec. 9. Public facilities grants or loans by the department shall be subject to the following conditions:

(1) The moneys in the public facilities construction loan and grant revolving account are to be used solely to fulfill commitments arising from loans and grants authorized in section 5 of this 1972 act. The total outstanding amount which the department may dispense at any time pursuant to this section shall not exceed the moneys available for grants and loans from said account;

(2) Financial assistance through such grants or loans may be used directly or indirectly for any facility for public purposes, including, but not limited to, sewer or other waste disposal facilities, arterials, bridges, access roads, port facilities or water distribution and purification facilities;

(3) On contracts made for public facilities loans the department shall determine the interest rate which advances shall bear, such interest rate not to exceed ten percent per annum, and the department shall provide such reasonable terms and conditions for repayment of advances as it may determine; said loans not to exceed twenty years in duration.

NEW SECTION. Sec. 10. Repayments of advances made pursuant to such contracts for public facilities construction loans shall be paid into the public facilities construction loan and grant revolving account.

NEW SECTION. Sec. 11. As used in sections 12 through 16 of this 1972 act:

(1) "Eligible investment project" shall mean construction of new buildings or major improvements to existing buildings and the machinery installed in such buildings in the course of such construction or major improvements, when said buildings and machinery are used or are to be used for activities defined in RCW 82.04.120 (the definition of the term "to manufacture"): PROVIDED, That an investment project undertaken by a business as defined in RCW 82.16.010(5) (an electrical utility) shall not be eligible: PROVIDED FURTHER, That one or more of the following criteria must be met:

(a) The investment project is or will be located in a economic assistance program area or special impact area;

(b) A minimum of twenty percent of the employees at the plant complex for which the deferral is requested shall be of a minority race;

(c) The plant complex shall be within an industry classification which is not currently a major employing industry in the county in which the plant complex is located. The industry classification of the plant complex shall be determined by the standard industrial classification as assigned by the department of employment security. The major employing industries in a county shall be the two manufacturing sectors, as defined by the two-digit standard industrial classification, which employed the greatest number of persons on an annual average basis in the most recent calendar year for which such information is available from the department of employment security.

(2) "Buildings" shall mean and include only those structures used or to be used to house or shelter manufacturing activities. The term shall include plant offices and warehouses or other facilities for the storage of raw material or finished goods when such facilities are an essential or an integral part of a factory, mill, or manufacturing plant and

such factory, mill, or manufacturing plant is used or to be used in the business of manufacture for sale or commercial or industrial use of an article, substance, or commodity. Where a building is used partly for manufacturing and partly for other purposes the applicable tax deferral shall be determined by apportionment of the costs of construction under such rules as the department of revenue shall provide;

(3) "Machinery" shall mean all industrial fixtures, equipment, and support facilities that are an integral and necessary part of a manufacturing operation;

(4) "Major improvement" shall mean the expansion, modernization, or renovation of existing buildings wherein the costs are in excess of twenty-five percent of the true and fair value of the plant complex prior to the improvement;

(5) "Plant complex" shall mean land, machinery, and buildings adapted to industrial use as a single functional or operational unit for the assembling, processing, or manufacturing of finished or partially finished products from raw materials or fabricated parts.

NEW SECTION. Sec. 12. The department shall certify the eligibility of investment projects, and the department of revenue shall grant investment tax deferrals for eligible investment projects in an amount not to exceed the state and local sales tax payable under chapters 82.08 and 82.14 RCW or the use tax payable under chapters 82.12 and 82.14 RCW on machinery, materials, labor, and services directly utilized in a certified eligible investment project undertaken by a firm engaged in or to be engaged in manufacturing.

NEW SECTION. Sec. 13. Application for certification of an investment project shall be made to the department in such a form and manner as the department may prescribe, but in no case shall an application be accepted after initiation of the construction of the investment project. The application shall contain information regarding the location of the investment project, the firm's average employment in the state for the prior year, estimated or actual new employment related to the project, estimated or actual costs, time schedules for completion and operation, and such other information as the department may require. The department shall rule on the application within sixty days and the department of revenue shall issue an investment tax deferral certificate when the department certifies that the criteria for an eligible investment project have been satisfied.

NEW SECTION. Sec. 14. The department of revenue shall conduct an audit of the project upon its completion in order to determine the total amount of tax deferral. Any tax found due on nonqualifying construction or purchases shall be immediately assessed and payable. The manufacturing firm will begin paying the deferred taxes three years after the date certified by the department as the date on which the construction project has been operationally completed. The first payment will be due on December 31st of the third calendar year after such certified date, with subsequent annual payments due on December 31st of the following four years with amounts of payment scheduled as follows:

<i>Repayment Year</i>	<i>Percent of Deferred Tax Repaid</i>
1	10%
2	15%
3	20%
4	25%
5	30%

NEW SECTION. Sec. 15. The department of revenue may authorize an accelerated repayment schedule upon request of the manufacturing firm. No interest by the state of Washington will be charged on any taxes so deferred for the period of deferral, although all other penalties and interest available to the department of revenue may be assessed and imposed for delinquent payments as are otherwise provided by law. The debt for deferred taxes will not be extinguished by insolvency or other failure of the firm.

NEW SECTION. Sec. 16. The department of revenue may adopt such rules and regulations as it deems necessary for the administration of the investment tax deferral provisions of this chapter.

NEW SECTION. Sec. 17. Where a firm qualifies for a tax deferral under section 11, subsection 1(b) of this 1972 act, the firm shall submit a report to the department of revenue on December 31st of each of the first seven years of the tax deferral. Such report shall contain information upon which the department of revenue may determine whether the

firm is meeting the requirements of that subsection. If, on the basis of the report or other information, the department of revenue finds that the firm is not meeting the requirements of that subsection, the amount of deferred taxes outstanding shall be immediately assessed and payable. If the firm fails to submit a report or submits an inadequate report, the department of revenue may declare the amount of deferred taxes outstanding to be immediately assessed and payable.

NEW SECTION. Sec. 18. The department may establish an independent study board consisting of governmental and nongovernmental experts to investigate the effects of governmental programming, procurement, scientific, technical, and other related policies of economic assistance programs. The board shall report its findings and recommendations to the director.

NEW SECTION. Sec. 19. For purposes of sections 20 through 29 of this 1972 act:

(1) "Industrial project" means any building or other real estate improvement and the land upon which it may be located, machinery and equipment including installation thereof, and all real properties deemed necessary for this use, including all property rights, easements, and franchises relating thereto and deemed necessary or convenient for operation, by (a) an industry for the manufacturing, processing, or assembling of raw materials or manufactured products, (b) research and development facilities for discovery, perfection, and/or evaluation of new processes or products, or (c) the construction, acquisition, rehabilitation, or improvements of tourist industry facilities and other facilities used by tourists when such facilities fill an established need in the overall development for expansion of a municipality's, county's, or region's tourist industry and/or convention business;

(2) "Mortgagor" means the original borrower under a mortgage and his successors and assigns;

(3) "Mortgagee" means the original lender under a mortgage, and his successors and assigns authorized by federal or state law and approved by the authority, including but not limited to trust companies, banks, and any other classes of lending agencies and institutions;

(4) "Mortgage" means a mortgage or deed of trust on an industrial project, and the term "first mortgage" means such classes of first liens as are commonly given to secure advances such as real estate contracts or real estate under the laws of the state of Washington, together with the credit instruments, if any, secured thereby;

(5) "Cost of project" means the cost of fair market value of construction, lands, property rights, easements, engineering, and any other necessary services.

NEW SECTION. Sec. 20. The department, upon application of a proposed mortgagee, may insure mortgage payments required by a first mortgage on any industrial project which at the date of application is located or is to be located within an economic assistance program area or special impact area or meets criteria established in subsection (2) of section 7 of this 1972 act, upon such terms and conditions as the department may prescribe: PROVIDED, That the aggregate amount of principal obligations of all mortgages so insured outstanding at any one time shall not exceed sixty million dollars.

NEW SECTION. Sec. 21. Mortgage payment insurance authorized under section 20 of this 1972 act may be approved where the department finds that the establishment of the project will meet the general objectives of this chapter and that the project to which the mortgage shall apply is financially sound and there is a reasonable assurance of repayment.

NEW SECTION. Sec. 22. To be eligible for industrial mortgage payment insurance contract under the provisions of this chapter, a mortgage:

(1) Shall be one which is to be made by a mortgagee approved by the department as responsible and able to service the mortgage properly: PROVIDED, That proprietary information required of an applicant to establish eligibility shall be considered privileged and confidential in nature;

(2) Shall not exceed three million dollars for any one previously delineated project, such amount not to exceed ninety percent of the reasonable cost of the project related to real property, and including initial service charges and appraisal, and inspection and other fees approved by the department; and shall not exceed fifty percent of the cost of the project related to machinery and equipment;

(3) Shall have a maturity satisfactory to the department but not later than twenty-five years from the date of issuance of the insurance agreement, except in the case of

machinery and equipment for which the maturity is to be no more than ten years from the date of the department's insurance policy, but not beyond the normal life of the machinery and equipment;

(4) Shall contain complete amortization provisions, requiring periodic mortgage payments by the mortgagor which may include principal and interest payments, cost of local property taxes and assessments for payments in lieu thereof, land lease rentals (if any), hazard insurance on the property, such mortgage insurance premiums as are required under section 23 of this 1972 act, and such depreciation payments as may be necessary to maintain the integrity of the project until principal has been completely paid off, all as the department from time to time may prescribe or approve;

(5) Shall contain such terms and provisions with respect to property insurance, repairs, alterations, payment of taxes and assessments, default reserves, delinquency charges, default remedies, anticipation of maturity, additional and secondary liens, and other matters as the department may deem necessary;

(6) Shall have a maturity agreement that expires not later than six months after the initial term of the lease of the property on which the mortgage is granted: PROVIDED, That this shall in no way preclude the prepayment of any mortgage so insured: AND FURTHER PROVIDED, That such period is to permit the removal or dispensation of leasehold improvements.

NEW SECTION. Sec. 23. The department shall fix mortgage insurance premiums for each industrial project for the insurance of the first mortgage payments under the provisions of this chapter: PROVIDED, That such premiums are to be computed as a percentage of the principal obligation of the mortgage outstanding at the beginning of each mortgage year. Such premiums shall be payable by the mortgagors or the mortgagees in such manner as shall be agreed to by the department. The amount of such premiums shall be on the merits of an individual delineated project. The amount of such premiums need not be uniform among the various loans insured. If such premiums are not paid when due, such nonpayment shall constitute a default and mortgage insurance benefit shall terminate.

NEW SECTION. Sec. 24. Upon default in payment of any mortgage installment by the mortgagor or more than sixty days or as otherwise provided in the mortgage insurance agreement, the department, after receiving notification, shall pay to or on behalf of the mortgagee or his order all installment sums required by the mortgage, exclusive of any acceleration provision, as and when such sums fall due, and not the agreement total amount of guaranteed mortgage for the entire policy period which might otherwise be construed to be due by reason of default. When a mortgagor does not meet mortgage payments insured by the department by reason of vacancy of its industrial project, the department for the purpose of safeguarding the mortgage insurance fund may grant the mortgagee permission to lease or rent the property to a tenant for a use other than that specified in section 20 of this 1972 act. Such lease or rental may be temporary in nature, and shall be subject to such conditions as the department may prescribe. The mortgagee shall take responsible steps to correct any default. In the case of a default which will likely continue for more than ninety days, the mortgagee shall, in consultation with the department, proceed to effect an orderly disposition of the property.

NEW SECTION. Sec. 25. Any loan secured by a first mortgage insured by the department, any loan to a proposed mortgagor for the purpose of building or improving any industrial project owned by such proposed mortgagor, or any proposed mortgagee given advance commitment by the department to insure mortgage payments required by a first mortgage upon a completed industrial project, shall be a legal investment for any trust company, bank, investment company, savings bank, savings and loan association, executor, administrator, guardian, conservator, trustee or other fiduciary, and pension, profit-sharing, or retirement fund: PROVIDED, That such loans shall be in conformity with any laws, rules, or regulations governing banks, trust companies, mutual savings banks, or savings and loan associations, by any regulatory agency of the state of Washington or the federal government. When the real estate is mortgaged to secure real or personal property, security for such loans shall be unencumbered except for leases and easements.

A policy of title insurance shall be lodged with the mortgagee until the mortgage is paid. Loans to a proposed mortgagor for the purpose of building or improving industrial projects shall provide for advance at the discretion of the lender as the work progresses:

PROVIDED, That they shall not exceed the amount of the advance commitment to insure, shall have construction maturities of not more than twenty-four months, and shall be secured by a first mortgage.

NEW SECTION. Sec. 26. The industrial mortgage payment insurance revolving account of the economic development fund shall be used by the department for carrying out the industrial mortgage payment insurance provisions of this chapter. To this account shall be charged any and all expenses of the department necessary to carry out the industrial mortgage payment insurance provisions of this chapter, including mortgage insurance payments required by loan defaults. To the account shall be credited all receipts of the account, including mortgage insurance premiums which the department may receive under the industrial mortgage payment insurance provisions of this chapter. The mortgagor will be required to repay the state for all expenses incurred prior to loan closing and the finalizing of an insurance policy. These moneys shall be deposited in the industrial mortgage payment insurance account. The account shall be nonlapsing.

NEW SECTION. Sec. 27. The department may expend out of the industrial mortgage payment insurance revolving account such moneys as may be necessary for any expenses of the department required to carry out the industrial mortgage payment insurance provisions of this chapter, including administrative, legal, actuarial, and other services. All such expenses incurred by the department shall be paid by the department and shall be charged to the account or to the appropriate industrial project or projects.

NEW SECTION. Sec. 28. A fidelity bond is an amount determined by the department shall be required for each staff member or consultant handling any insurance transaction. Bond premiums for staff members will be paid from the industrial mortgage payment insurance revolving account.

NEW SECTION. Sec. 29. If in the opinion of the department the addition of moneys to the industrial mortgage payment insurance revolving account shall be required, the department in writing shall request the state finance committee to provide sufficient moneys to maintain the account at a level deemed adequate by the department. The state finance committee is authorized to issue anticipatory or arbitrage notes or bonds, or limited obligation bonds to satisfy the request of the authority for funds: PROVIDED, That the total outstanding shall not exceed sixty million dollars.

NEW SECTION. Sec. 30. Sections 19 through 29 of this act shall not be effective until the voters have approved a constitutional amendment authorizing the state to lend its credit for purposes as contemplated in this act.

NEW SECTION. Sec. 31. The following accounts are hereby created and authorized within the general fund of the state treasury: (1) The industrial mortgage payment insurance revolving account; (2) the public facilities construction loan and grant revolving account; and (3) whatever additional accounts may be required from time to time for carrying out the purposes of this act. These accounts shall be exclusive to the department and where designated are nonlapsing and revolving.

Moneys in these accounts not needed currently to meet the expenses and obligations of the department shall be invested in such manner as is provided by law for such temporarily available funds, and any interest earned shall be deposited in the respective accounts and shall be used for the purposes specified in this act. The state treasurer shall render reports to the department advising the department of the status of any funds invested, the market value of the assets as of the date such statement is rendered, and the income received from the investments during the period covered by the report.

NEW SECTION. Sec. 32. If any provision of this 1972 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. 33. This 1972 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.

NEW SECTION. Sec. 34. This act may be cited as the "Economic Assistance Program Act of 1972".

NEW SECTION. Sec. 35. Sections 1 through 30 and section 34 of this act shall be added to chapter 43.31 RCW."

On page 1, line 1 of the title, after "economic" delete all material down to and

including "RCW" on line 2 and insert the following: "assistance programs; adding new sections to chapter 43.31 RCW"; and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

Senator Greive moved that the Senate do concur in the House amendment to Reengrossed Senate Bill No. 92.

Debate ensued.

Senator Scott demanded a roll call and the demand was sustained by Senators Metcalf, Stender, Elicker, Whetzel, Rasmussen, Andersen, Atwood, Clarke and Gardner.

ROLL CALL

The Secretary called the roll and the Senate refused to concur in the House amendment to Reengrossed Senate Bill No. 92 by the following vote: Yeas, 23; nays, 26.

Voting yea: Senators Andersen, Bailey, Clarke, Connor, Cooney, Day, Dore, Elicker, Fleming, Francis, Gardner, Greive, Herr, Holman, Huntley, Keefe, Murray, Peterson (Lowell), Peterson (Ted), Talley, Walgren, Washington, Whetzel—23.

Voting nay: Senators Atwood, Canfield, Donohue, Durkan, Foley, Gissberg, Guess, Henry, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Wilson, Woodall—26.

The Senate refused to concur in the House amendment to Reengrossed Senate Bill No. 92 and asks the House for a conference thereon.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 13,
 SENATE BILL NO. 28,
 SUBSTITUTE SENATE BILL NO. 29,
 SENATE BILL NO. 42,
 SENATE BILL NO. 50,
 SENATE BILL NO. 63,
 SENATE BILL NO. 68,
 SENATE BILL NO. 71,
 SENATE BILL NO. 74,
 SENATE BILL NO. 89,
 SUBSTITUTE SENATE BILL NO. 100,
 SENATE BILL NO. 240,
 SUBSTITUTE SENATE BILL NO. 403,
 SUBSTITUTE SENATE BILL NO. 412,
 SENATE BILL NO. 423.

MOTION

At 1:00 p.m., on motion of Senator Greive, the Senate recessed until 3:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 3:00 p.m.

MESSAGE FROM THE HOUSE

February 15, 1972.
 Mr. President: The House has adopted the report of the Conference Committee on ENGGROSSED SENATE BILL NO. 45 and has granted said committee the powers of Free Conference.
 MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 16, 1972.

MR. PRESIDENT:

MR. SPEAKER:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 45, changing law relating to apportionment of state funds to school districts, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

1. *Items at issue between House and Senate*

House amendment adding new Section 2, on page 2, line 26, through page 3, line 7. House version accepted at conference.

2. *New proposed items within scope and object of original bill*

1. Page 2, line 26. After "that" and before "year", add the word "apportionment". Needed for technical clarification by the Superintendent of Public Instruction.

2. Page 3, lines 8-12. Amend the emergency clause so as to implement section 2 of this act in the present apportionment year.

Signed by: Senators Francis and Ridder; Representatives Barden, Shera and Bauer.

MOTION

Senator Greive moved that the report of the Conference Committee be adopted and the committee be granted the powers of Free Conference.

Debate ensued.

POINT OF INQUIRY

Senator Stender: "I would like to restate my question if I could to Senator Ridder who is on the conference. Under 'new proposed items within scope and object of the original bill on page 2, line 26, it says after 'that' and before 'year' add the word 'apportionment', and I do not see the word 'that' and the word 'year' line 26 on page 2. I was just wondering whether I am looking at a different bill or the wrong bill or . . ."

Senator Ridder: "We wanted to spell out an apportionment year, and the apportionment year is not spelled out in the bill. This is technical clarification that it spells out there. Now I do not know to what they are drawing this to. We were working with the specific, the other bill. I do not have that in my book. But the amendment spells out apportionment year so that it does not deal with year."

Senator Stender: "I do not know how you can set up a conference committee report sheet with different identification lines and pages than we are working with and be able to give us any idea what you had in mind."

Senator Ridder: "I would suggest that we pass out, or it should have been passed out with this material, that we were working with and perhaps we should wait until that comes out and we could look at the whole thing."

MOTION

On motion of Senator Ridder, the motion by Senator Greive that the Senate do grant the powers of Free Conference to the Conference Committee on Engrossed Senate Bill No. 45 was ordered held for further consideration later today.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 14 and asks the Senate to recede therefrom, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Walgren, the Senate adhered to its position on the Senate amendments to Substitute House Bill No. 14 and again asks the House to concur in the Senate amendments.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 46 and asks the Senate to recede therefrom, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Jolly, the Senate refused to recede from the Senate amendments to Engrossed House Bill No. 46 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed House Bill No. 46 and the Senate amendments thereto: Senators Donohue, Jolly and Canfield.

MOTION

On motion of Senator Atwood, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 143 and asks the Senate to recede therefrom, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Twigg moved that the Senate refuse to recede from the Senate amendments to Engrossed House Bill No. 143 and ask the House for a conference thereon.

Debate ensued.

POINT OF INQUIRY

Senator Bailey: "Yesterday I asked the question if we had the thirty-six hour notice as to conference committees and if we adjourn say at midnight on Friday, the Chair answered at that time that in order to qualify with the thirty-six hours—now as I recall it was not on budget or taxes, but in order to qualify for the thirty-six hours we would have to have the conference report laying on our desks at noon tomorrow. Now the question I ask of the Chair is, does this necessarily mean that we cannot have any conference committees out after noon tomorrow because I can conceive of the fact that if we had an important conference committee coming in that the House and the Senate would suspend that rule for that particular bill. And would this mean in your interpretation that no conference committee could go out after noon tomorrow?"

REPLY BY THE PRESIDENT

The President: "Not necessarily, Senator Bailey. It would be the President's interpretation that the conference committees could continue work but that it would require a two-thirds vote of the members present to consider the measure."

POINT OF INQUIRY

Senator Washington: "Would Senator Twigg yield? What are the Senate amendments which the House refuses to concur in?"

Senator Twigg: "If you will recall, Senator Washington, there was a Senate Judiciary Committee amendment which related to the situation where there is a proprietorship under the sole control of one spouse or the other. The Chairman of Senate Judiciary, the Chairman of House Judiciary have agreed on some modified language. In fact, I believe a conference report is already prepared and it will be forthcoming immediately."

The motion by Senator Twigg carried. The Senate refused to recede from the Senate amendments to Engrossed House Bill No. 143 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed House Bill No. 143 and the Senate amendments thereto: Senators Gissberg, Twigg and Rasmussen.

MOTION

On motion of Senator Woodall, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 11, 1972.

Mr. President: The House has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 438 with the following amendments:

On page 5, section 1, line 19 strike "[consecutive]" and insert "consecutive"

On page 12, section 5, line 5 of the engrossed bill, being line 4 of the printed bill, after "than" strike "seventy" and insert "sixty"

On page 18, section 10, line 29 of the engrossed bill being line 28 of the printed bill, after "exceed" and before "percent" strike "twenty" and insert "sixty", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Walgren, the Senate concurred in the House amendments to Engrossed Substitute Senate Bill No. 438.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 438, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—49.

ENGROSSED SUBSTITUTE SENATE BILL NO. 438, 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.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 221 and asks the Senate to recede therefrom, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Washington, the Senate refused to recede from the Senate amendments to Engrossed House Bill No. 221 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed House Bill No. 221 and the Senate amendments thereto: Senators Washington, Huntley and Henry.

MOTIONS

On motion of Senator Greive, the Conference Committee appointments were confirmed.

At 3:20 p.m., on motion of Senator Greive, the Senate recessed until 4:30 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 4:30 p.m.

Senators Greive, Ridder 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 Greive, the Senate proceeded under the Call of the Senate.

MOTION FOR RECONSIDERATION

Having given prior notice, and having voted on the prevailing side, Senator Newschwander moved that the Senate do now reconsider the vote by which Engrossed Senate Bill No. 163, as amended by the House, failed to pass the Senate.

Debate ensued.

Senators Talley, Bailey and Woodall demanded the previous question and the demand was sustained.

Senator Newschwander demanded a roll call and the demand was sustained by Senators Greive, Bailey, Stortini, Metcalf, Talley, Lewis, Andersen, Atwood and Scott.

The President declared the question before the Senate to be the motion for reconsideration by Senator Newschwander.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll and the motion for reconsideration by Senator Newschwander carried by the following vote: Yeas, 26; nays, 23.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Fleming, Foley, Francis, Gardner, Herr, Holman, Huntley, Lewis, Mardesich, Matson, Murray, Newschwander, Peterson (Lowell), Scott, Sellar, Stortini, Talley, Twigg, Waigren, Whetzel, Woodall—26.

Voting nay: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Gissberg, Greive, Guess, Henry, Jolly, Keefe, Knoblauch, Metcalf, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Washington, Wilson—23.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 163, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 163, as amended by the House, and on reconsideration, the bill passed the Senate by the following vote: Yeas, 25; nays, 24.

Voting yea: Senators Andersen, Atwood, Clarke, Elicker, Fleming, Foley, Francis, Gardner, Herr, Holman, Huntley, Lewis, Mardesich, Matson, Murray, Newschwander, Peterson (Lowell), Scott, Sellar, Stortini, Talley, Twigg, Waigren, Whetzel, Woodall—25.

Voting nay: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Gissberg, Greive, Guess, Henry, Jolly, Keefe, Knoblauch, Metcalf, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Washington, Wilson—24.

ENGROSSED SENATE BILL NO. 163, as amended by the House, on reconsideration, having received the 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 CONCURRENT RESOLUTION NO. 10,
 SUBSTITUTE HOUSE BILL NO. 13,
 HOUSE BILL NO. 33,
 HOUSE BILL NO. 57,
 HOUSE BILL NO. 90,
 HOUSE BILL NO. 130,
 HOUSE BILL NO. 147,
 SUBSTITUTE HOUSE BILL NO. 196,
 HOUSE BILL NO. 210,
 HOUSE BILL NO. 237,
 HOUSE BILL NO. 241,
 SUBSTITUTE HOUSE BILL NO. 272,
 HOUSE BILL NO. 279,
 HOUSE BILL NO. 299.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 169 with the following amendments:

On page 1, line 6 of the title of both the engrossed bill and printed bill, after "49 RCW;" and before "repealing" insert: "repealing section 1, chapter 130, Laws of 1913, section 1, chapter 65, Laws of 1965 ex. sess. and RCW 19.29.010; repealing section 2, chapter 130, Laws of 1913 and RCW 19.29.020; repealing section 3, chapter 130, Laws of 1913, section 1, chapter 41, Laws of 1917, section 1, chapter 20, Laws of 1921, section 1, chapter 24, Laws of 1931, section 1, chapter 105, Laws of 1937 and RCW 19.29.030; repealing section 4, chapter 130, Laws of 1913 and RCW 19.29.040; repealing section 5, chapter 130, Laws of 1913 and RCW 19.29.050; repealing section 6, chapter 130, Laws of 1913 and RCW 19.29.060;"

On page 4, line 9 of both the engrossed and printed bill after "standards" strike "and" and insert "for"

On page 8, section 8, line 19 of the engrossed bill after "by" and before "posting" strike "mail and by"

On page 8, section 8, line 21 following "notification" and before the semicolon insert "and by mailing a copy to the authorized representative of such employees, if any"

On page 19, section 18, line 4 of the engrossed bill being line 5 of the printed bill, after "subsection" strike "(5)" and insert "(6)"

On page 19, section 18, line 8 of the engrossed bill being line 9 of the printed bill, after "section" strike "5" and insert in lieu thereof "6"

On page 19, section 18, line 13 of the engrossed bill being line 14 of the printed bill, after "subsection" strike the "(5)" and insert "(6)"

On page 20, section 18, line 7 of the engrossed bill, being line 7 of the Senate amendment after "be" strike the balance of the subsection and insert "prohibited from performing work involving the violation and the employer and employee shall be notified"

On page 25, section 26, line 10 of the engrossed bill, being line 8 of the printed bill after "standards" insert "related to the health and safety of employees"

On page 25, section 26, line 15 of the engrossed bill being line 13 of the printed bill after "act" insert ": PROVIDED, That in relation to employers using or possessing sources of ionizing radiation the department of labor and industries and the department of social and health services shall agree upon mutual policies, rules and regulations compatible with policies, rules and regulations adopted pursuant to chapter 70.98 RCW insofar as such policies, rules and regulations are not inconsistent with the provisions of this act"

On page 26, line 19 of the engrossed bill being line 17 of the printed bill, following "49.20.060;" strike "and"

On page 26, line 22 of the engrossed bill being line 20 of the printed bill following "49.20.110" strike the period and insert ";

On page 26, line 23 of the engrossed bill being line 21 of the printed bill insert new subsections to read as follows:

"(24) Section 1, chapter 130, Laws of 1913, section 1, chapter 65, Laws of 1965 ex. sess. and RCW 19.29.010;

(25) Section 2, chapter 130, Laws of 1913 and RCW 19.29.020;

(26) Section 3, chapter 130, Laws of 1913, section 1, chapter 41, Laws of 1917, section 1, chapter 20, Laws of 1921, section 1, chapter 24, Laws of 1931, section 1, chapter 105, Laws of 1937 and RCW 19.29.030;

(27) Section 4, chapter 130, Laws of 1913 and RCW 19.29.040;

(28) Section 5, chapter 130, Laws of 1913 and RCW 19.29.050; and

(29) Section 6, chapter 130, Laws of 1913 and RCW 19.29.060.", and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

Senator Woodall moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 169.

POINT OF ORDER

Senator Durkan: "I raise the scope and object on one of the amendments and I would like to speak to that. I raise the scope and object on the amendment which repeals the 1913 safety laws. That is the last amendment in the book, on page 26, line 23 at the beginning, Mr. President, and I raise the scope and object in the sense that while the present bill, Senate Bill No. 169, deals with the administrative procedures on safety and in health of some of the employees, the repealer repeals an entire substantive act which deals in much more depth with the safety laws of the state of Washington in regard to the electrical employees of various utilities throughout the state. Mr. President, it is my position that this amendment greatly increases the scope and object of the bill and I would like to have your ruling to that effect."

RULING BY THE PRESIDENT

The President: "In ruling on the point of order as raised by Senator Durkan, the President finds that Senate Bill No. 169 is a measure relating to safety and health standards to be promulgated by the Department of Labor and Industries. The amendment of the House of Representatives, however, deals with business regulation of the electrical industry and repeals existing law set forth in RCW 19.29.010 through RCW 19.29.060 which is the electrical code. The amendment does increase the scope and object of the bill and the President is required to assign the bill to the appropriate committee. Engrossed Senate Bill No. 169 as amended by the House is assigned to the Committee on Labor and Industrial Insurance."

Engrossed Senate Bill No. 169 was referred to the Committee on Labor and Industrial Insurance.

MOTION

Senator Woodall moved that the Committee on Labor and Industrial Insurance be relieved of further consideration of Engrossed Senate Bill No. 169.

Debate ensued.

POINT OF INQUIRY

Senator Day: "Would Senator Woodall yield to a question? Is it your intent that the bill be taken from the committee and that the amendment then would still be on the bill?"

Senator Woodall: "Yes."

Senator Day: "Then we would be in effect overriding the ruling of the Chair?"

Senator Woodall: "That is a tough one. You might have a point there. I would like to move that down the calendar a little ways. I would like to give that some thought. I would like to have my motion held in abeyance until we have concluded a little more business."

MOTION

On motion of Senator Durkan, the motion by Senator Woodall to relieve the Committee on Labor and Industrial Insurance of further consideration of Engrossed Senate Bill No. 169 was made a special order of business for 6:00 p.m. today.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 232 with the following amendments:

On page 1, section 1, beginning on line 10 after "employees," strike all the material down to and including "and" on line 11

On page 2, section 2, line 13 strike the semicolon and insert a period and add the following: "No bargaining unit shall be found appropriate if it includes guards together with other employees."

On page 2, section 2, line 15 after "nurse" insert "or service personnel"

On page 2, section 2, line 21 after "thereof;" insert "nor shall it apply to supervisors."

On page 2, section 2, lines 25 and 26 strike subsection (5) and insert:

"(5) "Supervisor" means any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. Supervisor includes registered nurses only if administrative supervision is his or her primary duty and activity.

(6) "Guard" means any individual employed as a guard to enforce against employees

and other persons rules to protect property of the employer or to protect the safety of persons on the employer's premises."

On page 3, section 3, line 9 after "unit." insert "In order to be certified as a bargaining representative, an employee organization must receive, in a secret ballot election, votes from a majority of the employees who vote in the election; no bargaining representative shall be certified except in this manner. In any election held pursuant to this section, there shall be a choice on the ballot for employees to designate that they do not wish to be represented by any bargaining representative. No representation election shall be directed in any bargaining unit or any subdivision thereof within which, in the preceding twelve-month period, a valid election has been held. Thirty percent of the employees of an employer may file a petition for a secret ballot election to ascertain whether the employee organization which has been certified or is currently recognized by their employer as their bargaining representative is no longer their bargaining representative.

No employee organization shall be certified as the representative of employees in a bargaining unit of guards if such organization admits to membership, or is affiliated directly or indirectly with an organization which admits to membership, employees other than guards."

On page 3, section 3, line 14 strike "medicial technicians,"

On page 3, section 4, line 21, strike the semicolon and insert: ": PROVIDED, That the expressing of any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this chapter, if such expression contains no threat of reprisal or force or promise of benefit;"

On page 3, line 33, after "discussion." insert the following new sections:

NEW SECTION. Sec. 5. It shall be an unfair labor practice and unlawful, for any employee organization or its agents to:

(1) Restrain or coerce (a) employees in the exercise of their right to refrain from self-organization, or (b) an employer in the selection of its representatives for purposes of collective bargaining or the adjustment of grievances;

(2) Cause or attempt to cause an employer to discriminate against an employee in violation of subsection (3) of section 4 or to discriminate against an employee with respect to whom membership in such organization has been denied or terminated on some ground other than his failure to tender the periodic dues and initiation fees uniformly required as a condition of acquiring or retaining membership;

(3) Refuse to meet and bargain in good faith with an employer, provided it is the duly designated representative of the employer's employees for purposes of collective bargaining;

(4) Requires of employees covered by a union security agreement the payment, as a condition precedent to becoming a member of such organization, of a fee in an amount which the director of labor and industries finds excessive or discriminatory under all the circumstances. In making such a finding, the director shall consider, among other relevant factors, the practices and customs of labor organizations in the particular industry, and the wages currently paid to the employees affected;

(5) Cause or attempt to cause an employer to pay or deliver or agree to pay or deliver any money or other thing of value, in the nature of an exaction, for services which are not performed or not to be performed;

(6) Enter into any contract or agreement, express or implied, whereby an employer or other person ceases or refrains, or agrees to cease or refrain, from handling, using, selling, transporting or otherwise dealing in any of the products or services of any other employer or person, or to cease doing business with any other employer or person, and any such contract or agreement shall be unenforceable and void; or

(7) Engage in, or induce or encourage any individual employed by any employer or to engage in, an activity prohibited by section 6 of this chapter.

NEW SECTION. Sec. 6. No employee organization, bargaining representative, person or employee shall authorize, sanction, engage in, or participate in a strike (including but not limited to a concerted work stoppage of any kind, concerted slowdown or concerted refusal or failure to report for work or perform work) or picketing against an employer under any circumstances, whether arising out of a recognition dispute, bargaining impasse or otherwise: PROVIDED, That nothing in this section shall prohibit picketing or other

publicity for the sole purpose of truthfully advising the public of the existence of a dispute with the employer, unless an effect of such picketing or other publicity is (a) to induce any employee of the employer or any other individual, in the course of his employment, not to pick up, deliver or transfer goods, not to enter the employer's premises, or not to perform services; or (b) to induce such an employee or individual to engage in a strike."

Renumber the remaining sections consecutively.

On page 4, section 5, line 3 after "act" insert "or any employer"

On page 4, section 5, line 5 after "employer" insert "or employee organization"

On page 4, section 5, line 6 after "practice" strike "by a health care activity"

On page 6, section 9, line 7 after "other" insert "comparable"

On page 6, section 9, after line 10 insert a new subsection as follows:

"(6) Efficiency of operation of the health care activity.", and the same is herewith transmitted.
DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Fleming, the Senate concurred in the House amendments to Engrossed Senate Bill No. 232.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 232, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 40; nays, 9.

Voting yea: Senators Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Woodall—40.

Voting nay: Senators Andersen, Clarke, Gissberg, Guess, Metcalf, Murray, Scott, Sellar, Wilson—9.

ENGROSSED SENATE BILL NO. 232, 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.

MESSAGE FROM THE HOUSE

February 12, 1972.

Mr. President: The House has passed SUBSTITUTE SENATE BILL NO. 355 with the following amendments:

On page 1, line 3 of the title after the semicolon and before "and" insert "amending section 46.68.070, chapter 12, Laws of 1961 and RCW 46.68.070; amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 1, chapter 83, Laws of 1963 and RCW 46.68.130; and adding new sections to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW;"

On page 6, line 26, following section 1 add new sections to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

Out of the funds received by the department of highways or by any county, city, or town from the motor vehicle fund according to the provisions of RCW 46.68.100, reasonable amounts shall be expended as necessary for the establishment of facilities for pedestrians, equestrians, or bicyclists. Paths and trails for such purposes shall be established wherever a highway, road, or street is being constructed, reconstructed, or relocated. Funds received from the motor vehicle fund may also be expended to maintain such paths and trails and to establish paths and trails along other highways, roads, and streets and in parks and recreation areas.

NEW SECTION. Sec. 3. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

Paths and trails are not required to be established:

(1) Where the establishment of such paths and trails would be contrary to public safety;

(2) If the cost of establishing such paths and trails would be excessively disproportionate to the need or probable use; or

(3) Where sparsity of population, other available ways, or other factors indicate an absence of need for such paths and trails.

NEW SECTION. Sec. 4. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

The amount expended by the highway department or by a city, town, or county as requested or permitted by section 1 of this 1972 amendatory act shall never in any one fiscal year be less than one fourth of one percent of the total amount of the funds received from the motor vehicle fund according to the provisions of RCW 46.68.100: PROVIDED, That this section does not apply to a city or town in any year in which the one percent equals two hundred fifty dollars or less, or to a county in any year in which the one percent equals one thousand five hundred dollars or less: PROVIDED FURTHER, That a city, town or county in lieu of expending the funds each year may credit the funds to a financial reserve or special fund, to be held for not more than ten years, and to be expended for the purposes required or permitted by section 1 of this 1972 amendatory act.

NEW SECTION. Sec. 5. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

For the purposes of this chapter, the establishment of paths and trails and the expenditure of funds as authorized by section 1 of this 1972 amendatory act shall be deemed to be for highway, road, and street purposes. The department of highways shall, when requested, provide technical assistance and advice to cities, towns, and counties in carrying out the purposes of section 1 of this 1972 amendatory act. The department shall recommend construction standards for paths and trails. The department shall provide a uniform system of signing paths and trails which shall apply to paths and trails under the jurisdiction of the department and of cities, towns, and counties. The department and cities, towns, and counties may restrict the use of paths and trails under their respective jurisdictions to pedestrians, equestrians, and nonmotorized vehicles.

Sec. 6. Section 46.68.070, chapter 12, Laws of 1961 and RCW 46.68.070 are each amended to read as follows:

There is created in the state treasury a permanent fund to be known as the motor vehicle fund 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 state, and through state agencies, for the use of counties, cities, and towns for proper road, street, and highway purposes, *including the purposes of section 2 of this 1972 amendatory act.*

Sec. 7. Section 46.68.130, chapter 12, Laws of 1961 as last amended by section 1, chapter 83, Laws of 1963 and RCW 46.68.130 are each amended to read as follows:

The net tax amount distributed to the state in the manner provided by RCW 46.68.100, and all moneys accruing to the motor vehicle fund from any other source, less such sums as are credited to the state patrol highway account and such sums expended pursuant to proper appropriation for costs of collection and administration thereof, shall be expended by the department of highways, subject to proper appropriation and reappropriation, for state highways and other proper department of highways purposes, *including the purposes of section 2 of this 1972 amendatory act.*”, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

POINT OF ORDER

Senator Guess: “Senate Bill No. 355 had to do with the distribution of gas tax funds to the counties and the amendment placed on it by the House has to do with bicycle trails and I therefore raise the question of scope and object of the amendment.”

The point of order as raised by Senator Guess was ordered held pending a Ruling by the President.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to HOUSE BILL NO. 228 and asks the Senate to recede therefrom, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Talley, the Senate receded from the Senate amendments to House Bill No. 228.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 228, without the Senate amendments, and the bill passed the Senate by the following vote: Yeas, 47; nays, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Voting nay: Senators Fleming, Rasmussen—2.

HOUSE BILL NO. 228, 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.

MOTION

On motion of Senator Talley, House Bill No. 228 was ordered immediately transmitted to the House.

MOTION

There being no objection, the motion by Senator Woodall to relieve the Committee on Labor and Industrial Insurance from further consideration of Engrossed Senate Bill No. 169 was withdrawn.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 258 and asks the Senate to recede therefrom, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Day, the Senate insists on its position on the Senate amendments to Engrossed House Bill No. 258 and again asks the House to concur therewith.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to HOUSE BILL NO. 289 and asks the Senate to recede therefrom, and the same is therewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTIONS

Senator Talley moved that the Senate recede from the Senate amendments to House Bill No. 289.

Senator Andersen moved that the Senate refuse to recede from the Senate amendments to House Bill No. 289.

PARLIAMENTARY INQUIRY

Senator Woodall: "The point is that the affirmative motion that brings the bodies together would take priority. If this loses, then the negative one in effect carries?"

REPLY BY THE PRESIDENT

The President: "Senator Woodall's remarks are well taken."

Senator Metcalf demanded a roll call and the demand was sustained by Senators Murray, Guess, Bailey, Greive, Canfield, Rasmussen, Francis, Whetzel, Scott and Elicker.

The President declared the question before the Senate to be the positive motion by Senator Talley that the Senate do recede from the Senate amendments to House Bill No. 289.

ROLL CALL

The Secretary called the roll and the motion by Senator Talley that the Senate do recede from the Senate amendments failed by the following vote: Yeas, 22; nays, 27.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Odegaard, Peterson (Lowell), Sandison, Stender, Talley, Washington, Wilson—22.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Holman, Huntley, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stortini, Twigg, Walgren, Whetzel, Woodall—27.

The President declared the question before the Senate to be the motion by Senator Andersen that the Senate refuse to recede from the Senate amendments to House Bill No. 289 and ask the House for a conference thereon.

The motion by Senator Andersen carried.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on House Bill No. 289 and the Senate amendments thereto: Senators Talley, Andersen and Foley.

MOTION

On motion of Senator Atwood, the Conference Committee appointments were confirmed.

The Senate resumed consideration of the motion by Senator Greive that the Conference Committee on Engrossed Senate Bill No. 45 be granted the powers of Free Conference.

POINT OF INQUIRY

Senator Atwood: "Will Senator Ridder yield? Just so there is no misunderstanding, that Engrossed Senate Bill No. 45 does not reflect the House's action. Is the conference

committee going to leave that tax delinquency thing on it? Is that what you are going to do?"

Senator Ridder: "According to the sheet that should be on your desk specifying free conference it does leave the additional material put on it by the House."

Senator Atwood: "But you are also asking for an emergency clause."

Senator Ridder: "No, the emergency clause exists but it applies, will have to amend the emergency clause to apply to this new section which is the section on the . . ."

Senator Atwood: "That is exactly my point, Senator. You are going to make it apply to the SPI figuring tax delinquencies and asking for additional funds at the next session of the legislature. Is that true?"

Senator Ridder: "Yes, this will go until 1975 which is certainly a long ways away but we could implement it."

Senator Atwood: "Not if you are going to put it in your budget. You are asking there tax delinquencies, are you not?"

Senator Ridder: "Tax delinquencies? Now notice this is May 1 that this would be reported to the Superintendent of Public Instruction. It would go then to the Superintendent of Public Instruction, to the Governor for his budget in '72 for '73's budget to be collected in '74. So you are a way long ways in the future."

Senator Greive demanded a roll call and the demand was sustained by Senators Atwood, Clarke, Odegaard, Metcalf, Connor, Walgren, Sellar, Whetzel, Scott and Stortini.

The President declared the question before the Senate to be the motion by Senator Greive that the Conference Committee on Engrossed Senate Bill No. 45 be granted the powers of Free Conference.

ROLL CALL

The Secretary called the roll and the Conference Committee on Engrossed Senate Bill No. 45 was granted the powers of Free Conference by the following vote: Yeas, 26; nays, 23.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Fleming, Francis, Gardner, Gissberg, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—26.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Durkan, Elicker, Foley, Guess, Holman, Huntley, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Whetzel, Woodall—23.

MESSAGE FROM THE HOUSE

February 16, 1972.

Mr. President: The House refuses to recede from its amendments to ENGROSSED SENATE BILL NO. 4 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees on Engrossed Senate Bill No. 4 and the House amendments thereto: Representatives Flanagan, Polk and Marzano.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Atwood, the request of the House for a conference on Engrossed Senate Bill No. 4 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. 4 and the House amendments thereto: Senators Washington, Guess and Rasmussen.

MOTION

On motion of Senator Atwood, the Conference Committee appointments were confirmed.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 6:10 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Thursday, February 17, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

THIRTY-NINTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Thursday, February 17, 1972.

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.

The Color Guard, consisting of Pages Fred Gilleland, Color Bearer, and Sharon Glein, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Our Father God, on this day after Ash Wednesday, in these opening moments of this second day of the sacred season of Lent, make us mindful of and grateful for your Calvary love. LOVE SO AMAZING, SO DIVINE, DEMANDS MY SOUL, MY LIFE, MY ALL. O Divine Redeemer and Wonderful Counselor, as our salvation begins and is perfected in looking to You; so our service begins and is expanded in looking at the world as You see it. Give us, therefore, a Christ's-eye-view of the special problems of our state and of the world today. Spirit of the Living God, we invoke now Your blessing upon this legislative body to the end that each Senator may seek after and submit to Your divine guidance. And now, as our President is winging his way to China, we would lift up our hearts in a moment of silent prayer for his safety all the way and for the good success of his mission. This we pray in the strong name of the Trinity. Amen."

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

LETTER OF INFORMATION

February 17, 1972.

HONORABLE JOHN CHERBERG
PRESIDENT OF THE SENATE
LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON

MR. PRESIDENT:

The Senate Committee on Appropriations has referred the following bill to Rules and Joint Rules:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 112: Adopting a supplemental budget and making appropriation.

Sincerely,
FRED H. DORE, Chairman,
Senate Appropriations Committee.

REPORTS OF STANDING COMMITTEES

February 16, 1972.

SENATE BILL NO. 169, creating an industrial health and safety act providing for better working conditions in all work places (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: Do pass as recommended by Committee on Labor and Industrial Insurance except for the title amendment to page 1, line 6; also amendments to page 26, line 22 and line 23.

Signed by: Senators Fleming, Chairman; Bailey, Connor, Matson, Ridder, Sellar, Stender.

MOTION

On motion of Senator Woodall, Senate Bill No. 169 and the committee report from Committee on Labor and Industrial Insurance was placed on the second reading calendar for today.

February 17, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 112, adopting a supplemental budget and making appropriations (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Durkan, Chairman; Canfield, Connor, Day, Donohue, Dore, Fleming, Foley, Herr, Holman, Huntley, Jolly, Mardesich, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Talley, Wilson.

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

February 17, 1972.

ENGROSSED HOUSE BILL NO. 142, providing for payments in lieu of property taxes upon the University tract properties (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Andersen, Canfield, Connor, Cooney, Day, Donohue, Gissberg, Holman, Huntley, Jolly, Mardesich, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Sandison, Scott, Talley, Washington, Wilson.

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

February 16, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 324, relating to state government (reported by Committee on State Government):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Walgren, Chairman; Flicker, Gardner, Henry, Jolly, Lewis.

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

February 16, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 414, relating to revenue and taxation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Day, Donohue, Fleming, Guess, Holman, Huntley, Jolly, Mardesich, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Twigg, Washington, Woodall.

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

MOTION

Senator Bailey moved that the rules be suspended and all debate restricted to three minutes on any one subject with no yields.

POINT OF INQUIRY

Senator Talley: "Will Senator Bailey yield to a question? How about these conference reports that have to be through by noon if we are going to recess? We are not going to be able to get them through here then."

Senator Bailey: "Senator Talley, I went over to the House this morning. Personally I do not favor suspending the rules where we can just bring in a dozen conference reports the

last fifteen minutes and have us pass a lot of bills we do not know what we are working on, but each bill that needs a suspension I think should have a separate suspension at the same time we want to consider the conference report and that way we can keep under control at least the amount of foreign matter, you might say, that we are going to be working on at the very end. I think we have worked it out pretty well mechanically so that if it is an important bill you can have a two-thirds vote, you can consider it."

The motion by Senator Bailey carried.

MOTION

At 10:40 a.m., on motion of Senator Greive, the Senate recessed until 12:10 p.m.

NOON SESSION

The President called the Senate to order at 12:10 p.m.

REMARKS BY SENATOR WASHINGTON

Senator Washington: "For the record, the report on Engrossed House Bill No. 221 was placed on the members' desks prior to twelve o'clock noon today."

MOTION

On motion of Senator Greive, the Senate commenced consideration of the House message on Substitute House Bill No. 29.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on SUBSTITUTE HOUSE BILL NO. 29 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Zimmerman, Spanton and Bradley.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 16, 1972.

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 29, transferring administration of all-terrain vehicle law from department of motor vehicles to interagency committee, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference and that the committee be granted the power to consider the following items:

1. *Items at issue between the House and Senate:*

1. Senate amendment changing the supervising authority and the authority to distribute funds from the IAC to the Department of Natural Resources.
 - (a) Page 5, section 4, line 17, *all-terrain vehicle account, which account is hereby established as an account in the general fund.*
 - (b) Page 8, section 9(2), line 29, *which shall be deposited in the all-terrain vehicle account*
 - (c) Page 11, section 11(2), all references to all-terrain vehicle account and department of natural resources
 - (d) Page 14, section 15, on lines 7, 8 and 9, *all-terrain vehicle account of the general fund to be administered by the department of natural resources and on line 16, department of natural resources*

- (e) Page 15, *NEW SECTION*. Sec. 18. References to the department of natural resources
2. All of sections 22 and 26 which are the snowmobile amendments added to SHB 29 (from SB 270). Representative Spanton is concerned with new section 22 and references to RCW 46.10.070 found at the end of page 16.
2. New proposed items within the scope and object of the original bill:
1. The title should be changed to include the snowmobile sections, if they are to be included in the act.
 2. Page 3, section 3, the word "private" should proceed "forestry". This has been recommended by Don Lee Fraser. The all-terrain vehicle account would lose over \$100,000 a year in gas tax monies if public vehicles were to be excluded from the act.
 3. Page 15, section 19, after the word "all" the year "1971" should be included.
 4. Page 16, section 21, references to 55% should be deleted, since they are no longer germane to the proposed act.
- Signed by: Senators Wilson, Ridder and Murray; Representatives Zimmerman, Spanton and Bradley.

MOTION

On motion of Senator Greive, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED HOUSE BILL NO. 221 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Wanamaker, Gilleland and Gallagher.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

Mr. Speaker:

February 17, 1972.

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 221, clarifying provisions relative to motor fuel tax exemption, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference. Reasons for requesting powers of Free Conference:

1. The Senate Committee Amendments require that one word be amended to make the references to time periods consistent.
2. There are no substantive disagreements among the conferees.

Signed by: Senators Washington, Huntley and Henry; Representatives Wanamaker, Gallagher and Gilleland.

MOTION

On motion of Senator Washington, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on SENATE BILL NO. 173 and has granted said committee the powers of Free Conference.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 16, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SENATE BILL NO. 173, conforming fire commission filing dates to general law and prescribing fire district bid limits, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

1. *Items at issue between House and Senate:*

There is disagreement as to the \$2,500.00 limit for construction without bid. An acceptable amendment would limit construction on fire stations and other buildings to \$1,000.00 before going to bid.

2. *New proposed items within scope and object of original bill:*

On page 1, line 22, before the period after "RCW 39.24.010" insert: "*PROVIDED, That where the cost of work to be done or materials, supplies, or equipment to be purchased involves the construction or improvement of any fire station or other building, the same shall be done by contract after call for bids whenever the cost exceeds one thousand dollars*"

Signed by: Senators Talley, Foley, and Huntley; Representatives Charette, Smythe and Kopet.

MOTION

On motion of Senator Talley, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MOTION

Senator Andersen: "Mr. President, I would respectfully move that the Sergeant at Arms be directed to enforce Senate Rule 45 for the balance of the legislative session."

REPLY BY THE PRESIDENT

The President: "If there are no objections, the Sergeant at Arms will be instructed to enforce all provisions of Senate Rule 45 and as a note of clarification, if any unauthorized person is in the company of a Senator, would the Senator please, after concluding the conversation, escort or ask the lady or gentleman to leave. If that is agreeable with the Senate."

The motion by Senator Andersen carried.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House insists on its position regarding ENGROSSED SENATE BILL NO. 27 and asks the Senate for a conference thereon, and the Speaker has appointed as the House conferees: Representatives Hubbard, Haussler and Paris.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Greive, the request of the House for a conference on Engrossed Senate Bill No. 27 was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Senate Bill No. 27 and the House amendments thereto: Senators Gissberg, Andersen and Dore.

MOTION

On motion of Senator Greive, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House has concurred in Senate amendments 1 and 3 to SUBSTITUTE HOUSE BILL NO. 411 and refuses to concur in the Senate amendment on page 5, section 1, line 1, and asks the Senate to recede therefrom, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Greive, the Senate refused to recede from the Senate amendment to Substitute House Bill No. 411 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute House Bill No. 411 and the Senate amendment thereto: Senators Walgren, Woodall and Stortini.

MOTION

On motion of Senator Greive, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 413 and asks the Senate to recede therefrom, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Greive, the Senate refused to recede from the Senate amendments to SUBSTITUTE HOUSE BILL NO. 413 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute House Bill No. 413 and the Senate amendments thereto: Senators Francis, Metcalf and Odegaard.

MOTION

On motion of Senator Greive, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to

ENGROSSED HOUSE BILL NO. 177 and asks the Senate to recede therefrom, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Greive, the Senate refused to recede from the Senate amendments to ENGROSSED HOUSE BILL NO. 177 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed House Bill No. 177 and the Senate amendments thereto: Senators Knoblauch, Woodall and Francis.

MOTION

On motion of Senator Greive, the Conference Committee appointments were confirmed.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on REENGROSSED SENATE BILL NO. 92 and the House amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Bluechel, Pardini and Perry.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Greive, the request of the House for a conference on Reengrossed Senate Bill No. 92 and the House amendments thereto was granted.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Reengrossed Senate Bill No. 92 and the House amendments thereto: Senators Greive, Guess and Gardner.

MOTION

On motion of Senator Greive, the Conference Committee appointments were confirmed.

MESSAGES FROM THE HOUSE

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on HOUSE BILL NO. 289 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Hatfield, Jueling and Jastad.

MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED HOUSE BILL NO. 46 and the Senate amendments thereto and the Speaker

has appointed as members of the Conference Committee thereon: Representatives Wolf, Hansey and Van Dyk.

MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED HOUSE BILL NO. 143 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Julin, Kuehnle and Wojahn.

MALCOLM McBEATH, Chief Clerk.

MOTION

At 12:35 p.m., on motion of Senator Greive, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

MOTION

On motion of Senator Day, the Senate commenced consideration of Senate Bill No. 169.

Senators Greive, Durkan and Scott 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 subject to roll call.

SECOND READING

ENGROSSED SENATE BILL NO. 169, by Senators Lewis, Talley, Foley, Stender, Stortini and Elicker (by Department of Labor and Industries request):

Creating an industrial health and safety act providing for better working conditions in all work places.

The Senate resumed consideration of Engrossed Senate Bill No. 169, as amended by the House. On Wednesday, February 16, 1972, Senator Woodall moved that the Senate concur in the House amendments. The point of order was raised by Senator Durkan on the scope and object of the House amendment to page 26, line 23. The President in ruling upon the point of order assigned the bill to the Committee on Labor and Industrial Insurance.

REPORT OF STANDING COMMITTEE

February 16, 1972.

ENGROSSED SENATE BILL NO. 169, creating an industrial health and safety act providing for better working conditions in all work places (reported by Committee on Labor and Industrial Insurance):

MAJORITY recommendation: That the Committee on Labor and Industrial Insurance, having considered the amendments made by the House of Representatives to Engrossed Senate Bill No. 169, reports as follows:

We concur in all House amendments except the amendment to page 1, line 6 of the title, and the amendment to page 26, line 22, and to page 26, line 23.

Signed by: Senators Fleming, Chairman; Bailey, Connor, Matson, Ridder, Sellar, Stender.

MOTION

Senator Woodall moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 169.

POINT OF ORDER

Senator Bailey: "Senator Woodall I think bypassed the Rules Committee before it got to the Rules Committee today by making a motion. Now does that take a two-thirds vote to bypass the Rules Committee?"

RULING BY THE PRESIDENT

The President: "The President believes that only a simple majority is required, Senator Bailey, to by-pass the Rules Committee but Senator Woodall's motion takes a two-thirds majority to be on the second reading calendar."

Senator Bailey: "Has the vote been placed?"

The President: "Yes, it was this morning, Senator Bailey. The measure is properly before the Senate."

PARLIAMENTARY INQUIRY

Senator Stender: "I do not quite understand how it is that the committee recommendation is before the body and a motion that not relates to the committee recommendation has been placed. Isn't that out of order at this point?"

REPLY BY THE PRESIDENT

The President: "Senator Stender, in answer to your inquiry, the President wishes to respectfully point out that Engrossed Senate Bill No. 169 is on second reading and upon motion by Senator Day the measure was to be considered immediately. The President believes that inasmuch as the motion is before the Senate, it is up to the members of the Senate to determine what they wish to do with the bill. The President believes that Senator Woodall was properly recognized and made a motion and the President believes that motion was in order."

PARLIAMENTARY INQUIRY

Senator Henry: "I think it would seem an unusual situation in the first place. I have never figured out how it got on second reading when they just read in the report of the standing committee. Number one. Number two, it has been the custom I believe in this body that the chairman of that committee makes the motion in regards to whatever disposition is to be made of the amendments placed on or the action of his committee. It does not seem like we are following this thing quite in order."

POINT OF ORDER

Senator Washington: "I raise the point of order that the motion by Senator Woodall and the amendments enlarge the scope and object of the bill."

Senator Woodall: "Speaking to the point of order, first of course it is rather elementary that something which tends to bring the two bodies together takes precedence over one which tends to continue the controversy. Hence an amendment to agree with them in every matter takes precedence over a proposal to agree with them in three and continue disagreeing on one. Now this other matter, the scope and object part is not before us now. That was determined once and it took the course of a bill. That is our rule. It did just that. It went into Senator's committee and it came out. So this cannot now be raised a second time. Our rule says that when it comes back it must go through a committee and that has been done. There is nothing in our rules that says we cannot after it goes to a committee then concur with the particular amendments. I submit I am in order."

Senator Henry: "I agree with what he says insofar as the scope and object is concerned but I still think that if we are going to follow the course of a bill that the correct motion would be by the committee chairman that the action of the committee be adopted."

REPLY BY THE PRESIDENT

The President: "The President was going to recognize the committee chairman but communication was received that the President should recognize Senator Woodall. The President believes that one manner of resolving the situation would be for someone to move to divide the question."

Debate ensued.

POINT OF INQUIRY

Senator Fleming: "Mr. President, gentlemen, am I to understand that we have a new bill here and that we are now going to by this motion amend that bill, Senator Woodall? Would you yield? Am I to understand from your conversation that since the bill has gone through committee, had its day in court, now back out here on the floor on second reading, am I to understand if the body decides to go with your motion, am I to understand we will in effect be amending this new bill?"

Senator Woodall: "Of course it would be. You would be concurring in amendments which had been placed on by the House. That is my motion. Your motion was to concur with three of the House amendments; my motion is to concur with all four."

Senator Fleming: "The point I am trying to make, Mr. President, if this is now a new bill and has gone under the course of a new bill and by this motion we would be putting those amendments on, then I would at this time like to raise the question of scope and object because if it is a new bill, we are amending this bill, then I would like a ruling on that amendment."

REPLY BY THE PRESIDENT

The President: "Senator Fleming, Senate Bill No. 169 is a bill that was amended by the House and under Senate rules is taking the course of a new bill."

MOTION

Senator Stender moved that the question be divided.

Senator Woodall: "I would suggest there is no reason to divide it as to the three. There is no difference on either one, that if you wanted to divide it as to the one we would have no objection."

Senator Stender: "I think that it goes without saying that if the, some of the amendments are acceptable and there are others that are not, that there are differences, we do not accept one, then that one would be the subject of further negotiations with the House. But I see no point of having them all out if there is only one that there is a difference on."

REPLY BY THE PRESIDENT

The President: "The President would suggest that the Senate act upon all amendments except the final two amendments and the amendment to the title."

Senator Stender: "That is what I had in mind."

MOTION

Senator Durkan moved that the Senate not concur in the House amendments to page 26, lines 22 and 23.

Senator Greive demanded a roll call and the demand was sustained by Senators Metcalf, Talley, Cooney, Ridder, Durkan, Rasmussen, Foley, Gissberg and Mardesich.

The President declared the question before the Senate to be the positive motion by Senator Woodall that the Senate do concur in the House amendments to Engrossed Senate Bill No. 169 to page 26, lines 22 and 23.

ROLL CALL

The Secretary called the roll and the motion by Senator Woodall carried by the following vote: Yeas, 26; nays, 23.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Day, Donohue, Elicker, Gardner, Gissberg, Guess, Herr, Holman, Huntley, Keefe, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Scott, Sellar, Twigg, Walgren, Whetzel, Woodall—26.

Voting nay: Senators Bailey, Connor, Dore, Durkan, Fleming, Foley, Francis, Greive, Henry, Jolly, Knoblauch, Lewis, Mardesich, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Washington, Wilson—23.

On motion of Senator Woodall, the House amendment to the title was adopted.

MOTION

Senator Day moved that the rules be suspended, Engrossed Senate Bill No. 169, as amended by the House, be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

Debate ensued.

Senator Durkan demanded a roll call and the demand was sustained by Senators Connor, Washington, Day, Metcalf, Atwood, Murray, Bailey, Stortini and Huntley.

The President declared the question before the Senate to be the motion by Senator Day that the rules be suspended and Engrossed Senate Bill No. 169 be advanced to third reading and final passage.

ROLL CALL

The Secretary called the roll and the motion by Senator Day failed by the following vote: Yeas, 27; nays, 22.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Day, Donohue, Elicker, Gardner, Gissberg, Guess, Herr, Holman, Huntley, Keefe, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Scott, Sellar, Stender, Twigg, Whetzel, Woodall—27.

Voting nay: Senators Bailey, Connor, Dore, Durkan, Fleming, Foley, Francis, Greive, Henry, Jolly, Knoblauch, Lewis, Mardesich, Odegaard, Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Washington, Wilson—22.

ENGROSSED SENATE BILL NO. 169 as amended by the House was passed to third reading.

SPECIAL ORDER OF BUSINESS

The Senate resumed consideration of Substitute Senate Bill No. 355, the House amendments thereto and the point of order as raised by Senator Guess on Wednesday, February 16, 1972 on the scope and object of the House amendments.

There being no objection, the point of order as raised by Senator Guess was withdrawn.

MOTION

On motion of Senator Guess, the Senate refused to concur in the House amendments to Substitute Senate Bill No. 355 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute Senate Bill No. 355, and the House amendments thereto: Senators Henry, Guess and Washington.

MOTION

On motion of Senator Greive, the Conference Committee appointments were confirmed.

SPECIAL ORDER OF BUSINESS

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 112, by Committee on Appropriations (Originally sponsored by: Representatives Goldsworthy and Kopet—by executive request):

Adopting a supplemental budget and making appropriations.

The time having arrived, the Senate commenced consideration of Engrossed Substitute House Bill No. 112.

REPORT OF STANDING COMMITTEE

February 17, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 112, adopting a supplemental budget and making appropriations (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following line 7 add a new section to read as follows:

“NEW SECTION. Sec. —. FOR THE UNIFORM LAW COMMISSION
General Fund Appropriation \$ 1,700”

On page 2, following line 29 add a new section to read as follows:

“NEW SECTION. Sec. —. FOR THE PUBLIC PENSION COMMISSION
General Fund Appropriation \$ 20,000”

On page 2, line 33, strike “\$9,355” and insert “\$26,759”

On page 3, line 1, strike “\$197,958” and insert “\$342,264”

On page 3, following line 15 and before “PUBLIC ASSISTANCE” on line 16 insert the following:

“PUBLIC ASSISTANCE

General Fund Appropriation: To provide sufficient funds to ease the impact of current limitations on length of hospital stay by allowing exceptions:

PROVIDED, That of this appropriation not more than \$250,000 shall be from state funds \$ 500,000”

On page 3, after line 23 and before “PUBLIC ASSISTANCE” on line 24, insert the following:

“PUBLIC ASSISTANCE

General Fund Appropriation: To provide sufficient funds to restore the scope of service which has been limited to acute and emergent care only for those persons who qualify for Federally Aided Medical Care to the level received by grant recipients effective July 1, 1972: AND PROVIDED FURTHER, That of this appropriation \$1,331,250 shall be in state funds utilized exclusively for this purpose \$2,662,500”

On page 3, line 30, after the word “Appropriation” strike the remainder of the line including “\$286,975” and insert the following:

“: PROVIDED, That \$208,938, or so much thereof as necessary, be allocated to the Division of Health from state sources for continued support of local kidney centers for the remainder of the 1971-73 biennium \$ 495,913”

On page 4, line 23 following "Glen School:" strike all the material down to and including "area" on line 2, page 5 and insert the following: "PROVIDED, That \$50,000 or so much thereof as may be necessary shall be provided to the State Parks and Recreation Commission to do a comprehensive study of the recreational facility needs related to the North Cascades State Highway and the effect of such facilities on the local economy: AND PROVIDED FURTHER, That \$50,000 shall, or so much thereof as may be necessary, be available to the Department of Social and Health Services to conduct a study to determine the feasibility of utilizing Northern State Hospital as a regional Social and Health Center"

On page 5, line 16, after "biennium:" strike all the material down to and including "operations:" on page 6, line 3

On page 6, line 21, strike "\$7,791,165" and insert "\$6,866.165"

On page 7, following line 14 and before "Urban" on line 15 insert the following:

"General Fund Appropriation: For construction costs of two black-top play areas, approximately fifty feet by one hundred feet with roof covering to be attached to adjacent buildings on the grounds of the Washington state school for the deaf in Vancouver, Washington \$ 100,000"

On page 7, line 26, after "Disadvantaged program" strike the remainder of the line and insert the following:

": PROVIDED FURTHER, That \$200,000 shall be used by the Superintendent of Public Instruction for individual grants to needy and disadvantaged elementary and secondary pupils attending public and private schools approved by the state board of education who demonstrate a financial inability to meet the total cost of supplies, books, tuition, incidental and other fees for any school term or who, because of adverse cultural, educational, environmental or other circumstances, are deemed as being highly improbable of continuing in the schools in which such pupils are enrolled and that such financial assistance, after other scholarships, grants, and assistance are deducted, shall not exceed three hundred dollars per secondary pupil (grades 9-12) and one hundred dollars per elementary pupil (grades 1-8) \$2,381,215"

On page 7, line 29, after "Appropriation" strike the remainder of the line and insert:

": PROVIDED, That \$21,500 shall be used exclusively for the State Comprehensive Health Planning Advisory Council: PROVIDED FURTHER, That neither federal nor state moneys shall be expended for the attorney general's intelligence unit \$ 192,218"

On page 7, after line 29 and before line 30, insert the following:

"NEW SECTION. Sec. --. FOR THE STATE AUDITOR

General Fund Appropriation \$ 96,051
 Motor Vehicle Fund Appropriation \$ 47,697"

On page 8, section 10, between lines 1 and 2 insert:

"Plumbing Certificate Fund Appropriation for administration of Chapter --, Laws of 1972, 1st ex. sess. (SSB 261) \$ 7,000"

On page 8, after line 4 and before line 5 insert the following new section:

"NEW SECTION. Sec. --. FOR THE CANAL COMMISSION

General Fund Appropriation \$ 20,000"

On page 8, beginning with ": PROVIDED" on line 7 strike all the material down to and including "activities" on line 13

On page 8, line 13, strike "\$392,275" and insert "\$192,275"

On page 8, after line 31 insert a new section to read as follows:

"NEW SECTION. Sec. --. FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation to be used exclusively for purposes of fish feeding and increasing hatchery production \$ 350,000"

On page 9, line 21, after "contractors" strike the remainder of the line and insert:

": PROVIDED, That \$20,000 shall be allocated to the Securities Division \$ 126,435"

On page 9, after line 24 and before line 25 insert:

“Highway Safety Fund: For operation of five mobile drivers’ license examining stations \$ 92,737”

On page 10, line 10, delete “\$19,552,220” and insert “\$20,920,688”

On page 10, line 14 beginning with “the” strike all the material down to and including “\$15,528,783” on page 11, line 17 and insert the following:

“it is the intent of the legislature that this appropriation is to be made available to the Superintendent of Public Instruction to be allocated for the school year 1972-73 for the purpose of providing a 3 percent salary increase to all certificated personnel including intermediate school districts and a \$21 monthly increase to all classified personnel including intermediate school districts such increases to be over and above each district’s certificated and classified contracted salary level for 1971-72: PROVIDED, That subject to the availability of funds in this appropriation after salary allocations are made, the Superintendent of Public Instruction shall allocate any excess additional funds from this appropriation to school districts to pay related OASI and employee benefit costs: PROVIDED FURTHER, That the effective date of this increase shall be September 1, 1972: PROVIDED FURTHER, That no portion of this appropriation shall be distributed through the operations of the school equalization formula \$14,968,449”

On page 11, line 20, strike all the material after “Appropriation” and insert:

“: PROVIDED, That \$30,000 of this appropriation shall be used exclusively for the Minority Affairs Program \$ 211,714”

On page 11, line 29, strike all the material after “year” and insert the following:

“: PROVIDED, That not more than \$3,500 shall be expended for a survey and study on the impact of commercial fishing on Discovery Bay, to be conducted by the Fisheries Research Institute, in cooperation with the Interim Committee on Fisheries, Game and Game Fish \$ 226,288”

On page 13, line 3, after “Appropriation” strike all the material and insert:

“: PROVIDED, That \$125,000 of this appropriation shall be used exclusively for the purpose of providing architectural working drawings for a proposed music and drama building \$ 368,407”

On page 13, following line 18 and before line 19 insert the following:

“General Fund—Western Washington State College Capital Projects Account Appropriation: For the exclusive purpose of remodeling Old Main \$ 245,000”

On page 13, line 19 add a new section to read as follows:

“NEW SECTION. Sec. --- FOR THE EASTERN WASHINGTON STATE COLLEGE General Fund Appropriation: For constructing and equipping Turnbull

Environmental Teaching-Research Facility \$ 217,500”

On page 13, line 21, beginning with the word “For” strike all the material down to and including “\$529,571” on page 17, line 19 and insert the following:

“For a \$21 monthly per classified employee cost of living increase effective September 1, 1972, to be allocated to state agencies. General Fund Appropriation \$3,391,059

General Fund—Special Funds Benefit Account Appropriation: PROVIDED, That allocation for salary and health insurance increases for special funded agencies shall be made from this special funds benefit account hereby created within the general fund: PROVIDED FURTHER, That amounts to be disbursed from the allocations made by the governor from the special funds benefit account to special funded agencies shall from time to time be reimbursed by transfer thereto by the state treasurer from fund balances available, on or before the day prior to the scheduled disbursement \$3,419,703

For a \$21 monthly per classified employee cost of living increase effective September 1, 1972, to be allotted to institutions of higher education, including community colleges.

General Fund Appropriation \$2,432,199
 For a 3 percent cost of living increase effective September 1, 1972, to be
 allotted to institutions of higher education, including community colleges,
 for faculty and administrators.

General Fund Appropriation \$3,771,388"

On page 17, after line 22 and before line 23, insert the following new sections:

**"NEW SECTION. Sec. ---. FOR THE INTERIM COMMITTEE ON FISHERIES,
 GAME AND GAME FISH**

General Fund Appropriation \$ 30,000

NEW SECTION. Sec. ---. FOR THE MUNICIPAL COMMITTEE

General Fund Appropriation \$ 18,593

**NEW SECTION. Sec. ---. FOR THE INTERIM COMMITTEE ON BANKING,
 INSURANCE AND UTILITY REGULATION**

General Fund Appropriation \$ 35,146

**NEW SECTION. Sec. ---. FOR THE JOINT COMMITTEE ON GOVERNMENTAL
 COOPERATION**

General Fund Appropriation \$ 20,000"

On page 17, beginning with "Motor" on line 25 strike all the material down to and
 including "\$100,000" on line 31

On page 18, line 32 after pamphlet and before ". . ." insert "as provided by law"

On page 21, line 4, after "indications" and before "that" insert "as certified by the
 Office of Program Planning and Fiscal Management with notification to the Legislative
 Budget Committee"

On page 21, beginning with "NEW" on line 20, strike all the material down to and
 including the period on line 27

On page 21, beginning with the colon on line 33 strike all the material down to and
 including "unemployed" on page 22, on line 29

On page 23, following line 30 and before line 31, insert a new section to read as
 follows:

"NEW SECTION. Sec. ---. FOR THE LEGISLATIVE BUDGET COMMITTEE

General Fund Appropriation: PROVIDED, That the Legislative Budget
 Committee, with liaison with the Public Pension Commission, shall
 conduct a study of the procedures and programs by which the Teachers'
 Retirement System and the Public Employees' Retirement System may be
 merged while protecting the vested rights of the members of each system:
 PROVIDED FURTHER, That the Legislative Budget Committee shall
 conduct a study, with liaison with the Public Pension Commission, of the
 alternative ways of funding state retirement systems: PROVIDED
 FURTHER, That the findings and recommendations of each study be
 distributed to members of the Legislature prior to the 1973 regular session
 of the Legislature \$ 50,000"

On page 23, beginning with line 31, strike everything down to and including
 "\$12,000,000" on page 26, line 27, and insert the following new section:

"NEW SECTION. Sec. ---. FOR THE GOVERNOR-SPECIAL APPROPRIATIONS

General Fund Appropriation: PROVIDED, That these funds shall be employed
 exclusively for the purpose of establishing an Economic Recovery
 Program which places the highest priority upon reducing the
 unemployment rate as it existed on January 10, 1972: PROVIDED
 FURTHER, That should chapter ---, Laws of 1972 1st ex. sess. (House
 Bill No. 44) not be enacted into law, \$8,000,000 of this appropriation
 shall not be available for allocation in accordance with this section:
 PROVIDED FURTHER, That up to \$12,000,000 of this amount shall
 only be available from General Fund Surplus Revenue in excess of
 \$1,892,312,000, or \$1,884,306,000 in the event that chapter ---, Laws
 of 1972 1st ex. sess. (House Bill No. 44) is not enacted, and credited to
 the General Fund from all sources, excluding Federal funds for the
 1971-73 biennium as projected to be available on August 1, 1972 or

earlier by the Department of Revenue, State Treasurer, and the Office of Program Planning and Fiscal Management \$20,000,000”

On page 27, after line 2 and before line 3 insert a new section to read as follows:

“*NEW SECTION.* Sec. —. FOR THE STATE LIBRARY

General Fund Appropriation: For the purchase of art materials for

persons in Adult Correctional Institutions \$ 2,000”

On page 27, beginning with “*NEW*” on line 7, strike all the material down to and including the period on line 15

On page 28, line 13 beginning with “This” strike all the material down to and including “funds.” on line 17 and insert the following:

“The Washington State Patrol is authorized to spend \$2,680,998 from the state General Fund and thereby replace with state funds \$750,000 of budgeted federal funds which had been anticipated for the Crime Information Center Program.”

On page 28, line 26, add the following:

“*NEW SECTION.* Sec. 53. FOR THE STATE LEGISLATURE

General Fund Appropriation:

Senate Expenses and Subsistence of members \$ 149,600

House of Representatives Expenses and Subsistence of members \$ 211,875”

Renumber sections consecutively and change internal references accordingly.

Signed by: Senators Durkan, Chairman; Canfield, Connor, Day, Donohue, Dore, Fleming, Foley, Herr, Holman, Huntley, Jolly, Mardesich, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Talley, Wilson.

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 Engrossed Substitute House Bill No. 112.

COMMITTEE OF THE WHOLE

Engrossed Substitute House Bill No. 112 was considered in the Committee of the Whole and reported back to the Senate, Senator Henry presiding, with the recommendation that it do pass as amended.

On motion of Senator Henry, the report of the committee was adopted.

On motion of Senator Henry, the reading had in the Committee of the Whole was considered the second reading of Engrossed Substitute House Bill No. 112.

On motion of Senator Dore, the amendments proposed by the Committee on Ways and Means were adopted with the exception of the following:

On page 12, section 25, beginning on line 29, strike everything down to and including “1,241,368” on line 33.

Debate ensued.

On motion of Senator Dore, the committee amendment to page 12, section 25, beginning on line 29 was adopted.

Senator Lewis moved adoption of the following amendment:

On page 28, insert a new section 53, as follows:

“*NEW SECTION.* Sec. 53. Legislative approval is hereby granted at The Evergreen State College for construction of the Science Laboratories Phase II in accordance with the provisions of chapter 162, Laws of 1967, as amended.”

Renumber the remaining section consecutively.

The motion by Senator Lewis failed and the amendment was not adopted on a rising vote.

On motion of Senator Canfield, the following amendment by Senator Durkan was adopted:

On page 8, line 18 strike the word “collected” and insert “collectable”

President Cherberg assumed the Chair.

On motion of Senator Henry, the report of the committee was adopted and the Committee of the Whole was dissolved.

POINT OF INQUIRY

Senator Peterson (Ted): "Would Senator Dore give us the total now? Is there any change?"

Senator Dore: "I think the report and bill are the same and of course it has been thoroughly explained and explored in all aspects. The only change is as a result of our action in the committee of the whole is that the pink sheet showing the total financial impact of eighty-five point four million is now reduced one million dollars as a result of the amendment adopted by the body to eighty-four point four million dollars in general fund money and so now is a million one under the dollar amount of the House."

POINT OF INQUIRY

Senator Huntley: "Would Senator Durkan yield? Senator, to the faculty salary improvement for the colleges and universities, is it your intent that this should be an across the board percentage increase?"

Senator Durkan: "Historically, Senator, the appropriation has been made to the university. The appropriation this time is in the historic manner as it has been in previous sessions. There is no intent other than the way we have always done it."

On motion of Senator Dore, the rules were suspended, Engrossed Substitute House Bill No. 112, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 112, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 29; nays, 19; absent or not voting, 1.

Voting yea: Senators Andersen, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stender, Stortini, Walgren, Washington—29.

Voting nay: Senators Atwood, Clarke, Elicker, Francis, Gissberg, Guess, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Talley, Twigg, Whetzel, Wilson, Woodall—19.

Absent or not voting: Senator Gardner—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 112, 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.

There being no objection, the Senate returned to the fourth order of business.

SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate commenced consideration of the House message on Substitute House Bill No. 323.

MESSAGE FROM THE HOUSE

February 15, 1972.

Mr. President: The House refuses to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 323 and asks the Senate to recede therefrom, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Mardesich, the Senate refused to recede from the Senate amendments to Substitute House Bill No. 323 and asks the House for a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute House Bill No. 323 and the Senate amendments thereto: Senators Odegaard, Twigg and Mardesich.

MOTION

On motion of Senator Atwood, the Conference Committee appointments were confirmed.

SECOND READING

ENGROSSED HOUSE BILL NO. 44, by Representatives Newhouse, Flanagan, North and Haussler (by Legislative Council request):

Pertaining to the taxation of cigarettes.

The bill was read the second time by sections.

MOTION

Senator Atwood moved that the rules be suspended, Engrossed House Bill No. 44 be advanced to third reading, the second reading considered the third, and the bill be placed on final passage.

POINT OF INQUIRY

Senator Greive: "Would Senator Atwood yield to a question? Is this the tax bill that you have been . . .?"

Senator Atwood: "Yes, it is the cigarette tax bill. It is carried in the budget if you will look there, it is an eight million dollar deal."

Senator Guess demanded a roll call and the demand was sustained by Senators Ridder, Canfield, Donohue, Day, Durkan, Foley, Andersen, Newschwander, Scott and Stortini.

The Secretary commenced to call the roll on the motion by Senator Atwood to advance Engrossed House Bill No. 44 to third reading and final passage.

Senators Lewis, Andersen and Metcalf 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 Gardner. Senator Greive moved that Senator Gardner be excused.

POINT OF INQUIRY

Senator Andersen: "Will Senator Greive yield to a question? Senator, I saw Senator Gardner here not long ago. If he is not here certainly we do not want to tie this up in a knot but on the other hand if he is around . . ."

Senator Greive: "Needless to say, I know where he is and he is not going to be available for two or three hours. He expects to be back this evening."

Senator Andersen: "I will withdraw my objection."

On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

POINT OF INQUIRY

Senator Andersen: "Will Senator Greive yield to a question? Senator Greive, some of us are concerned lest this last vote be a vote that killed this bill which would result in eight million dollars in additional tax revenues in this biennium. Do you plan to call another

meeting of the Rules Committee so that we can again move that bill out of Rules Committee?"

Senator Greive: "That is obviously something that I cannot answer. If you will notice, I voted with you. And so I lost just like you did. I voted for it in Rules. It so happens I am for this legislation. I suspect that it is going to take a certain amount of conferences and discussion over here before I can give you an answer to that question."

Senator Andersen: "No, I meant whether we are going to have another Rules Committee meeting."

Senator Greive: "I suspect that we are going to have one. I see no reason why we cannot but I am not in a position at this time to say. We, Bob Bailey and I have not discussed it with Senator Durkan or anyone else. I think that we are going to have to let you know a little later."

Senator Andersen: "Am I wrong? Aren't you the one that calls the Rules Committee meeting? If not, who does?"

Senator Greive: "I think you are just wrong."

ROLL CALL

The Secretary called the roll, and the motion by Senator Andersen failed by the following vote: Yeas, 31; nays, 17; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Donohue, Dore, Elicker, Foley, Gissberg, Greive, Henry, Holman, Huntley, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Scott, Sellar, Stender, Twigg, Whetzel, Wilson, Woodall—31.

Voting nay: Senators Bailey, Cooney, Day, Durkan, Fleming, Francis, Guess, Herr, Jolly, Keefe, Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Washington—17.

Excused: Senator Gardner—1.

Engrossed House Bill No. 44 was passed to third reading.

SECOND READING

ENGROSSED HOUSE BILL NO. 186, by Representatives Bluechel, Thompson, Hubbard, Curtis, Garrett, Kiskaddon, Luders, Hatfield, Hoggins, Charnley, Hansey, Haussler, Polk, Zimmerman, Brown, North, Martinis, Savage, Williams, Cunningham, Randall, Jones, Smith, Gilleland and Litchman (by executive request):

Providing for waste disposal facilities bonds.

REPORT OF STANDING COMMITTEE

February 14, 1972.

ENGROSSED HOUSE BILL NO. 186, providing for waste disposal facilities bonds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 24, following the period add:

"No bonds authorized by this act shall be offered for sale without prior legislative appropriation of the proceeds of such bonds to be sold."

On page 2, section 3, line 1, following "account," strike "of" and insert "hereby created in"

On page 2, section 4, line 6, after "local" and before "improvements" delete "public"

On page 2, section 4, line 20, after "the" delete "department may provide" and insert "legislature may provide for"

On page 4, section 9, line 5, after "requirements" and before "deposit" on line 6 delete "The state treasurer shall thereupon" and insert " , and on July 1st of each year the state treasurer shall"

On page 4, section 9, line 6, after "disposal" and before "bond" insert "facilities"

On page 4, section 12, line 24, after "local" and before "improvements" delete "public"

On page 4, section 12, line 25, after "bonds" and before "authorized" insert "or notes"

Signed by: Senators Andersen, Atwood, Connor, Cooney, Elicker, Fleming, Foley, Francis, Greive, Herr, Holman, Huntley, Jolly, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Stortini, Washington.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended and the committee amendments were adopted in toto.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 186, 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 Guess: "Would Senator Greive yield? Senator Greive, how are these bonds going to be paid back?"

Senator Greive: "Obviously these bonds are going to be paid back out of the general fund. Certainly some of us felt differently. My desire would have been to have one of several methods of financing. I had my name on a gas tax that got nowhere. I thought that was a pretty fair method. I also suggested that three-eighths of one percent of the sales tax might have been appropriate. We came up with a variety of taxes including utility tax, the breakage, the race track and a variety of other things. Odds and ends that would have raised fifty-five million. Each were floated as trial balloons and summarily shot down by people who said they did not want to increase taxes. Then you have to place the program, against whether or not we should not have it, so rather than not have it I think we just have to finance it out of the general fund. Now I am told by those who know that if you look at the general funds presently that our debt is going downward. In other words we floated a number of bond issues in the past and they have been paid off. I am also told that it takes a certain period of time for these particular bond issues to gather steam and to get into operation, which as a construction man you know is true. And that actually we can finance them out of present bond limits or constitutional limits on the general fund. So under those circumstances it seemed to me like that is the only way available to us."

Senator Guess: "Senator Greive, has the user's fee been considered and could you make an amendment to this bill so that the user's fee would pay for the cost of the bonds?"

Senator Greive: "Senator, as I understand it in the testimony I have listened to and of course I did not go to the ones here in the Senate, but as we considered it during the interim and so forth we got the impression that there will be user's fees in a number of these. It depends upon the particular project. Some will and some will not. The local share, you see, would be two hundred and sixty million dollars. And the thought is that in most instances that local share is going to have to involve some user's fees and some local bonding, general obligation bonding, but in general it seems there will be a number of local shares that will involve user's fees. So I do not think that we are going to be free of user fees here. I think they are going to be very much a part of this total program."

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Greive yield to a question? Senator Greive, you know the amount of money that we are faced with in order to fund this session the pension systems that are in an unfunded condition right now."

Senator Greive: "I agree. I do not know the exact amount but I know that it is very substantial."

Senator Rasmussen: "A tremendous amount. In the event that we have to increase the sales tax, how much would we have to increase it to fund these bonds on top of what we are going to have to increase it to fund the pension system?"

Senator Greive: "In the first place, I think I am hardly the one to ask. I am certainly not going to dodge the question however, Senator. I think that if we keep our present tax

system that we have we are facing next session a tax increase of anywhere from two cents to three cents.”

Senator Rasmussen: “That is what I thought. Thank you.”

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 186, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 36; nays, 12; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Elicker, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel—36.

Voting nay: Senators Donohue, Dore, Durkan, Gissberg, Guess, Jolly, Mardesich, Rasmussen, Scott, Twigg, Wilson, Woodall—12.

Excused: Senator Gardner—1.

ENGROSSED HOUSE BILL NO. 186, 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. 187, by Representatives Amen, Moon, Kopet, Hoggins, Hubbard, Haussler, Kilbury, Cunningham, Goldsworthy, Copeland, Jones and Kiskaddon (by executive request):

Providing for water supply bonds.

REPORT OF STANDING COMMITTEE

February 14, 1972.

ENGROSSED HOUSE BILL NO. 187, providing for water supply bonds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 25, following the period add:

“No bonds authorized by this act shall be offered for sale without prior legislative appropriation of the proceeds of such bonds to be sold.”

On page 2, section 3, line 2, following “account”, strike “of” and insert “hereby created in”

On page 2, section 4, line 7, after “local” and before “improvements” delete “public”

On page 3, section 9, line 26, after “redemption fund” and before “is created” delete “of 1972”

On page 3, section 9, line 31, after “requirements” and before “deposit” on line 32 delete “. The state treasurer shall thereupon” and insert “, and on July 1st of each year the state treasurer shall”

On page 3, section 9, line 33, before “bond” delete “improvements” and insert “facilities”

Signed by: Senators Andersen, Atwood, Connor, Cooney, Elicker, Fleming, Foley, Francis, Greive, Herr, Holman, Huntley, Jolly, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Ted), Stortini, Washington, Wilson.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended and the committee amendments were adopted in toto.

On motion of Senator Greive, the rules were suspended, Engrossed House Bill No. 187, 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 Woodall: “Would Senator Greive yield? You mention about irrigation in

eastern Washington or outside—you mean this whole force of this will be to have irrigation in agricultural lands?”

Senator Greive: “It has got two parts to it, Senator, if you will look at it. One is to improve the water supply facilities and is divided into irrigation and municipal water supply systems. The thought here is again we are doing some betting on the federal Congress but we know that in Congress that if you do the planning and design work for irrigation systems that there are large sums available. Apparently the farm bloc in Congress is very powerful and has always had lots of money available. And it looks to us as though, or at least to the administration as though we can get considerable matching funds to help eastern Washington in irrigation. Because we really do not need irrigation very much in western Washington.”

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 187, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 34; nays, 14; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Elicker, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Odegaard, Peterson (Ted), Ridder, Sandison, Sellar, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—34.

Voting nay: Senators Donohue, Dore, Durkan, Gissberg, Guess, Jolly, Mardesich, Newschwander, Peterson (Lowell), Rasmussen, Scott, Stender, Twigg, Woodall—14.

Excused: Senator Gardner—1.

ENGROSSED HOUSE BILL NO. 187, 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.

SECOND READING

ENGROSSED HOUSE BILL NO. 189, by Representatives North, Thompson, Cunningham, Smith, Bluechel, Ross, Zimmerman, Brouillet, Charnley, Hoggins, Jones and Kiskaddon (by executive request):

Providing for state park and recreation bonds.

REPORT OF STANDING COMMITTEE

February 14, 1971.

ENGROSSED HOUSE BILL NO. 189, providing for state park and recreation bonds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 20, after “of” strike “seventy” and insert “forty”.

On page 1, section 2, line 25, following the period add: “No bonds authorized by this act shall be offered for sale without prior legislative appropriation of the proceeds of such bonds to be sold.”

On page 2, section 3, line 2, following “account”, strike “of” and insert “hereby created in”

On page 2, section 4, line 7, after “local” and before “improvements” delete “public”

On page 2, section 4, line 10, after “administered” and before “by” on line 11 insert “, subject to legislative appropriation,”

On page 2, section 4, line 19, after “administered” and before “by” on line 11, insert “, subject to legislative appropriation,”

On page 2, section 4, line 30, after “commission” and before “for” insert “, subject to legislative appropriation.”

On page 3, section 4, line 2 after the period insert a new paragraph as follows:

“In the event that the bonds authorized by this act are sold in more than one series the above division into shares shall apply to the total proceeds of the bonds authorized by this act and not to the proceeds of each separate series.”

On page 4, section 9, line 15, after "fund" and before "is" delete "of 1972"

On page 4, section 9, line 20, after "requirements" and before "deposit" on line 21 delete ". The state treasurer shall thereupon" and insert ", and on July 1st of each year the state treasurer shall"

On page 4, section 9, line 21, after "the" and before "recreation" in line 22 delete "public"

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Bailey, Elicker, Fleming, Foley, Francis, Greive, Holman, Huntley, Jolly, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Ridder, Stortini, Talley, Walgren, Washington.

The bill was read the second time by sections.

Senator Durkan moved adoption of the committee amendment to page 1, section 2, line 20.

Debate ensued.

POINT OF INQUIRY

Senator Woodall: "Would Senator Elicker yield? Senator Elicker, what is your definition of 'right now'? You say it will give you jobs right now."

Senator Elicker: "Senator, I would estimate that if the bond issue is passed by the people, the money is appropriated by the legislature, we are talking about ninety days. Which is what we are talking about on all bond issues."

Senator Woodall: "When do the people vote on this?"

Senator Elicker: "They vote on it in November."

Senator Woodall: "Then when you say jobs right now, you do not mean right now at all. You mean sometime after next November and after the legislature meets after that, so when you say it will give you jobs right now that is a misleading statement."

Senator Elicker: "I will move to strike the 'right'."

POINT OF INQUIRY

Senator Woodall: "I do not know to whom I wish to address this particular question. We voted some recreation bonds some time back. I would like someone in this room to tell me how much of those bonds are as yet remaining unspent."

Senator Greive: "Senator Rasmussen supplies the answer, some fifteen million. However, I understand that they are all committed. That is, there is little or nothing left as far as for anything in the future and this is a ten-year program."

Senator Whetzel demanded a roll call on the motion by Senator Durkan to adopt the committee amendment to page 1, section 2, line 20, and the demand was sustained by Senators Canfield, Atwood, Guess, Rasmussen, Wilson, Ridder, Knoblauch, Gissberg and Day.

ROLL CALL

The Secretary called the roll, and the amendment was adopted by the following vote: Yeas, 26; nays, 22; excused, 1.

Voting yea: Senators Atwood, Canfield, Clarke, Donohue, Dore, Durkan, Foley, Gissberg, Guess, Huntley, Jolly, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Scott, Sellar, Stender, Stortini, Twigg, Wilson, Woodall—26.

Voting nay: Senators Andersen, Bailey, Connor, Cooney, Day, Elicker, Fleming, Francis, Greive, Henry, Herr, Holman, Keefe, Knoblauch, Lewis, Murray, Ridder, Sandison, Talley, Walgren, Washington, Whetzel—22.

Excused: Senator Gardner—1.

MOTION

On motion of Senator Greive, the rules were suspended and the remainder of the committee amendments were adopted in toto.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 189, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 189, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 33; nays, 15; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis, Murray, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Sellar, Talley, Walgren, Washington, Whetzel, Wilson—33.

Voting nay: Senators Donohue, Gissberg, Guess, Jolly, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Rasmussen, Scott, Stender, Stortini, Twigg, Woodall—15.

Excused: Senator Gardner—1.

ENGROSSED HOUSE BILL NO. 189, 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. 163,
 SENATE BILL NO. 232,
 SUBSTITUTE SENATE BILL NO. 438.

SECOND READING

ENGROSSED HOUSE BILL NO. 190, by Representatives Farr, Conner, Kirk and Kiskaddon (by executive request):

Providing for social and health facilities bonds.

REPORT OF STANDING COMMITTEE

February 14, 1972.

ENGROSSED HOUSE BILL NO. 190, providing for social and health facilities bonds (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 20, after "of" strike "thirty" and insert "ten".

On page 1, section 2, line 25, following the period add: "No bonds authorized by this act shall be offered for sale without prior legislative appropriation of the proceeds of such bonds to be sold."

On page 2, section 4, line 9, after "services" and before the period insert ", subject to legislative appropriation"

On page 4, section 9, line 2, after "requirements" and before "deposit" on line 3, delete ". The state treasurer shall thereupon" and insert ", and on July 1st of each year the state treasurer shall"

Signed by: Senators Durkan, Chairman; Andersen, Bailey, Donohue, Elicker, Fleming, Foley, Francis, Greive, Holman, Huntley, Jolly, Lewis, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Stortini, Talley, Walgren, Washington.

The bill was read the second time by sections.

Senator Durkan moved adoption of the committee amendment to page 1, section 2, line 20.

Senator Whetzel moved adoption of the following amendment to the committee amendment:

Amend the committee amendment to page 1, line 20, as follows: Strike "ten" and insert "twenty-five"

POINT OF INQUIRY

Senator Rasmussen: "Will Senator Whetzel yield? With Northern State being abandoned and we did have a maximum security building someplace in eastern Washington, I do not know what they are using that for, and with that tuberculosis center over there in Seattle I very well remember the time that they promised that they would never ask for any new buildings there because they were adequate. That was the time that they closed the very modern tuberculosis institution in Tacoma with four hundred beds available. So I cannot entirely sympathize with you and I think that the bond issue as proposed by the committee amendment would be sufficient to do the job. You are speaking only now of the mental institutions."

Senator Whetzel: "There was a question there somewhere, Senator Rasmussen. Let me define and say what your question is, are some of these facilities that were used for one purpose that could be converted to another purpose for our state institutions and why is it we need this such large amount of money if we have these facilities available?"

Senator Rasmussen: "What I am wondering is what type of institutions are you thinking about?"

Senator Whetzel: "Just based on my personal experience, and I cannot tell you what precisely this money will end up in because it is subject to the legislative appropriation, but we started out at the Firlands area with an old tuberculosis sanitarium which then was taken over for the mentally retarded and we just did not put the money in to provide an adequate facility for the mentally retarded. We took over the Olympic Center, an old hospital and changed that into the Olympic Center for the retarded. Now in that case we did spend some money. Now if we are going to convert Northern State Hospital into a community facility, it takes money to convert those facilities because they just cannot spring full blown from one use into another use and that is how you get some of the problems that we have in some of our institutions. We have at Fircrest we do have some new facilities, but we are housing the bulk of the students there in rather dilapidated facilities that I think we are all ashamed of and we ought to do a better job. You can go up and down institutions around the state and we have not put adequate money into it and this has gone on under various administrations and we just simply have to address ourselves to the problem to try to do it. Here we are authorizing money that I am sure is not going to completely solve all the problems but it will take a much greater step in that direction if we do it at twenty-five million rather than ten million."

Senator Elicker demanded a roll call on adoption of the amendment proposed by Senator Whetzel, and the demand was sustained by Senators Greive, Gissberg, Rasmussen, Canfield, Stender, Guess, Clarke, Fleming, Stortini and Murray.

ROLL CALL

The Secretary called the roll, and the amendment by Senator Whetzel to the committee amendment was adopted by the following vote: Yeas, 32; nays, 16; excused, 1.

Voting yea: Senators Andersen, Bailey, Connor, Cooney, Day, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Huntley, Keefe, Knoblauch, Lewis, Murray, Odegard, Peterson (Lowell), Peterson (Ted), Ridder, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel—32.

Voting nay: Senators Atwood, Canfield, Clarke, Donohue, Gissberg, Guess, Jolly, Mardesich, Matson, Metcalf, Newschwander, Rasmussen, Sandison, Twigg, Wilson, Woodall—16.

Excused: Senator Gardner—1.

The committee amendment to page 1, section 2, line 20, as amended, was adopted.

On motion of Senator Durkan, the rules were suspended, and the remaining committee amendments were adopted in toto.

On motion of Senator Greive, the rules were suspended, Engrossed 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 190, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 34; nays, 14; excused, 1.

Voting yea: Senators Andersen, Bailey, Clarke, Connor, Cooney, Day, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel—34.

Voting nay: Senators Atwood, Canfield, Donohue, Gissberg, Guess, Mardesich, Matson, Metcalf, Newschwander, Rasmussen, Sandison, Twigg, Wilson, Woodall—14.

Excused: Senator Gardner—1.

ENGROSSED 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 324, by Committee on State Government (Originally sponsored by Representative Bluechel):

Relating to state government.

MOTION

On motion of Senator Durkan, Engrossed Substitute House Bill No. 324 was referred to the Committee on Ways and Means.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 381, by Committee on Higher Education (Originally sponsored by: Representatives Thompson, Smythe and King):

Providing for the appropriate funding of community colleges.

REPORT OF STANDING COMMITTEE

February 11, 1972.

SUBSTITUTE HOUSE BILL NO. 381, providing for the appropriate funding of community colleges (reported by Committee on Higher Education and Libraries):

MAJORITY recommendation: Do pass with the following amendments:

On page 1 strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. The community colleges of the State of Washington have more than doubled their enrollment since 1966, including a three hundred percent increase in occupational education. The capital fund resources of the state community college system are not adequate to meet the facility needs of today's students. Major increments of community college facilities will be needed to serve the still growing numbers of commuting youth and adults attending the community college system. A determination of the facility needs of each college has been made through the uniform application of guidelines developed by the state board for community college education to evaluate facility needs.

NEW SECTION. Sec. 2. For the purpose of providing funds for the acquisition, construction and improvement of community college facilities in this state, the state finance committee is authorized to issue, at any time prior to January 1, 1980, general obligation bonds of the state of Washington in the sum of twenty-five million dollars or so much thereof as may be required to finance the improvements defined in this act and all costs incidental thereto. These bonds shall be paid and discharged within twenty years of the date of issuance, or within thirty years, should Article VIII of the Constitution of the state of Washington be amended to permit such longer term.

NEW SECTION. Sec. 3. The proceeds from the sale of bonds authorized by this act and any interest earned on the interim investment of such proceeds, shall be deposited in the community college capital improvements account hereby created in the general fund

and shall be used exclusively for the purposes specified in this act and for payment of the expenses incurred in the issuance and sale of the bonds.

NEW SECTION. Sec. 4. The proceeds from the sale of bonds deposited in the community college capital improvements account shall be administered and expended by the state board for community college education subject to legislative appropriation.

NEW SECTION. Sec. 5. For the purposes of this act, the term "community college facilities" shall mean and include, but not be limited to, vocational facilities, including capital equipment acquisition, and such other specific projects as approved and funded for planning purposes by the legislature which shall include general education classrooms, science laboratories, faculty offices, student dining facilities, library and media facilities, offices for student personnel services and administrative personnel, and all real property and interests therein, equipment, parking facilities, utilities, appurtenances and landscaping incidental to such facilities.

NEW SECTION. Sec. 6. If the general obligation bond issue provided within this act is ratified at the 1972 general election, then the state board for community college education shall submit to the governor for the 1973 Legislature, a list of projects to be funded during the six-year capital program for 1973-79. Included within the project description may be the amount of necessary planning funds per project not to exceed one percent of the project cost which shall be appropriated from the general fund directly for planning purposes and shall not be derived from the proceeds of the bond issue as provided by this act.

NEW SECTION. Sec. 7. The state finance committee is authorized to prescribe the form, terms, conditions and covenants of the bonds, the time or times of sale of all or any portion of them, and the conditions and manner of their sale and issuance. None of the bonds herein authorized shall be sold for less than their par value.

NEW SECTION. Sec. 8. When the state finance committee has decided to issue such bonds or a portion thereof, it may, pending the issuing of such bonds, issue, in the name of the state, temporary notes in anticipation of the money to be derived from the sale of such bonds, which notes shall be designated as "anticipation notes". Such portion of the proceeds of the sale of such bonds as may be required for such purpose shall be applied to the payment of the principal of and interest on such anticipation notes which have been issued. The bonds and notes shall pledge the full faith and credit of the state of Washington and shall contain an unconditional promise to pay the principal and interest when due. The state finance committee may authorize the use of a printed facsimile of the seal of the state of Washington in the issuance of bonds and notes.

NEW SECTION. Sec. 9. The community college capital improvements bond redemption fund of 1972 is created in the state treasury. This fund shall be exclusively devoted to the payment of interest on and retirement of the bonds authorized by this act. The state finance committee shall, on or before June 30 of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet bond retirement and interest requirements, and on July 1 of each year, the state treasurer shall deposit such amount in the community college capital improvements bond redemption fund of 1972 from moneys transmitted to the state treasurer by the department of revenue and certified by the department of revenue to be retail sales tax collections. Such amount certified by the state finance committee to the state treasurer shall be a prior charge against all retail sales tax revenues of the state of Washington, except that portion thereof heretofore pledged for the payment of bond principal and interest.

The owner and holder of each of the bonds or the trustee for any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed herein.

NEW SECTION. Sec. 10. The legislature may provide additional means for raising moneys for the payment of the principal and interest of the bonds authorized herein, and this act shall not be deemed to provide an exclusive method for such payment.

NEW SECTION. Sec. 11. The bonds herein authorized shall be a legal investment for all state funds or for funds under state control and for all funds of municipal corporations.

NEW SECTION. Sec. 12. Upon adoption and ratification by the people as provided for in section 6 of this act, sections 1 through 11 herein shall constitute a new chapter in Title 28B RCW."

On page 1, line 1 of the title, after "government;" strike the remainder of the title and

insert the following: "authorizing the issuance and sale of state general obligation bonds to provide needed community college facilities; providing ways and means for the payment of such bonds; providing for the submission of this act to a vote of the people; and adding a new chapter to Title 28B RCW."

Signed by: Senators Sandison, Chairman; Atwood, Foley, Gardner, Guess, Henry, Holman, Huntley, Lewis, Metcalf, Scott, Wilson.

The bill was read the second time by sections.

Senator Sandison moved adoption of the committee amendment.

Senator Wilson moved adoption of the following amendment to the committee amendment by Senators Wilson, Talley and Odegaard:

On page 1, section 2, line 20 after "sum of" and before "million" strike "twenty-five" and insert "fifty."

Debate ensued.

Senator Talley demanded a roll call, and the demand was sustained by Senators Greive, Guess, Day, Donohue, Stortini, Odegaard, Metcalf, Atwood, Andersen and Bailey.

ROLL CALL

The Secretary called the roll, and the amendment to the committee amendment was adopted by the following vote: Yeas, 28; nays, 20; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sellar, Stender, Stortini, Talley, Walgren, Washington, Wilson—28.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Dore, Gissberg, Guess, Holman, Huntley, Lewis, Mardesich, Matson, Metcalf, Newschwander, Ridder, Sandison, Scott, Twigg, Whetzel, Woodall—20.

Excused: Senator Gardner—1.

On motion of Senator Mardesich, the following amendment to the committee amendment was adopted:

On page 1, section 2, line 26 following the period add: "No bonds authorized by this act shall be offered for sale without prior legislative appropriation of the proceeds of such bonds to be sold."

On motion of Senator Sandison, the committee amendment to the title was adopted.

On motion of Senator Sandison, the rules were suspended, Substitute House Bill No. 381, 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.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 381, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 37; nays, 11; excused, 1.

Voting yea: Senators Andersen, Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—37.

Voting nay: Senators Atwood, Canfield, Clarke, Gissberg, Guess, Mardesich, Matson, Sandison, Scott, Twigg, Woodall—11.

Excused: Senator Gardner—1.

SUBSTITUTE HOUSE BILL NO. 381, 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.

There being no objection, the Senate dispensed with the Call of the Senate.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 4, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4, reducing camper excise tax to one percent, have had the same under consideration, and we recommend that we be granted the power of Free Conference for the following reason: Need an additional amendment which was inadvertently left out of the House version, which is necessary to make the reduction permanent.

Items at issue between House and Senate:

House amendment to ESB 4

New proposed items within scope and object of original bill:

On page 1 of the printed amendment, after section 1, insert the following:

"Sec. 2. Section 56, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.410 are each amended to read as follows:

The rate and measure of tax imposed by this chapter for each calendar year shall be [two] one percent of the fair market value of the travel trailer or camper, as determined in the manner provided in this chapter: PROVIDED, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon a travel trailer or camper used for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the travel trailer or camper is first used: PROVIDED FURTHER, That the minimum amount of tax payable shall be two dollars.

A travel trailer or camper shall be deemed used for the first time in this state when such vehicle was not previously licensed by this state for the year or any part thereof immediately preceding the year in which application for license is made."

On page 1 of the printed amendment to the title, line 3, after the quotation marks and before "amending", strike "and";

On page 1 of the printed amendment to the title, line 5, after "and RCW 82.50.030" and before the period, insert: "and amending section 56, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.410".

Signed by: Senators Guess, Rasmussen and Washington; Representatives Flanagan, Marzano and Polk.

MOTION

On motion of Senator Gissberg, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 27, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 27, relating to salaries of supreme court justices, court of appeals judges and superior court judges, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

1. *Items at issue between House and Senate*

House amendment adding new section 4 which adds full time justices of the peace to the bill and increases their salary from \$20,000 to \$24,000.

2. The three House amendments to the title adding new section 4 to the Senate bill.

3. *New proposed items within scope and object of original bill*

Adding a new section 4 and making the necessary amendments to the title of the bill as set forth in the attached copy of the Free Conference Report which is attached hereto and made a part hereof. Your conferees have agreed that if granted the powers of Free Conference, they will file a Free Conference Report in the form of the Free Conference Report attached hereto. The effect of the report will be to raise the salaries of district court judges from \$20,000 to \$22,000. In all other respects Engrossed Senate Bill No. 27 will be and remain as passed by the Senate and amended previously by the House of Representatives.

Signed by: Senators Gissberg, Andersen and Dore; Representatives Hubbard, Paris and Haussler.

MOTION

On motion of Senator Gissberg, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

REPORT OF CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 143, providing for the rights of married persons, have had the same under consideration, and report that we cannot agree concerning the disposition thereof and request the powers of Free Conference.

The matters of difference are:

- (1) Senate amendment to section 3, on page 2 at line 31. Senate version accepted at conference.
- (2) Senate amendment to section 3, on page 12 adding new subsection (6) permitting the purchase or sale of real estate of a community property business by one spouse only. This power should be granted only to persons dealing in real estate as a part of their business.

New proposed items within the scope and object of the title of the bill in conference are:

- (1) Subsection (6) to section 3, as adopted by the Senate should be redrafted as follows:
 - (6) "Neither spouse shall acquire, purchase, sell, convey, or encumber the assets, including real estate, or the good will of a business where both spouses participate in its management without the consent of the other: PROVIDED, That where only one spouse participates in such management the participating spouse may, in the ordinary course of such business, acquire, purchase, sell, convey, or encumber the assets, including real estate, or the good will of the business without the consent of the nonparticipating spouse."

Attached hereto and incorporated hereby is a copy of the Report of Free Conference

Committee upon whose terms your conferees have agreed and which will be recommended by the conferees if powers of Free Conference are granted.

Signed by: Senators Gissberg, Rasmussen and Twigg; Representatives Kuehnle, Julin and Wojahn.

MOTION

On motion of Senator Gissberg, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on SUBSTITUTE HOUSE BILL NO. 413, and the Speaker has appointed as members of the Conference Committee thereon: Representatives Hoggins, Hatfield and Randall.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 413, authorizing school districts to purchase insurance or otherwise hold harmless directors from actions arising out of the performance or failure of performance of their duties, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

1. *Items at issue between the House and Senate*

a. The language of SHB 413 is very broad and purportedly would authorize the defense and indemnification of school directors in the case of both civil (including over expenditures of the budget) and criminal actions. The Senate Amendment seeks to limit the breadth of the original bill and it may itself be overly broad in scope. It provides for defense in the case of intentional acts but exempts from indemnification judgment for such acts. In addition, it is not clear whether the language has the effect of only excluding liability for criminal actions and breaches of statute imposing liability on the director personally or whether it may be broader in scope.

b. Compromise language needs to be proposed.

c. Accept the amendment of Senator Metcalf.

2. *New items within the scope and title of the bill approved by one house.*

Add the provisions of SHB 318 and HB 191 as amended by the Senate Education Committee. SHB 318 passed the House by a vote of 95-3 and HB 191 was approved by the House 91-4. Both of these bills were reported approved by the standing committee in the Senate. Their status is Rules 2 in the Senate.

Signed by: Senators Francis, Odegaard and Metcalf; Representatives Hoggins, Hatfield and Randall.

MOTION

On motion of Senator Metcalf, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on ENGROSSED SUBSTITUTE HOUSE BILL NO. 411 and the Senate amendment thereto

and the Speaker has appointed as members of the Conference Committee thereon: Representatives Curtis, Jones and Litchman.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 411, an act relating to gambling, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

1. *Items at Issue between House and Senate*

Senate amendment on page 5, section 1, line 1. House version accepted at conference with addition of clarifying language exempting agricultural fairs.

2. *New Proposed items within scope and object of Original Bill*

On page 5, line 1 after "year," add "and except in the case of any agricultural fair as authorized under chapter 15.76 and 36.37 RCW,"

Signed by: Senators Woodall, Stortini and Walgren; Representatives Curtis, Jones and Litchman.

MOTION

On motion of Senator Stortini, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGES FROM THE HOUSE

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on SUBSTITUTE HOUSE BILL NO. 323 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Cunningham, Kraabel and Brouillet.

MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on HOUSE BILL NO. 177 and the Senate amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Eikenberry, Ross and Knowles.

MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 221, and has granted said committee the powers of Free Conference.

MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The House has granted the request of the Senate for a conference on SUBSTITUTE SENATE BILL NO. 355 and the House amendments thereto and the Speaker has appointed as members of the Conference Committee thereon: Representatives Smythe, Berentson and Luders.

MALCOLM McBEATH, Chief Clerk.

SECOND EVENING SESSION

The President called the Senate to order at 9:00 p.m.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 11, by Senators Wilson, Ridder and Murray:

Suspending certain provisions of Joint Rule No. 9 regarding Substitute House Bill No. 29.

MOTIONS

On motion of Senator Bailey, the rules were suspended, Senate Concurrent Resolution No. 11 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, Senate Concurrent Resolution No. 11 was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 29, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 17, 1972.

Mr. Speaker:

Mr. President:

We of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 29, transferring administration of all-terrain vehicle law from department of motor vehicles to interagency committee, have had the same under consideration, and we recommend that the attached bill be substituted therefor, and that the substitute bill do pass.

An Act relating to outdoor recreation; amending section 2, chapter 216, Laws of 1967 as amended by section 2, chapter 24, Laws of 1969 ex. sess. and RCW 4.24.210; amending section 8, chapter 76, Laws of 1970 ex. sess. as amended by section 2, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.080; amending section 6, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.010; amending section 7, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.020; amending section 8, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.030; amending section 9, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.040; amending section 10, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.050; amending section 11, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.060; amending section 12, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.070; amending section 13, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.080; amending section 14, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.090; amending section 16, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.110; amending section 17, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.120; amending section 20, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.150; amending section 21, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.160; amending section 22, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.170; amending section 24, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.190; amending section 4, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.040; amending section 7, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.070; amending section 8, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.080; amending section 11, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.110; amending section 12, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.120; amending section 27, chapter 47, Laws of 1971 ex. sess.; adding new sections to chapter 46.09 RCW; adding a new section to chapter 29, Laws of 1971 ex. sess. and to chapter 46.10 RCW; repealing section 15, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.100; making appropriations; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 8, chapter 76, Laws of 1970 ex. sess. as amended by section 2, chapter 47, Laws of 1971 ex. sess. and RCW 67.32.080 are each amended to read as follows:

The following [five] *seven* categories of trails *or areas* are hereby established for purposes of this chapter:

(1) Cross-state trails which connect scenic, historical, geological, geographical, or other significant features which are characteristic of the state;

(2) Water-oriented trails which provide a designated path to, on, or along fresh and/or salt water in which the water is the primary point of interest;

(3) Scenic-access trails which give access to quality recreation, scenic, historic or cultural areas of state-wide or national significance;

(4) Urban trails which provide opportunities within an urban setting for walking, bicycling, horseback riding, or other compatible activities. Where appropriate, they will connect parks, scenic areas, historical points, and neighboring communities;

(5) Historical trails which identify and interpret routes which were significant in the historical settlement and development of the state[.];

(6) *All-terrain vehicle trails which are suitable for use by both four-wheel drive vehicles and two-wheel vehicles. Such trails may be included as a part of the trail systems enumerated in subsections (1) through (5) of this section or may be separately designated;*

(7) *Off-road and off-trail areas which are suitable for use by both four-wheel drive vehicles and two-wheel vehicles. IAC shall coordinate an inventory and classification of such areas giving consideration to the type of use such areas will receive from persons operating four-wheel drive vehicles and two-wheel vehicles.*

The planning and designation of trails shall take into account and give due regard to the interest of federal agencies, state agencies and bodies, counties, municipalities, private landowners and individuals, and interested recreation organizations. It is not required that the above categories be used to designate specific trails, but the IAC will assure that full consideration is given to including trails from all categories within the system. As it relates to all classes of trails and to all types of trail users, it is herein declared as state policy to increase recreational trail access to and within state *and federally owned lands* [under the jurisdiction of the department of natural resources, the department of game, and the state parks and recreation commission] *and private lands where access may be obtained. It is the intent of the legislature that public recreation facilities be developed as fully as possible to provide greater recreation opportunities for the citizens of the state. The purpose of this 1972 amendatory act is to increase the availability of trails and areas for all-terrain vehicles by granting authority to state and local governments to maintain a system of ATV trails and areas, and to fund the program to provide for such development. State lands should be used as fully as possible for all public recreation which is compatible with the income-producing requirements of the various trusts.*

Sec. 2. Section 6, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.010 are each amended to read as follows:

The provisions of this chapter shall apply to all lands in this state. Nothing in [this 1971 amendatory act] *chapter 43.09 RCW, RCW 67.32.050, 67.32.080, 67.32.100, 67.32.130 or 67.32.140* shall be deemed to grant to any person the right or authority to enter upon private property without permission of the property owner.

Sec. 3. Section 7, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.020 are each amended to read as follows:

As used in this chapter the following words and phrases shall have the designated meanings unless a different meaning is expressly provided or the context otherwise clearly indicates:

"Person" shall mean any individual, firm, partnership, association or corporation.

"All-terrain vehicle" shall mean any self-propelled vehicle [capable of] *when used for cross-country travel on trails and nonhighway roads or [immediately over] any one of the following or a combination thereof: Land, water, snow, ice, marsh, swampland, and other natural terrain. Such vehicles shall include but are not limited to, four-[wheeled] wheel drive vehicles, motorcycles, amphibious vehicles, ground effects or air cushion vehicles, and any other means of land transportation deriving motive power from any source other than*

muscle or wind; except any vehicle designed primarily for travel on, over, or in the water, farm vehicles, logging and private forestry vehicles, snowmobiles or any military or law enforcement vehicles.

"ATV [registration] use permit" means the [registration of] permit system established for an all-terrain vehicle, in this state, pursuant to this chapter.

"Trail" for the purpose of this chapter, shall mean a corridor designated and maintained for recreational travel; by whatever mode of transportation (foot, animal, or vehicular) authorized by the managing authority of the property that the trail traverses.

"Owner" shall mean the person other than the lienholder, having an interest in or title to an all-terrain vehicle, and entitled to the use or possession thereof.

"Operator" means each person who operates, or is in physical control of, any all-terrain vehicle.

"Dealer" means a person, partnership, association, or corporation engaged in the business of selling all-terrain vehicles at wholesale or retail in this state.

"Director" shall mean the director of the department of motor vehicles.

"Committee" shall mean the interagency committee for outdoor recreation.

"Hunt" shall mean any effort to kill, injure, capture, or purposely disturb a wild animal or wild bird.

["Roadway", for purposes of this chapter, shall mean any roads generally capable of being traveled on by conventional two-wheel drive passenger automobiles. It shall not include, private roads, abandoned railway grades, skids, and similar routes generally incapable of being traveled by conventional two-wheel drive vehicles.]

"Nonhighway road" shall mean any road other than a highway generally capable of travel by a conventional two-wheel drive passenger automobile during most of the year and in use by such vehicles and which are private roads or controlled and maintained by the department of natural resources, the state parks and recreation commission and the state game department: PROVIDED, That such roads are not built or maintained by appropriations from the motor vehicle fund.

"Highway" for the purpose of this chapter only shall mean the entire width between the boundary lines of every way publicly maintained by the state department of highways or any county or city when any part thereof is generally open to the use of the public for purposes of vehicular travel as a matter of right.

"Organized competitive event" shall mean any competition, advertised in advance, sponsored by recognized clubs, and conducted at a predetermined time and place.

Sec. 4. Section 8, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.030 are each amended to read as follows:

[A certificate of title shall be issued by the department for any all-terrain vehicle in a similar manner as provided for motor vehicles in chapter 46.12 RCW and such rules and regulations as the department may adopt.] *The department shall provide for the issuance of use permits for all-terrain vehicles and may appoint agents for collecting fees and issuing permits. The provisions of RCW 46.01.130 and 46.01.140 shall apply to the issuance of use permits for all-terrain vehicles as they do to the issuance of vehicle licenses, the appointment of agents and the collection of application fees: PROVIDED, That filing fees for ATV use permits collected by the director shall be certified to the state treasurer and deposited to the credit of the outdoor recreation account.*

Sec. 5. Section 9, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.040 are each amended to read as follows:

Except as provided in this chapter, no person shall operate any all-terrain vehicle within this state after [August 9, 1971] *the effective date of sections 2 through 21 of this 1972 amendatory act* unless such all-terrain vehicle has been [registered] *assigned an ATV use permit and displays an ATV tag* in accordance with the provisions of this chapter: *PROVIDED, That the 1972 registration, licensing, and display thereof shall be deemed to have complied with this section for the 1972 registration period.*

Sec. 6. Section 10, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.050 are each amended to read as follows:

ATV [registration] *use permits and ATV tags* shall be required under the provisions of this chapter except for the following:

(1) All-terrain vehicles owned and operated by the United States, another state, or a political subdivision thereof.

(2) All-terrain vehicles owned and operated by this state, or by any municipality or political subdivision thereof.

(3) An all-terrain vehicle [owned and/or kept outside of this state, when] operating in an organized competitive event *on privately owned or leased land*: PROVIDED, That *if such leased land is owned by the state of Washington this exemption shall not apply unless the state agency exercising jurisdiction over the land in question specifically authorizes said competitive event: PROVIDED FURTHER, That* such exemption shall be strictly construed.

(4) All-terrain vehicles operated on lands owned *or leased* by the *ATV owner* or operator or lands on which the operator has permission to operate without an *ATV [registration] use permit*.

(5) All-terrain vehicles which are [operated exclusively on roadways] *validly licensed to operate over a highway of this state or if owned by nonresidents of this state, all-terrain vehicles which are validly licensed for operation over public highways in the state of the owner's residence.*

(6) Those two-wheeled vehicles with engines of fifty cubic centimeters or less displacement *or those two-wheeled vehicles with engines which develop five or less horsepower, [on] or those two-wheeled vehicles with a wheelbase of forty-two inches or less, or those two-wheeled vehicles which are equipped with wheels of fourteen inches or less rim diameter.*

(7) *All-terrain vehicles while being used for search and rescue purposes under the authority or direction of an appropriate search and rescue or law enforcement agency.*

(8) *Vehicles used primarily for construction or inspection purposes during the course of a commercial operation.*

Sec. 7. Section 11, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.060 are each amended to read as follows:

The ATV [registration] use permit period established by the department shall be concurrent with the registration period established by the department for motor vehicles pursuant to chapter 46.16 RCW.

Sec. 8. Section 12, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.070 are each amended to read as follows:

Application for an ATV [registration] use permit shall be made to the department or its authorized agent in such manner and upon such forms as the department shall prescribe, and shall state the name and address of each owner of the all-terrain vehicle [to be registered], and shall be signed by at least one such owner, and shall be accompanied by a [registration] use permit fee of five dollars. Upon receipt of the application and the application fee, such all-terrain vehicle shall be [registered and an ATV registration number] assigned a use permit number tag or decal, which shall be affixed to the all-terrain vehicle in a manner prescribed by the department. The department may utilize applications, registration and license forms and registration numbering provided for use prior to the effective date of this 1972 amendatory act for the balance of 1972 and such shall constitute use permits, tags or decals for 1972.

The ATV [registration] use permit provided in this section shall be valid for a period of one year. [At the end of such period of ATV registration, every owner of an all-terrain vehicle in this state shall renew his ATV registration] Use permits shall be renewable each year in such manner as the department may prescribe, for an additional period of one year, upon payment of a renewal fee of five dollars.

Any person acquiring an all-terrain vehicle [already validly registered] for which a use permit has been issued under the provisions of this chapter must, within [ten] fifteen days of the acquisition or purchase of such all-terrain vehicle make application to the department or its authorized agent for transfer of such ATV [registration] use permit, and such application shall be accompanied by a transfer fee of one dollar.

Any out-of-state owner of an all-terrain vehicle [not registered in this state,] shall, when operating in this state, comply with the provisions of this chapter and if an ATV [registration] use permit is required under this chapter, he shall obtain a nonresident ATV [registration] use permit number and tag, valid for not more than sixty days or an annual

permit and tag. Application for such a permit shall state name and address of each owner of the all-terrain vehicle [to be registered] and shall be signed by at least one such owner and shall be accompanied by a [registration] fee of two dollars. The [registration] permit shall be carried on the vehicle at all times during its operation in this state.

Sec. 9. Section 13, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.080 are each amended to read as follows:

[Six months after August 9, 1971, it shall be unlawful for any dealer to test or demonstrate or rent any all-terrain vehicle, within the state, without an ATV registration when the same is required by the provisions of this chapter.]

(1) *Each dealer of all-terrain vehicles in this state who does not have a current "dealer's plate" for vehicle use pursuant to chapter 46.70 RCW, shall obtain a dealer ATV permit from the department in such manner and upon such forms as the department shall prescribe. Upon receipt of a dealer's application for a dealer ATV permit and the fee provided for in subsection (2) of this section, such dealer shall be registered and an ATV dealer permit number assigned.*

(2) *The ATV fee for dealers shall be twenty-five dollars per year, which shall be deposited in the outdoor recreation account, and such fee shall cover all of the all-terrain vehicles owned by a dealer and not rented: PROVIDED, That all-terrain vehicles rented on a regular, commercial basis by a dealer shall have separate use permits under the provisions of this 1972 amendatory act.*

(3) *Upon the issuance of an ATV dealer permit each dealer shall purchase, at a cost to be determined by the department, ATV dealer number plates of a size and color to be determined by the department, which shall contain the dealer ATV permit number assigned to the dealer. Each all-terrain vehicle operated by a dealer for the purposes of testing or demonstration shall display such number plates assigned pursuant to the dealer permit provisions as provided for in chapter 46.70 RCW or this section, in a clearly visible manner.*

(4) *No person other than a dealer or a representative thereof shall display number plates as prescribed in subsection (3) of this section, and no dealer or representative thereof shall use such number plates for any purpose other than the purpose prescribed in subsection (3) of this section.*

(5) *ATV dealer permit numbers shall be nontransferable.*

(6) *On and after January 1, 1973, it shall be unlawful for any dealer to sell any all-terrain vehicle at wholesale or retail, or to test or demonstrate any all-terrain vehicle within the state, unless he has a motor vehicle dealers' license pursuant to chapter 46.70 RCW or an ATV dealer permit number in accordance with the provisions of this section.*

Sec. 10. Section 14, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.090 are each amended to read as follows:

[An ATV registration number shall be assigned to an all-terrain vehicle in this state at the time of its original ATV registration by the department in a similar manner as provided in RCW 46.01.130 and 46.01.140 and such rules and regulations as the department may adopt. The department shall, upon assignment of such ATV registration number, issue and deliver to the owner a certificate of ATV registration, in such form as the department shall prescribe. The certificate of ATV registration shall not be valid unless signed by the person who signed the application for ATV registration.]

At the time of the original ATV registration, and at the time of each subsequent renewal thereof, the department shall issue to the ATV registrant a date tag or tags indicating the validity of the current ATV registration and the expiration date thereof, which validating date tag, or tags, shall be affixed to the all-terrain vehicle in such manner as the department may prescribe. Notwithstanding the fact that an all-terrain vehicle has been assigned an ATV registration number, it shall not be considered as validly registered within the meaning of this section unless a validating date tag and current ATV registration certificate have been issued and are in the possession of the operator.]

All ATV use permit tags and ATV dealer tags shall be displayed in a manner prescribed by the department on all-terrain vehicles when required by this 1972 amendatory act except as provided in section 6 of this 1972 amendatory act.

Sec. 11. Section 16, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.110 are each amended to read as follows:

The moneys collected by the department as ATV [registration] *use permit* fees shall be distributed from time to time but at least once a year in the following manner:

(1) [Twenty-five percent each year for the first two years after August 9, 1971, and twenty percent each year for each year thereafter shall be retained by the department] *The department shall retain enough money to cover expenses incurred in the administration of this chapter: PROVIDED, That such retention shall never exceed eighteen percent of fees collected.*

(2) [Twenty percent each year for the first two years after August 9, 1971, and twenty-five percent each year for each year thereafter shall be distributed to the treasurers of those counties of this state having significant all-terrain vehicle use in such sums or upon such a formula as shall be determined by the director after consulting with and obtaining the advice of the Washington state association of counties, and shall be deposited in the county general fund and expended to defray the cost of their enforcing this chapter.

(3) Fifty-five percent each year shall be remitted to the state treasurer for deposit into the outdoor recreation account of the general fund to be administered by the interagency committee for outdoor recreation, and such amount shall be distributed to the department of natural resources, department of game, and to the parks and recreation commission on a pro rata basis determined by the number of miles of agency designated and maintained ATV trails. Such agency designation shall be reviewed and revised by the committee at least once each biennium and the pro rata distribution made current with the number of miles of agency designated and maintained ATV trails. These moneys shall be expended by each agency only for all-terrain vehicle trail-related expenses.] *The remaining funds shall be deposited in the outdoor recreation account of the general fund to be distributed by the interagency committee to departments of state government, to counties, and to municipalities on a basis determined by the amount of present or proposed ATV trails or areas on which they permit ATV use. The interagency committee shall prescribe methods, rules, and standards by which such departments, counties or municipalities may apply for and obtain moneys from the outdoor recreation account for defraying expenses and costs for planning, development, acquisition, and management of ATV recreational areas and trails and the committee shall also apply for applicable federal matching funds: PROVIDED, That agencies constructing all-terrain vehicle trails, campgrounds, and recreational areas and facilities, shall consider the possibility of contracting with the state parks and recreation commission, the department of natural resources or other agencies to employ the youth development and conservation corps or other youth crews to construct or assist in construction of such all-terrain vehicle trails, campgrounds and recreational areas and facilities.*

The department of natural resources may use up to five percent of the use permit fees for administration cost and for implementing this chapter.

Sec. 12. Section 17, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.120 are each amended to read as follows:

It shall be unlawful for any person to operate any all-terrain vehicle:

(1) While under the influence of intoxicating liquor or [narcotics or other drugs] *a controlled substance*;

(2) In such a manner as to endanger the property of another;

(3) *On lands not owned by the operator or owner of the all-terrain vehicle* without a lighted headlight and taillight between the hours of dusk and dawn, or when otherwise required for the safety of others *regardless of ownership*;

(4) *On lands not owned by the operator or owner of the all-terrain vehicle* without an adequate braking device or when otherwise required for the safety of others *regardless of ownership*;

(5) Without a spark arrester approved by the department of natural resources;

(6) Without an adequate, and operating, muffling device which shall effectively blend the exhaust and motor noise in such a manner so as to preclude excessive or unusual noise. All-terrain vehicles manufactured after January 4, 1973, shall effectively maintain such noise at a level of eighty-two decibels or below on the "A" scale at one hundred feet under testing procedures as established by the Washington state patrol [: PROVIDED HOWEVER, That all-terrain vehicles used in organized competition may use a bypass,

expansion chamber, or cutout device if the area has been designated as fire safe by the appropriate agency];

(7) *On lands not owned by the operator or owner of the all-terrain vehicle upon the shoulder or inside bank or slope of any [roadway] nonhighway road or highway, or upon the median of any divided highway;*

(8) *On lands not owned by the operator or owner of the all-terrain vehicle in any area or in such a manner so as to unreasonably expose the underlying soil, or to create an erosion condition, or to injure, damage, or destroy trees, growing crops, or other vegetation:*

(9) *On lands not owned by the operator or owner of the all-terrain vehicle or on any nonhighway road or trail which is restricted to pedestrian or animal travel;*

(10) *On any public lands in violation of rules and regulations of the agency administering such lands.*

Sec. 13. Section 20, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.150 are each amended to read as follows:

Motor vehicle fuel used and purchased for providing the motive power for all-terrain vehicles [on other than public highways,] shall be considered a nonhighway use of fuel, and for purposes of this chapter shall be known as ATV fuel. Persons purchasing and using ATV fuel shall not be entitled to a refund of the motor vehicle fuel excise tax paid in accordance with the provisions of RCW 82.36.280 as it now exists or is hereafter amended.

Sec. 14. Section 21, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.160 are each amended to read as follows:

From time to time, but at least once each four years the department shall determine the amount or proportion of moneys paid to it as motor vehicle fuel tax which is taxed on [nonhighway use of] all-terrain vehicle fuel. Such determination may be made in any manner which is, in the judgment of the director, reasonable, but the manner used to make such determination shall be reported at the end of each four-year period to the legislature. To offset the cost of making such determination the treasurer shall retain in, and the department is authorized to expend from, the motor vehicle fund, the sum of twenty thousand dollars in the first biennium after August 9, 1971, and ten thousand dollars in each succeeding biennium in which such a determination is to be made.

Sec. 15. Section 22, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.170 are each amended to read as follows:

From time to time, but at least once each biennium, the director of the department of motor vehicles shall request the state treasurer to refund from the motor vehicle fund amounts which have been determined to be a tax on all-terrain vehicle fuel in an amount not to exceed one million dollars for the 1971-73 biennium, and the treasurer shall refund such amounts and place them in the outdoor recreation account of the general fund to be administered by the interagency committee for outdoor recreation, and such amounts shall be distributed to [the department of natural resources, the department of game, and the parks and recreation commission] departments of state government, to counties, and to municipalities on a [pro rata] basis determined by the [number of miles of agency designated and maintained] amount of present or proposed ATV trails or areas on which they permit ATV use. Such [agency designation] distribution shall be reviewed and may be revised by the committee at least once each biennium [and the pro rata distribution made current with the number of miles of agency designated and maintained ATV trails]. These moneys shall be expended by each agency only for all-terrain vehicle [trail-] trail and area related expenses.

Sec. 16. Section 24, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.190 are each amended to read as follows:

(1) Except as provided in RCW 46.09.130, any person violating the provisions of this chapter shall be guilty of a misdemeanor and subject to a fine of not less than twenty-five dollars.

(2) In addition to the penalties provided in subsection (1) of this section, the owner and/or the operator of any all-terrain vehicle shall be liable for any damage to property including damage to trees, shrubs, growing crops injured as the result of travel by such all-terrain vehicle. The owner of such property may recover from the person responsible [nominal damages of not less than one hundred dollars or] three times the amount of damage [, whichever is greater].

Sec. 17. Section 2, chapter 216, Laws of 1967 as amended by section 2, chapter 24, Laws of 1969 ex. sess. and RCW 4.24.210 are each amended to read as follows:

Any *public or private* landowners or others in lawful possession and control of agricultural or forest lands or water areas or channels and rural lands adjacent to such areas or channels who allow members of the public to use them for the purposes of outdoor recreation, which term includes hunting, fishing, camping, picnicking, swimming, hiking, pleasure driving, *the pleasure driving of all-terrain vehicles, snowmobiles, and other vehicles*, boating, nature study, winter or water sports, viewing or enjoying historical, archaeological, scenic, or scientific sites, without charging a fee of any kind therefor, shall not be liable for unintentional injuries to such users: PROVIDED, That nothing in this section shall prevent the liability of such a landowner or others in lawful possession and control for injuries sustained to users by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted: PROVIDED FURTHER, That nothing in RCW 4.24.200 and 4.24.210 limits or expands in any way the doctrine of attractive nuisance.

NEW SECTION. Sec. 18. There is added to chapter 46.09 RCW a new section to read as follows:

The department of natural resources shall coordinate the implementation and administration of this chapter.

NEW SECTION. Sec. 19. There is added to chapter 46.09 RCW a new section to read as follows:

All 1971 registration fees collected pursuant to chapter 47, Laws of 1971 ex. sess. and chapter 46.09 RCW by the department of motor vehicles from August 9, 1971, through the effective date of this 1972 amendatory act shall be credited to the 1972 or 1973 permit fee.

Sec. 20. Section 4, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.040 are each amended to read as follows:

Application for registration shall be made to the department in such manner and upon such forms as the department shall prescribe, and shall state the name and address of each owner of the snowmobile to be registered, and shall be signed by at least one such owner, and shall be accompanied by a registration fee of [fifteen] *five* dollars. Upon receipt of the application and the application fee, such snowmobile shall be registered and a registration number assigned, which shall be affixed to the snowmobile in a manner provided in RCW 46.10.070.

The registration provided in this section shall be valid for a period of [three] *one* year[s]. At the end of such period of registration, every owner of a snowmobile in this state shall renew his registration in such manner as the department shall prescribe, for an additional period of [three] *one* year[s], upon payment of a renewal fee of [fifteen] *five* dollars.

Any person acquiring a snowmobile already validly registered under the provisions of this chapter must, within ten days of the acquisition or purchase of such snowmobile, make application to the department for transfer of such registration, and such application shall be accompanied by a transfer fee of one dollar.

A snowmobile owned by a resident of another state where registration is not required by law may be issued a nonresident registration permit valid for not more than sixty days. Application for such a permit shall state name and address of each owner of the snowmobile to be registered and shall be signed by at least one such owner and shall be accompanied by a registration fee of two dollars. The registration permit shall be carried on the vehicle at all times during its operation in this state.

The registration fees provided in this section shall be in lieu of any personal property or excise tax heretofore imposed on snowmobiles by this state or any political subdivision thereof, and no city, county, or other municipality, and no state agency shall hereafter impose any other registration or license fee on any snowmobile in this state.

Sec. 21. Section 7, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.070 are each amended to read as follows:

The registration number assigned to each snowmobile shall be permanently affixed to and displayed upon [each] *the right* side of the front cowl of said snowmobile [in painted numbers or decals no less than three inches high, and shall be of contrasting color with the surface on which they are applied and shall be maintained in a legible condition]

on a plate of such size as authorized by the department of motor vehicles; except dealer number plates as provided for in RCW 46.10.050 may be temporarily affixed.

Sec. 22. Section 8, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.080 are each amended to read as follows:

The moneys collected by the department as snowmobile registration fees shall be distributed in the following manner:

(1) Ten percent each year for the first two years after August 9, 1971, and five percent each year for each year thereafter shall be retained by the department to cover expenses incurred in the administration of this chapter.

(2) Twenty-five percent each year shall be distributed to the treasurers of those counties of this state having significant snowmobile use in such sums or upon such a formula as shall be determined by the director after consulting with and obtaining the advice of the Washington state association of counties, and shall be deposited in the county general fund and expended to defray the cost of [enforcing] *administering* this chapter.

(3) For the first two years after August 9, 1971, fifteen percent each year shall be remitted to the state treasurer for deposit into the general fund and shall be credited to the commission and shall be expended for snow removal operations at other than developed recreational facilities. Thereafter twenty percent each year shall be so remitted for such purposes.

(4) Fifty percent each year shall be remitted to the state treasurer to be deposited in the general fund and shall be credited in equal amounts to the commission, the department of natural resources, and the department of game and shall be expended on the development or operation of snowmobile facilities, but not on the acquisition or operation thereof.

Sec. 23. Section 11, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.110 are each amended to read as follows:

Notwithstanding the provisions of RCW 46.10.100, it shall be lawful to operate a snowmobile upon a public roadway or highway:

Where such roadway or highway is completely covered with snow or ice and has been closed *by the responsible governing body* to motor vehicle traffic during the winter months; or

[Where] *When the responsible governing body gives notice that* such roadway or highway is [posted] *open* to [permit] snowmobiles or all-terrain vehicle use; or

In an emergency during the period of time when and at locations where snow upon the roadway or highway renders *such impassible* to travel by automobile [impractical]; or

When traveling along a designated snowmobile trail.

Sec. 24. Section 12, chapter 29, Laws of 1971 ex. sess. and RCW 46.10.120 are each amended to read as follows:

No person under twelve years of age shall operate a snowmobile on or across a public roadway or highway in this state, and no person between the ages of twelve and [eighteen] *sixteen* years of age shall operate a snowmobile on or across a public road or highway in this state unless he has taken a snowmobile safety education course and been certified as qualified to operate a snowmobile by an instructor designated by the commission as qualified to conduct such a course and issue such a certificate, and he has on his person at the time he is operating a snowmobile evidence of such certification: *PROVIDED, That persons under sixteen years of age who have not been certified as qualified snowmobile operators may operate a snowmobile under the direct supervision of a qualified snowmobile operator.*

NEW SECTION. Sec. 25. There is added to chapter 29, Laws of 1971 ex. sess. and to chapter 46.10 RCW a new section to read as follows:

Notwithstanding any other provisions of this chapter, the local governing body may provide for the safety and convenience of snowmobiles and snowmobile operators. Such provisions may include, but shall not necessarily be limited to, the clearing of areas for parking automobiles, the construction and maintenance of rest areas, and the designation and development of given areas for snowmobile use.

Sec. 26. Section 27, chapter 47, Laws of 1971 ex. sess. is amended to read as follows:

To carry out the provisions of [section 16(3) of this 1971] *this 1972* amendatory act there is appropriated to the interagency committee for outdoor recreation from the outdoor recreation account those moneys as provided from ATV [registration fees] *permit fees and*

dealer permit and tag fees, in the sum of one million dollars, or such lesser amounts [as represent fifty-five percent] of the all-terrain vehicle [registration] *use permit fees and dealer permit and tag fees* collected by the department, or so much thereof as may be necessary.

To carry out the provisions of [section 22 of this 1971] *this 1972* amendatory act there is appropriated to the interagency committee for outdoor recreation from the outdoor recreation account, those moneys as provided from ATV fuel tax refunds, in the sum of one million dollars, or such lesser amount, as represents the refund of tax on motor vehicle fuel which has been determined to be a tax on all-terrain vehicle fuel, or so much thereof as may be necessary.

To carry out the provisions of [section 21 of this 1971] *this 1972* amendatory act, there is appropriated to the department from the motor vehicle fund, the sum of twenty thousand dollars, or so much thereof as may be necessary.

NEW SECTION. Sec. 27. Section 15, chapter 47, Laws of 1971 ex. sess. and RCW 46.09.100 is hereby repealed.

NEW SECTION. Sec. 28. This 1972 amendatory 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.

Signed by: Senators Wilson, Ridder and Murray; Representatives Zimmerman, Spanton and Bradley.

MOTION

On motion of Senator Wilson, the report of the Free Conference Committee on Substitute House Bill No. 29 was adopted.

POINT OF INQUIRY

Senator Holman: "Will Senator Henry yield to a question? Senator Henry, I accidentally put on the snowmobile bill. I would like to know, does this meet your approval?"

Senator Henry: "Actually it is the best part of both 270 and 585 or whatever the other bill was. It is. It covers almost all of the points that have been touched upon by the snowmobile operators."

Senator Holman: "Then you recommend that I vote to approve this report?"

Senator Henry: "I certainly do."

MOTION

On motion of Senator Matson, Senator Twigg was excused.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 29, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Absent or not voting: Senators Herr, Twigg—2.

SUBSTITUTE HOUSE BILL NO. 29, 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 CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred HOUSE BILL NO. 289, defining dognapping as a crime and prescribing penalties therefor, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

The items at issue are the Senate amendments to page 1, beginning on line 16, strike all the matter down through "removed." on line 21 and the amendment on page 1, section 1, line 16, add a new section as follows:

"NEW SECTION. Sec. 2. There is added to chapter 19.60 RCW a new section to read as follows:

Whenever the owner of stolen goods locates said stolen goods in the possession of a pawnbroker or secondhand dealer, and is forced to bring an action for replevin to recover possession thereof, the owner shall be entitled to reasonable attorney fees and costs in connection with said replevin action."

Signed by: Senators Talley and Foley; Representatives Hatfield, Juelling and Jastad.

POINT OF ORDER

Senator Andersen: "Mr. President, I raise a point of order. As I recall, we are at the point where the conference committee has purportedly filed a report asking that a free conference be appointed. Am I correct? The conference committee has filed a report and has asked the free conference be appointed?"

The President: "Yes, Senator Andersen."

Senator Andersen: "I raise a point of order, Mr. President, that the necessary conditions precedent has not been established on which a free conference may be appointed and I would like to speak to the point of order."

RULING BY THE PRESIDENT

The President: "Senator Andersen, in ruling upon the point of order that you presented, the President believes that there is a great deal of validity to your remarks but the President would find it impossible to look behind the report of the conference committee in that the conference committee evidently has subscribed to the latter part of Rule 7 with the necessary signatures."

PARLIAMENTARY INQUIRY

Senator Andersen: "Could I then move pursuant to Rule 9 which states, and I quote, 'the power of free conference may be granted to the two houses either to the same committee, or the committee may be discharged and a new committee appointed with the power of free conference,' and pursuant to that section of Joint Rule 9, may I move that the present committee be discharged and I am not casting aspersions on the Senate committee which has functioned well, but I move that the present committee be discharged and that a new committee be appointed with the power of free conference."

REPLY BY THE PRESIDENT

The President: "Senator Andersen, the first portion of Rule 9 states 'In case of a failure of the conferees to agree'. The only evidence the President has is that the conferees have agreed."

POINT OF ORDER

Senator Andersen: "I would respectfully make the point of order that the provision of

Joint Rule 9, and we are all learning here, provides, 'that the House and Senate shall have thirty-six hours from the time of receipt in the house originating the conference request to consider reports from the free conference committee and shall not vote thereon until the thirty-six hour period shall have elapsed.' And I raise that point and we have not had thirty-six hours in the free conference committee report of the committee which never conferred."

RULING BY THE PRESIDENT

The President: "Senator Talley, perhaps the President can resolve this situation. This is not a report of a free conference committee, Senator Andersen. It is merely the report of the conference committee requesting the powers of free conference. Therefore the thirty-six hour rule does not apply."

MOTION

On motion of Senator Talley, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MOTION

On motion of Senator Greive, the Senate commenced consideration of Senate Bill No. 427.

SECOND READING

SENATE BILL NO. 427, by Senators Peterson (Lowell) and Lewis:

Authorizing the state of Washington to economically develop state owned and managed lands.

REPORT OF STANDING COMMITTEE

January 28, 1972.

SENATE BILL NO. 427, authorizing the state of Washington to economically develop state owned and managed lands (reported by Committee on Natural Resources, Fisheries and Game):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 12, after "may" insert ";

On page 1, section 2, line 14, after "otherwise" and before "foster" insert ";

On page 2, section 4, line 13, before "when" strike "may" and insert "shall"

On page 2, section 4, line 18, after "lands" and before "enhancement" strike ". Such" and insert "such"

On page 2, section 5, line 23, after "such" and before "as may" strike "consultant" and insert "consultants"

Signed by: Senators Peterson (Lowell), Chairman; Donohue, Gissberg, Matson, Peterson (Ted), Rasmussen, Sandison.

The bill was read the second time by sections.

On motion of Senator Mardesich, the committee amendments were adopted.

On motion of Senator Mardesich, the rules were suspended, Engrossed 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 Whetzel: "Senator Mardesich, as I read this bill it looks like it goes a little beyond what you say it does. It looks like the Department of Natural Resources can construct any kind of improvements on land that it owns. I suppose if it owned some tidelands in Seattle it could put up an apartment building because that would be

construction of improvements necessary to facilitate utilization of such lands and areas. There almost seem to be no limitations on this. I suppose on forest land they could put up motels or gasoline stations in addition to going into hard rock mining which seems to be one of the purposes of this bill. Is there anything in this bill that provides any sort of limitation on what the department should do as an operating agency on these real estate projects?"

Senator Mardesich: "I would only point out that whatever they do I would assume they would be subject to the permit requirements of the Department of Ecology or the zoning requirements of tidal areas, of city areas in which a tideland might be located that they wanted to build an apartment on, and all those ordinary permits and requirements would apply. As to them doing that type of thing on their own, certainly they could not do with the amount of money that is in this, it is a million and a half dollars toward a Jobs Now program and they could not do much in the way of any program such as you speak of. What this is, is the seed money to make studies and then get private capital interested in going ahead with the project."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 427, and the bill passed the Senate by the following vote: Yeas, 35; nays, 12; absent or not voting, 2.

Voting yea: Senators Andersen, Bailey, Canfield, Cooney, Day, Donohue, Dore, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Odgaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—35.

Voting nay: Senators Atwood, Clarke, Elicker, Fleming, Francis, Holman, Metcalf, Murray, Newschwander, Ridder, Stender, Whetzel—12.

Absent or not voting: Senators Connor, Durkan—2.

ENGROSSED 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.

MOTION

Senator Greive moved that the Senate immediately resume consideration of Engrossed Substitute House Joint Resolution No. 82.

POINT OF INQUIRY

Senator Woodall: "Would Senator Greive yield? Senator Greive, is there any opposition to House Bill No. 86? It is next in line. It looks like a very corrective measure. Why do not we quickly run it in order and get rid of it?"

Senator Greive: "Senator, we contemplate considerable discussion on tax reform. It is the judgment of the Democratic caucus, at least a majority of us, that we wanted to make every conceivable effort to pass it. Now we have a number of things that a majority of us will vote for. I do not speak for every one of us. And it is the considered judgment of the Democratic caucus in the Senate that we want to consider tax reform and give it every possible chance this evening and we are reluctant to get involved in a lot of other fine pieces of legislation that can wait until tomorrow."

Senator Woodall: "In other words, 86 which would take five minutes and we would get it mechanically out of here and be in order, you do not want to do that and get rid of it?"

Senator Greive: "We are not trying to derail anything but we feel in the case of tax reform, if there is any chance we would like to get whatever dry runs there are and make whatever efforts there are to get the loose votes and we feel strategically if we are going to get it, which we will not know for an hour or two I suppose, we would like not to miss any chance to get the votes and we feel that is the only way we can do it."

The motion by Senator Greive carried.

Senators Atwood, Canfield and Dore 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.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 82, by Committee on Revenue and Taxation (Originally sponsored by: Representatives Bledsoe, King, Kiskaddon, Brouillet, Mentor, McDermott, Blair, Savage, Hoggins, Conner, Ross, Douthwaite, Rabel, Williams, Brown, Kraabel, Jones, Charnley and Litchman):

Authorizing the imposition of a tax on income.

The Senate resumed consideration of Engrossed Substitute House Joint Resolution No. 82, having been read the second time in full on Tuesday, February 15, 1972 and ordered held.

Senator Donohue moved adoption of the following amendment by Senators Donohue, Gissberg, Mardesich and Dore:

On page 1, after line 7, strike the remainder of the resolution and insert the following:

“Article VII, section 14, (1) Income shall not be deemed property within the meaning of this Article, and a tax imposed upon or measured by income shall not be deemed a tax on property.

(2) The legislature shall have the power to impose a graduated rate net income tax. The highest rate of any graduated net income tax imposed upon individuals shall not exceed twelve percent. The highest rate of any graduated net income tax imposed upon corporations shall not exceed eighteen percent.

(3) During the time that a graduated net income tax is in effect:

(a) The state shall fully fund a basic program of education for all school districts: PROVIDED, That no school district shall impose an income tax or ad valorem tax upon property except for capital purposes.

(b) Food for off-premises human consumption and prescription drugs shall be exempt from any retail sales and use tax. For purposes of this provision the legislature shall have the power to define food for off-premises human consumption.

(c) The aggregate amount of any retail sales and use tax shall not exceed five percent.

(4) The legislature shall have the power: (a) To coordinate the administration and collection of state income taxes with the income tax laws and procedures of the United States. The legislature may adopt by reference any federal statutes relating to the determination of taxable income.

(b) To provide for direct payments to an individual or corporation to the extent that (i) insufficient income tax liability exists for full application of an otherwise applicable credit, and (ii) such credit is granted for the purpose of providing direct or indirect relief from other state or local taxes.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.”

POINT OF INQUIRY

Senator Woodall: “Would Senator Donohue yield to a question? As I hastily read your proposition, does it or does it not eliminate the inventory tax which, like our livestock people have found to be very onerous and burdensome to them? Does this eliminate it or does it not?”

Senator Donohue: “This, Senator, is a legislative prerogative. The high rate, the total high rate of the billion dollars and the rate of from two to nine for individuals and thirteen and one-half for corporations does eliminate the inventory tax.”

Senator Woodall: “In other words, a stockman then, if he pays an income tax he pays no inventory tax under this amendment?”

Senator Donohue: "He would not pay an inventory tax. Personal property tax he would pay on his . . ."

Senator Woodall: "Well I am talking about something which as you know is a burden. Is the cattle a man has on hand in a feed lot on January 1 inventory under your deal? Would he pay on it as inventory or personal property? How would he pay on it? Or does he?"

Senator Donohue: "Senator, we are not spelling out in here that the inventory tax is removed. I have only stated to you that under the figures of from two to nine for individuals and thirteen and one-half for corporations that could be established by the legislature, the inventory tax removal would occur to provide funds up to over a billion dollars in revenue."

Senator Woodall: "Well then, I do not want to belabor it but if I understand you correctly then, under this amendment you can have both an income tax and an inventory tax."

Senator Donohue: "That is true, Senator."

POINT OF ORDER

Senator Lewis: "Mr. President, in my understanding there are a number of amendments on the desk that are friends of the resolution, in effect, under Reed's Rules and I am wondering what would be the situation or if you would indicate the proper procedure to the body as to consideration of these amendments."

RULING BY THE PRESIDENT

The President: "Senator Lewis, the Secretary has advised the President that the amendment proposed by Senator Donohue, Gissberg, Mardesich, et al., strikes everything after the enacting clause and that there are several amendments to this amendment. If these amendments presented by the gentlemen named are adopted, then the other amendments to the bill would be lost. But this is the first amendment on the desk and that is why it was considered first."

PARLIAMENTARY INQUIRY

Senator Andersen: "I am a little bit at sea, I am afraid, and with all the amendments here, whose amendment is it that we are considering? You have talked about the number of amendments and the blue amendment. How can I label this for my record?"

REPLY BY THE PRESIDENT

The President: "The amendment under consideration is the one proposed by Senators Donohue, Gissberg, Mardesich, et al."

Senator Andersen: "Is this the amendment Senator Greive identified, the graduated net income tax?"

The President: "Yes, Senator Andersen."

There being no objection, the Point of Order as raised by Senator Lewis, was withdrawn.

Senator Day moved adoption of the following amendment to the amendment by Senators Donohue, Gissberg, Mardesich and Dore:

On page 1, subsection (3), after (c) add a new (d) as follows:

"(d) No tax for the act or privilege of engaging in business activities measured by value of products, gross proceeds of sales, or gross income of the business shall be levied by the state against individuals, firms, or corporations incurring tax liability under the net income tax."

Debate ensued.

Senator Dore moved that the amendment by Senator Day to the amendment be laid upon the table.

Senator Metcalf demanded a roll call and the demand was sustained by Senators

Stender, Odegaard, Mardesich, Rasmussen, Clarke, Andersen, Atwood, Canfield, Guess and Woodall.

ROLL CALL

The Secretary called the roll, and the motion by Senator Dore failed by the following vote: Yeas, 19; nays, 30.

Voting yea: Senators Bailey, Clarke, Connor, Donohue, Dore, Fleming, Foley, Francis, Gissberg, Holman, Jolly, Knoblauch, Mardesich, Rasmussen, Ridder, Sandison, Stortini, Talley, Washington—19.

Voting nay: Senators Andersen, Atwood, Canfield, Cooney, Day, Durkan, Elicker, Gardner, Greive, Guess, Henry, Herr, Huntley, Keefe, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Scott, Sellar, Stender, Twigg, Walgren, Whetzel, Wilson, Woodall—30.

The President declared the question before the Senate to be the adoption of the amendment by Senator Day to the amendment by Senators Donohue, Gissberg, Mardesich and Dore:

Senator Murray demanded a roll call, and the demand was sustained by Senators Atwood, Lewis, Cooney, Connor, Sandison, Stender, Metcalf, Clarke and Rasmussen.

ROLL CALL

The Secretary called the roll and the amendment by Senator Day to the amendment by Senators Donohue, Gissberg, Mardesich and Dore was adopted by the following vote: Yeas, 35; nays, 14.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Gardner, Gissberg, Greive, Guess, Henry, Herr, Huntley, Keefe, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sellar, Stender, Twigg, Walgren, Woodall—35.

Voting nay: Senators Bailey, Fleming, Francis, Holman, Jolly, Knoblauch, Mardesich, Sandison, Scott, Stortini, Talley, Washington, Whetzel, Wilson—14.

Senator Metcalf moved adoption of the following amendment to the amendment by Senators Donohue, Gissberg, Mardesich and Dore:

In subsection (3), after (d) added by the Day amendment to the amendment, add a new subsection (e) as follows:

“(e) Personal property acquired solely for the purpose of sale, or for the purpose of consuming such property in producing for sale a new article of tangible personal property of which such property becomes an ingredient or component, shall be exempt from ad valorem taxation.”

POINT OF INQUIRY

Senator Dore: “Would Senator Metcalf yield to a question? How much revenue does this lose the state of Washington?”

Senator Metcalf: “I cannot answer that specifically. If you have been listening to the testimony over the last years this has been brought out many times but I do not carry that figure in the top of my head.”

Senator Dore: “Will Senator Metcalf yield to another question? If we adopt this amendment you will vote for the constitutional amendment on the final passage?”

Senator Metcalf: “I have said numerous times that if we get something that is better than our tax structure, mine is a vote for final passage. I think that this as we are amending it now is not as good as SJR 82 but, yes, you bet I will vote for it. I do not like it, you know, I do not like everything about it but I will vote for it.”

Senator Matson demanded a roll call on the amendment by Senator Metcalf to the amendment, and the demand was sustained by Senators Bailey, Dore, Peterson (Ted), Canfield, Elicker, Lewis, Gardner, Sellar and Newschwander.

ROLL CALL

The Secretary called the roll and the amendment by Senator Metcalf to the amendment was adopted by the following vote: Yeas, 25; nays, 24.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Durkan, Elicker, Gardner, Guess, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Scott, Sellar, Stender, Stortini, Talley, Twigg, Woodall—25.

Voting nay: Senators Connor, Cooney, Day, Donohue, Dore, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Ridder, Sandison, Walgren, Washington, Whetzel, Wilson—24.

Senator Stender moved adoption of the following amendment to the amendment by Senators Donohue, Gissberg, Mardesich and Dore:

On page 1, section (4)(f), add a new subsection as follows:

“(c) From and after the initial adoption of a net income tax act by the legislature, no amendment to such act, which either defines taxable income or, in the case of individuals, changes the statutorily stated amount of taxable income, as defined, to which any rate is applicable shall be valid unless such amendment is subject to referendum order by the legislature or petition initiated by the people in accordance with Article II, section (1), subsection (b) of this Constitution and laws enacted to facilitate its operation, or unless such amendment has been initiated and approved by the people in accordance with Article II, section (1), subsection (a) of this Constitution and laws enacted to facilitate its operation.”

POINT OF INQUIRY

Senator Wilson: “Would Senator Stender yield? In the mess on the desk I cannot find the copy of this amendment and my question is, under its terms, could the people file an initiative providing that the sales tax and income tax both be entirely eliminated?”

Senator Stender: “The constitution sets the limit on it. I do not think that—well I guess it could be eliminated, yes. I think it could.”

MOTION

Senator Talley moved that the amendment by Senator Stender be laid upon the table.

Senator Stender demanded a roll call and the demand was sustained by Senators Sellar, Guess, Washington, Cooney, Connor, Stortini, Odegaard, Peterson (Lowell) and Ridder.

ROLL CALL

The Secretary called the roll and the amendment by Senator Stender to the amendment was laid upon the table by the following vote: Yeas, 30; nays, 19.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Stortini, Talley, Walgren, Washington, Wilson—30.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Gardner, Guess, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Sellar, Stender, Twigg, Whetzel, Woodall—19.

Senator Elicker moved adoption of the following amendment to the amendment by Senators Donohue, Gissberg, Mardesich and Dore:

On page 1, section (3)(a), line 10, after “PROVIDED, That” strike the balance of the subsection and substitute the following: “an ad valorem tax may be imposed by a school district for capital purposes, but no such tax may be imposed for any other purpose that exceeds ten percent of the budget of the previous year for such district.”

Debate ensued.

On motion of Senator Rasmussen, the amendment by Senator Elicker to the amendment was laid upon the table.

Debate ensued.

Senators Talley, Atwood and Durkan demanded the previous question.

The President declared the question before the Senate to be adoption of the amendment by Senators Donohue, Gissberg, Mardesich and Dore, as amended.

Senator Andersen demanded a roll call and the demand was sustained by Senators Peterson (Ted), Stortini, Stender, Mardesich, Atwood, Canfield, Murray, Scott and Odegaard.

ROLL CALL

The Secretary called the roll and the amendment by Senators Donohue, Gissberg, Mardesich and Dore, as amended, was adopted by the following vote: Yeas, 33; nays, 16.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Mardesich, Metcalf, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—33.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Gardner, Huntley, Lewis, Matson, Murray, Newschwander, Scott, Sellar, Twigg, Whetzel, Woodall—16.

On motion of Senator Donohue, the rules were suspended, Engrossed Substitute House Joint Resolution No. 82, 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.

MOTION

At 12:05 a.m., on motion of Senator Atwood, the Senate recessed until 12:15 a.m.

THIRD EVENING SESSION

The President called the Senate to order at 12:15 a.m.

PARLIAMENTARY INQUIRY

Senator Andersen: "At what stage are we now, on final passage of the amendment or the bill as amended?"

REPLY BY THE PRESIDENT

The President: "Senator, the question before the Senate is the final passage of Engrossed Substitute House Joint Resolution No. 82, as amended by the Senate."

POINT OF INQUIRY

Senator Donohue: "Would Senator Murray yield? Senator Murray, in the bill that came from the House on page 3 there is a reference to 82.04.290, chapter 15, Laws of 1961. Would you please tell me what this means as far as the general public that is going to vote on this?"

Senator Murray: "Excuse me, which line?"

Senator Donohue: "On line 3, page 3. Senator Murray, you are a member of the Tax Policy Committee that helped write this bill, and I would just like to have you tell me exactly what it means in a constitutional amendment when you are referring to 82.04.290, chapter 15. I am not a lawyer, I know you are not, and there are thousands of people out in the state of Washington that are not and I want you to tell me what that is."

Senator Murray: "This particular subject matter is not before us but in answer to your question, this is the provision that says there will be a B and O tax on nonprofit corporations, in effect."

Senator Donohue: "There will be?"

Senator Murray: "There will be."

Senator Donohue: "Would you turn to page 1, line 17. It says sales tax in sections 82.12.010 through 82.12.080. Could you tell me what it says in that particular . . ."

POINT OF ORDER

Senator Metcalf: "I thought we were on the other amendment. He is talking about the bill that is not even before us."

RULING BY THE PRESIDENT

The President: "Engrossed Substitute House Joint Resolution No. 82 is now on final passage, Senator."

Senator Metcalf: "As amended, and that includes entirely different material than we are discussing."

POINT OF INQUIRY

Senator Donohue: "I would like—I see that one of the lawyers moved up to the side of Senator Murray and that is good, Senator. I think my point is very clear, members of the Senate. In the amendment to 82 that is before you tonight, it is very simple. Any eighth grader can understand it. I do not believe that there are lawyers in this Senate that can tell me exactly what is said in the references to these different RCW's, and I know that if you are not a lawyer you cannot do it. What you are really saying, Senator, is that you do not want tax reform, you want to make an attempt at tax reform but what you really want to do is to tell the people of this state that the Senate killed tax reform. Senator, this is not true. We are trying to do something that people can understand. As I explained earlier, I think that any lawyer that got up here that really knew tax law could immediately question you and find that you did not know exactly what these chapters and what these RCW's meant. I do not and I doubt that there is a lawyer on the floor that can immediately tell me exactly what they mean. You cannot sell something like this to the people of this state. It has to be simple. And, Senator, this is what this amendment is that is before you tonight."

Senator Murray: "Thank you. I waited a long time for the question. Really it takes only someone with the eighth grade education to look up any RCW, specifically what your question was. The fact that you are spending so much time trying to make a point on an issue that is not in front of the body at this time. If you will look at your own amendment, this part of it is totally scalped."

Debate ensued.

Senators Peterson (Lowell), Greive and Atwood demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Joint Resolution No. 82, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 82, as amended by the Senate, and the resolution failed to pass the Senate by the following vote: Yeas, 30; nays, 19.

Voting yea: Senators Bailey, Connor, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gardner, Gissberg, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Mardesich, Metcalf, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Walgren, Washington, Wilson—30.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Elicker, Greive, Guess, Huntley, Lewis, Matson, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Twigg, Whetzel, Woodall—19.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 82, as amended by the Senate, having failed to receive the constitutional two-thirds majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Greive gave notice that he would under the proper order of motions on the next working day, ask for reconsideration of the vote by which Engrossed Substitute House Joint Resolution No. 82, as amended by the Senate, failed to pass the Senate.

MOTIONS

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 1:10 a.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Friday, February 18, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FORTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Friday, February 18, 1972.

The Senate was called to order at 11:00 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 James Kraft, Color Bearer, and Laurie Ames, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Our Father God, we thank You anew for these moments of prayer at the beginning of this new day. How great is Your goodness and how great is our responsibility! Forgive us for our inclination to exalt ourselves and to forget: that You are God, that in Your hand are the final issues of life, that it is in You that we live and move and have our being; and that apart from You we can do nothing. May the benediction of Your Presence be especially felt in this Senate Chamber this day. Clear our minds of the conflicts and confusions that incapacitate us for thought and action. Endow these elected Senators of our beloved state with wisdom for their assigned tasks, with the courage of their convictions, and with all that reasonableness which makes for responsible action. 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.

MESSAGE FROM THE GOVERNOR

Office of the Governor, February 17, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 17, Governor Evans approved the following Senate Bills, entitled:

SENATE BILL NO. 83: Authorizing the Department of Social and Health Services to administer veterans' estates.

SENATE BILL NO. 88: Providing that spray rigs are included within the definition of "special mobile equipment" for registration, licensing, and operational purposes.

SENATE BILL NO. 97: Changing the name of the Department of Civil Defense to the Department of Emergency Services.

SENATE BILL NO. 296: Encouraging vocational rehabilitation programs in correctional institutions.

Sincerely,
CHARLES B. WIGGINS
Legislative Counsel to the Governor.

MESSAGES FROM THE HOUSE

February 18, 1972.

Mr. President: The Speaker has signed:
SUBSTITUTE HOUSE BILL NO. 47,
HOUSE BILL NO. 79,
HOUSE BILL NO. 98,
HOUSE BILL NO. 159,

HOUSE BILL NO. 194,
 HOUSE BILL NO. 228,
 HOUSE BILL NO. 240,
 HOUSE BILL NO. 257,
 SUBSTITUTE HOUSE BILL NO. 417,
 HOUSE BILL NO. 469,
 HOUSE BILL NO. 482,
 HOUSE BILL NO. 521, and the same are herewith transmitted.
 MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The Speaker has signed:
 SENATE BILL NO. 13,
 SENATE BILL NO. 28,
 SUBSTITUTE SENATE BILL NO. 29,
 SENATE BILL NO. 42,
 SENATE BILL NO. 50,
 SENATE BILL NO. 63,
 SENATE BILL NO. 68,
 SENATE BILL NO. 71,
 SENATE BILL NO. 74,
 SENATE BILL NO. 89,
 SUBSTITUTE SENATE BILL NO. 100,
 SENATE BILL NO. 240,
 SUBSTITUTE SENATE BILL NO. 403,
 SUBSTITUTE SENATE BILL NO. 412,
 SENATE BILL NO. 423,
 SENATE CONCURRENT RESOLUTION NO. 10, and the same are herewith transmitted.
 MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The Speaker has signed:
 SENATE BILL NO. 163,
 SENATE BILL NO. 232,
 SUBSTITUTE SENATE BILL NO. 438, and the same are herewith transmitted.
 MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE HOUSE BILL NO. 411 and has granted said committee the powers of Free Conference.
 MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 413, and has granted said committee the powers of Free Conference.
 MALCOLM McBEATH, Chief Clerk.

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 355 and has granted said committee the powers of Free Conference and the report of the Conference Committee is herewith transmitted.
 MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 355, limiting the variances in the total allocation factor in regard to disbursement of motor vehicle revenues, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

Item at issue between House and Senate:

The matter directly at issue is the House amendment by Representative Smythe on page 6, line 26.

New Items:

Strike the House amendment to Substitute Senate Bill No. 355 by Representative Smythe on page 6, line 26, and section 2 on page 6, line 27, and insert on page 6, line 26, following section 1 new sections to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

Where an existing highway severs, or where the right-of-way of an existing highway accommodates or would accommodate, or where the separation of motor vehicle traffic from pedestrians, equestrians, or bicyclists will materially benefit the safety of the traveling public by the provision within the right-of-way of facilities for pedestrians, equestrians, or bicyclists which are part of a comprehensive trail plan adopted by federal, state, or local governmental authority having jurisdiction over the trail, the state highway commission, or the county or city having jurisdiction over the highway, road, or street, or facility is authorized to expend reasonable amounts out of the funds made available to them, according to the provisions of RCW 46.68.100, as necessary for the planning, accommodation, establishment, and maintenance of such facilities.

NEW SECTION. Sec. 3. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

Before establishing paths and trails, the following factors shall be considered:

- (1) Public safety;
- (2) The cost of such paths and trails as compared to the need or probable use;
- (3) Inclusion of the trail in a plan for a comprehensive trail system adopted by a city or county in a state or federal trails plan.

NEW SECTION. Sec. 4. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

The amount expended by the highway department or by a city, town, or county as authorized by section 2 of this 1972 amendatory act shall never in any one fiscal year be less than one-half percent of the total amount of the funds received from the motor vehicle fund according to the provisions of RCW 46.68.100: PROVIDED, That this section does not apply to a city or town in any year in which the one-half percent equals five hundred dollars or less, or to a county in any year in which the one-half percent equals three thousand dollars or less: PROVIDED FURTHER, That a city, town or county in lieu of expending the funds each year may credit the funds to a financial reserve or special fund, to be held for not more than ten years, and to be expended for the purposes required or permitted by section 2 of this 1972 amendatory act.

NEW SECTION. Sec. 5. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

For the purposes of this chapter, the establishment of paths and trails and the expenditure of funds as authorized by section 2 of this 1972 amendatory act shall be deemed to be for highway, road and street purposes. The department of highways shall, when requested, and subject to reimbursement of costs, provide technical assistance and advice to cities, towns, and counties in carrying out the purposes of section 2 of this 1972 amendatory act. The department shall recommend construction standards for paths and trails. The department shall provide a uniform system of signing paths and trails which shall apply to paths and trails under the jurisdiction of the department and of cities, towns, and counties. The department and cities, towns, and counties may restrict the use of paths and

trails under their respective jurisdictions to pedestrians, equestrians, and nonmotorized vehicles.

Sec. 6. Section 46.68.070, chapter 12, Laws of 1961 and RCW 46.68.070 are each amended to read as follows:

There is created in the state treasury a permanent fund to be known as the motor vehicle fund 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 state, and through state agencies, for the use of counties, cities, and towns for proper road, street, and highway purposes, *including the purposes of section 2 of this 1972 amendatory act.*

Sec. 7. Section 46.68.130, chapter 12, Laws of 1961 as last amended by section 6, chapter 91, Laws of 1971 1st ex. sess. and RCW 46.68.130 are each amended to read as follows:

The net tax amount distributed to the state in the manner provided by RCW 46.68.100, and all moneys accruing to the motor vehicle fund from any other source, less such sums as are properly appropriated and reappropriated for expenditure for costs of collection and administration thereof, shall be expended by the department of highways, subject to proper appropriation and reappropriation, for state highways and other proper department of highways purposes, *including the purposes of section 2 of this 1972 amendatory act.*

NEW SECTION. Sec. 8. If any provision of this 1972 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. Section 1 of this 1972 amendatory 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."

In line 3 of the title, after "RCW 46.68.120;" insert "amending section 46.68.070, chapter 12, Laws of 1961 and RCW 46.68.070; amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 6, chapter 91, Laws of 1971 1st ex. sess. and RCW 46.68.130; adding new sections to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30;"

Signed by: Senators Henry, Washington and Guess; Representatives Smythe, Berentson and Luders.

MOTION

On motion of Senator Guess, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on REENGROSSED SENATE BILL NO. 92, and has granted said committee the powers of Free Conference, and the report of the Conference Committee is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred REENGROSSED SENATE BILL NO. 92, providing for a regional economic development authority, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference.

Items at issue between House and Senate:

Disagree with amendment to Reengrossed Senate Bill No. 92 by the House, adding new section 2, and to all references pertaining to powers of director of Department of Commerce

and references to powers and activities of "council." *Remainder of House amendments not at issue.*

New Proposed Items within scope and object of original bill:

Recommend inclusion of new section 2 which establishes an authority composed of 11 members of which 2 are ex officio. To enumerate powers of the authority it was necessary to add a new section 3 pertaining to filling of vacancies, a new section 4 dealing with conflicts of interest with public officials, and a new section 5 spelling out the specific powers and duties of the authority.

Signed by: Senators Greive, Guess and Gardner; Representatives Bluechel and Pardini.

MOTION

On motion of Senator Greive, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 146 with the following amendments:

On page 1, line 9 of the title following "72.50.170;" and before "and" insert "making an appropriation;"

On page 2, section 2, line 27 after "act" insert the following new paragraph:

"Any person who, in violation of this 1972 act, furnishes to any person or other agency information obtained from the section shall be civilly liable, as provided in RCW 72.50.170."

On page 3, section 4, line 22 after "shall" insert ", consistent with the procedures set forth in this 1972 act,"

On page 4, section 7, line 19 after "it" insert "and to advise such persons or agencies who have received his record and whom the individual designates to modify it accordingly"

On page 6, section 10, line 13 of the engrossed bill, being line 5 of the Senate amendment to page 6, after "the" strike "superintendent of the state correctional institution from which a prisoner is being furloughed" and insert "the department of social and health services"

On page 6, section 10, line 20 of the engrossed bill, after "made" strike everthing down to and including the period on line 25 of the engrossed bill, this being the last 7 lines of the Senate amendment to page 6 and insert "as promptly as possible and before the prisoner is released on furlough. Upon receipt of furlough information pursuant to the provisions of this subsection the section shall notify the sheriff or director of public safety of the county to which the prisoner is being furloughed, the nearest attachment of the Washington state patrol in the county wherein the furloughed prisoner shall be residing and such other criminal justice agencies as the section may determine should be so notified."

On page 6, section 10, after line 32 of the engrossed bill, being line 23 of the printed bill, insert a new subsection as follows:

"(4) Whenever a person serving a sentence for a term of confinement in a state correctional facility for convicted felons, pursuant to court commitment, is released on an order of the state board of prison terms and paroles, or is discharged from custody on expiration of sentence, the department of social and health services shall promptly notify the section that the named person has been released or discharged, the place to which such person has been released or discharged, and the conditions of his release or discharge, and shall additionally notify the section of change in residence or conditions of release or discharge of persons on active parole supervision, and shall notify the section when persons are discharged from active parole supervision.

No city, town, county, or local law enforcement authority or other agency thereof may require that a convicted felon entering, sojourning, visiting, in transit, or residing in such city, town, county, or local area report or make himself known as a convicted felon or make application for and/or carry on his person a felon identification card or other registration document. Nothing herein shall, however, be construed to prevent any local law

enforcement authority from recording the residency and other information concerning any convicted felon or other person convicted of a criminal offense when such information is obtained from a source other than from such requirement which source may include any officer or other agency or subdivision of the state.

On page 7, section 11, line 3 of the engrossed bill being page 6, line 27 of the printed bill, after "may" and before "use" insert "; consistent with constitutional and legal requirements,"

On page 8, section 14, line 29 of the engrossed bill, being line 9 of the Senate amendment to page 8 after "committed" strike the comma.

On page 8, section 14, line 31 of the engrossed bill, being the last line of the Senate amendment to page 8, after "obtainable" insert "from the appropriate criminal justice agency"

On page 11, after section 22 insert a new section as follows:

"NEW SECTION. Sec. 23. Any person who wilfully requests, obtains or seeks to obtain criminal offender record information under false pretenses, or who wilfully communicates or seeks to communicate criminal offender record information to any agency or person except in accordance with this act, or any member, officer, employee or agent of the section, the council or any participating agency, who wilfully falsifies criminal offender record information, or any records relating thereto, shall for each such offense be fined not more than five thousand dollars, or imprisoned not more than one year or both."

Renumber the remaining sections consecutively.

On page 12, following section 24, now renumbered as section 26, insert a new section to read as follows:

"NEW SECTION. Sec. 27. There is hereby appropriated to the Washington State Patrol from the general fund for the biennium ending June 30, 1973, the sum of ten thousand dollars, or so much thereof as shall be necessary to carry out the provisions of this 1972 amendatory act."

Renumber the remaining section consecutively, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Walgren, the Senate concurred in the House amendments to Engrossed Senate Bill No. 146.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 146, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Absent or not voting: Senator Fleming—1.

ENGROSSED SENATE BILL NO. 146, 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 Gissberg: "The Senate passed House Bill 244 which was an act relating to the Shoreline Management Act of 1971 which amended RCW 90.58.240 in that the department and local governments were deprived of the authority to exercise the right of eminent domain. The question has arisen as to whether or not the action of the Senate will preclude cities, counties and other local governmental entities from acquiring, by eminent domain

procedures, water lines, sewer easements and whatever within the shoreline area. Such was not the intent of the legislature nor do I think it to be a reasonable construction to say that that was a repeal by implication of the other statutes giving express authority to cities and counties for the right of eminent domain for sewer, water and other purposes."

MESSAGE FROM THE HOUSE

February 17, 1972.

Mr. President: The House insists on its position regarding SUBSTITUTE HOUSE BILL NO. 14 and asks the Senate for a conference thereon and the Speaker has appointed as members of said committee: Representatives Rabel, Conway and Bottiger, and the same is herewith transmitted. MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Bailey, the Senate adhered to its position on Substitute House Bill No. 14 and its amendments thereto and once again asks the House to concur therewith.

MESSAGES FROM THE HOUSE

February 17, 1972.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 143, and has granted said committee the powers of Free Conference. MALCOLM McBEATH, Chief Clerk.

February 18, 1972.

Mr. President: The House has adopted the report of the Conference Committee on HOUSE BILL NO. 289 and has granted said committee the powers of Free Conference. DONALD R. WILSON, Assistant Chief Clerk.

SECOND READING

HOUSE BILL NO. 86, by Representatives Charette and Julin (by Statute Law Committee request):

Correcting double amendments to RCW 82.44.150.

REPORT OF STANDING COMMITTEE

February 9, 1972.

HOUSE BILL NO. 86, motor vehicle excise, amendment corrected (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 1, subsection (6), line 29, after "RCW 35.58.273" and before the comma insert "or chapter 82.14 RCW"

Signed by: Senators Durkan, Chairman; Canfield, Donohue, Dore, Elicker, Foley, Francis, Guess, Herr, Jolly, Metcalf, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Twigg, Walgren, Washington, Woodall.

The bill was read the second time by sections.

On motion of Senator Atwood, the committee amendment was not adopted.

On motion of Senator Atwood, the rules were suspended, House Bill No. 86 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 86, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Absent or not voting: Senators Dore, Gardner—2.

HOUSE 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.

There being no objection, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

February 18, 1972.

Mr. President: The House has passed SENATE CONCURRENT RESOLUTION NO. 11, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

February 18, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 29, and has passed the bill as amended by the Free Conference Committee. DONALD R. WILSON, Assistant Chief Clerk.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 514, by Committee on State Government (Originally sponsored by: Representatives Bluechel, Cunningham, Wolf and Savage):

Providing for construction of a state office building.

The bill was read the second time by sections.

On motion of Senator Lewis, the rules were suspended, Substitute House Bill No. 514 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 514, and the bill failed to pass the Senate by the following vote: Yeas, 14; nays, 35.

Voting yea: Senators Bailey, Connor, Elicker, Foley, Francis, Henry, Herr, Holman, Knoblauch, Murray, Peterson (Lowell), Peterson (Ted), Sandison, Talley—14.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Day, Donohue, Dore, Durkan, Fleming, Gardner, Gissberg, Greive, Guess, Huntley, Jolly, Keefe, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—35.

SUBSTITUTE HOUSE BILL NO. 514, having failed to receive the constitutional majority, was declared lost.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Lewis gave notice that he would, at the appropriate time, move for reconsideration of the vote by which the Senate failed to pass Substitute House Bill No. 514.

SIGNED BY THE PRESIDENT

The President signed:
SUBSTITUTE HOUSE BILL NO. 47,

HOUSE BILL NO. 79,
 HOUSE BILL NO. 98,
 HOUSE BILL NO. 159,
 HOUSE BILL NO. 194,
 HOUSE BILL NO. 228,
 HOUSE BILL NO. 240,
 HOUSE BILL NO. 257,
 SUBSTITUTE HOUSE BILL NO. 417,
 HOUSE BILL NO. 469,
 HOUSE BILL NO. 482,
 HOUSE BILL NO. 521.

SECOND READING

SENATE BILL NO. 293, by Senators Ridder and Stortini:

Providing for cost-sharing of property assessment costs and creating an assessor's budget board.

REPORT OF STANDING COMMITTEE

February 12, 1972.

SENATE BILL NO. 293, providing for cost-sharing of property assessment costs and creating an assessor's budget board (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, after "Section 1.", strike all the material down to and including line 1 on page 3 and insert the following:

"There is added to chapter 4, Laws of 1963 and to chapter 36.40 RCW a new section to read as follows:

In each year that the state provides financial aid to the counties for a county revaluation program, the county-assumed portion of the costs of such revaluation program including administrative costs, but excluding any costs pertaining to the development of new data processing programs, shall be shared by all local taxing districts within the county authorized to make levies pursuant to RCW 84.52.050. Such sharing shall not extend beyond December 31, 1974. For each year in which such state financial aid is received the county treasurer shall compute the proportionate amount of the county-assumed portion of the costs of revaluation in direct proportion to the ratio of basic property tax as authorized by RCW 84.52.050 levied on behalf of each local taxing district each year, and he shall deduct from the tax receipts for each local taxing district the amount so computed. He shall place the deducted sums in a special fund to be used solely for the expenses and costs of the administration of the revaluation program: PROVIDED, That the sum deducted from the basic millage for common schools shall be excluded and not considered as revenue in the computation of the school equalization formula pursuant to RCW 28A.41.130. A copy of the assessor's portion of the preliminary county budget shall be sent to each local taxing district affected by the provisions of this section at the time such budget is prepared: PROVIDED, That for the year 1972, the county treasurer shall compute and withhold the proportionate amount without regard to the provision that the preliminary county budget shall be sent to each local taxing district affected by the provisions of this section, and he shall deposit the withheld funds in the county current expense fund to defray the costs of the revaluation program.

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."

On page 1, line 1, strike all of the title and insert the following:

"An Act relating to revenue and taxation, amending chapter 4, Laws of 1963; adding a new section to chapter 30.40 RCW and declaring an emergency."

Signed by: Senators Durkan, Chairman; Andersen, Canfield, Day, Donohue, Dore, Elicker, Foley, Francis, Herr, Holman, Jolly, Mardesich, Sandison, Stortini, Talley, Walgren, Washington, Wilson, Woodall.

The bill was read the second time by sections.

Senator Ridder moved adoption of the committee amendment.

POINT OF INQUIRY

Senator Odegaard: "Would Senator Ridder yield? Senator Ridder, what will be the costs to the school districts at the local level? I realize that eighty-five percent of this will be picked up by the state. What about the fifteen percent at the local level? How much will that amount to for the school districts?"

Senator Ridder: "This should be shared pro rata between all of the individual taxing districts and then in the school's case, even though it pays its share, the share that it pays is not figured in the protracted process in the formula so in essence it is not penalized for the payment of their share."

Senator Odegaard: "It will still come out of their share of the fifteen percent of the funding at the local level, won't it?"

Senator Ridder: "Yes."

Senator Odegaard: "How much will that amount to statewide?"

Senator Ridder: "I have no figures on the statewide cost of that. This was taken up in Ways and Means and apparently it was accepted or acceptive. You must remember that in the money or the income from the revaluation process, the increase in funds in a sense pays for this."

Senator Odegaard: "Also, Senator Ridder, the eighty-five percent to be picked up by the state, how much will that amount to?"

Senator Ridder: "This I do not have figures for either. It depends on what was appropriated for that cost. We do not have any hard figures on that."

Senator Odegaard: "Well I would like a figure, Mr. President, of the amount of money this is going to cost the local school districts and also the state, for picking up these costs of the revaluation."

Senator Ridder: "It is almost impossible to determine how much we are going to appropriate here at this level to continue the reevaluation program. If we knew exactly what we were going to appropriate to continue it, then we would have some figure, a hard figure to work from, but we do not and until we appropriate a certain amount of money for this we cannot even possibly figure out the eighty-five fifteen split. And so you do not know until we appropriate just what it is going to be."

POINT OF INQUIRY

Senator Dore: "Mr. President and members of the Senate, in answer to Senator Odegaard's question, I do not have the figures but I think we might be able to analyze a little bit. In King County I think the expense of the reevaluation program will total somewhere around twelve million dollars when they are through. But about half of that probably is for updating their equipment and we have an amendment here that takes that part of the expense out of the bill. So we are talking about probably some six million dollars and as King County probably constitutes some thirty-eight percent of the population you probably should multiply that by three times. What we are talking about ultimately depends on how many, there are four counties that are not doing this, so probably you could discount it ten or twenty percent. You are probably talking in the area of fifteen million dollars and, it will be taken out as the reappraisal program goes along. The various taxing districts will receive more money as a result of this reevaluation program. So it is only fair that if they are receiving more money they should bear their pro rata expense of the program. So it is really a method of fairness in assuming responsibility and even though the schools may lose a few dollars as a result of the program, they will actually receive millions and millions of more dollars the next two or three years."

POINT OF INQUIRY

Senator Wilson: "Would Senator Ridder yield? Would you tell me briefly, Senator, the difference between the committee amendment and the original bill?"

Senator Ridder: "Well we have a little addition here about the data processing and it cuts that out so that you can only use this for the hiring of the appraisers and the actual ongoing program."

MOTION

On motion of Senator Whetzel, Senate Bill No. 293 and the motion by Senator Ridder that the committee amendments be adopted, were held following consideration of Senate Bill No. 207.

CONFIRMATIONS OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Sandison, the appointment of WALTER B. WILLIAMS as a member of the Council on Higher Education was confirmed.

APPOINTMENT OF WALTER B. WILLIAMS

The Secretary called the roll. The appointment was unanimously confirmed by the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—49.

MOTION

On motion of Senator Peterson (Lowell), the appointment of Senator Peterson (Ted) as a member of the Pacific Marine Fisheries Commission was confirmed.

APPOINTMENT OF SENATOR TED PETERSON

The Secretary called the roll. The appointment was confirmed by the Senate by the following vote: Yeas, 48; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Absent or not voting: Senator Peterson (Ted)—1.

SECOND READING

SENATE BILL NO. 207, by Senator Lewis:
Pertaining to taxation of timber and forest lands.

REPORT OF STANDING COMMITTEE

February 12, 1972.

SENATE BILL NO. 207, pertaining to taxation of timber and forest lands (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:
Strike everything after the enacting clause and insert the following:

"Section 1. Section 7, chapter 294, Laws of 1971 ex. sess. and RCW 82.04.291 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax with respect to such business shall be equal to the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by the appropriate rate as follows:

(a) For timber harvested between October 1, 1972 and September 30, 1973 inclusive, the rate shall be one and [two] *three-tenths percent*;

(b) For timber harvested between October 1, 1973 and September 30, 1974 inclusive, the rate shall be [determined and fixed by the first session of the legislature commencing on or after January 1, 1972, whether regular or extraordinary, in accordance with the purposes and intent of RCW 84.33.180.] *two and nine tenths percent*;

(c) For timber harvested on or after October 1, 1974, the rate shall be [determined and fixed by the first session of the legislature commencing on or after January 1, 1972, whether regular or extraordinary, in accordance with the purposes and intent of RCW 84.33.186] *five and three-tenths percent*.

(2) For purposes of this section:

(a) "Harvester" means every person who from his own privately owned land or from the privately owned land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) "Timber" means forest trees, standing or down on privately owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) "Stumpage value of timber" means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) On or before July 1, 1972 and as necessary thereafter, the department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Before September 1, 1972 for use during the fourth quarter of 1972 and all of 1973, and before December 1 of each year commencing with 1973, for use during the succeeding year, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blowdown, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. *The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the forest tax committee established pursuant to RCW 84.33.180 prior to finalization.* Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of

the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before October 31, 1972, with respect to stumpage values set by the department of revenue for the fourth quarter of 1972 and all of 1973, and on or before January 31 of each succeeding year commencing with 1974, with respect to stumpage values set by the department of revenue for such year, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax fund A and a state timber tax fund B, separate and apart from the state general fund. The revenues from the tax imposed by subsection (1) of this section shall be deposited in state timber tax fund A and state timber tax fund B as follows:

YEAR OF COLLECTION	FUND A	FUND B
1973 through 1978	100%	0%
1979	75%	24%
1980	50%	50%
1981	25%	75%
1982 and thereafter	0%	100%

(6) In addition to the rates specified in subsection (1) of this section, there shall be imposed upon such persons a surtax at a rate of .5% of the stumpage value of timber as specified in such subsection (1) upon timber harvested between October 1, 1972 and December 31, 1974 inclusive. The revenues from such surtax shall be deposited in a separate fund designated the state timber reserve fund, which is hereby created in the state treasury separate and apart from the state general fund. Such surtax shall be reimposed for one year upon timber harvested in any calendar year following any fourth quarter during which transfers from such reserve fund pursuant to subsection (3) of RCW 84.33.080 reduce the balance in such fund to less than five hundred thousand dollars, but in no event shall such surtax be imposed in any year after 1980.

(7) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before each such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(8) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.04.490 shall not apply to the taxes imposed by this section.

(9) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

(10) Subsection (1) of this section is enacted to be fully effective commencing upon May 21, 1971, even though all rates of tax are not specified. The forest tax committee established pursuant to RCW 84.33.180 shall, as its first priority and in addition to its other responsibilities, develop a recommendation with respect to rates for presentation to the first session of the legislature commencing on or after January 1, 1972, whether regular or extraordinary.

Sec. 2. Section 8, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.080 are each amended to read as follows:

(1) On or before December 15 of each year commencing with 1972 and ending with 1980, the assessor of each timber county shall deliver to the treasurer of such county and to the department of revenue a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The value of timber as shown on the timber roll for such year;

(b) The aggregate millage rate calculated pursuant to RCW 84.33.060 and actually utilized the immediately preceding October in extending property taxes upon the tax rolls for collection in the following year;

(c) A "timber factor" which is the product of such aggregate millage rate, *the assessment ratio applied generally by such assessor in computing the assessed value of other property in his county* and the appropriate portion listed below of the timber roll for such year ((a) above):

YEAR	PORTION OF TIMBER ROLL
1972	25%
1973	55%
1974 through 1977	100%
1978	75%
1979	50%
1980	25%

On or before December 31 of each year commencing with 1972 and ending with 1980, the department of revenue shall determine the proportion that each taxing district's timber factor bears to the sum of the timber factors for all taxing districts in the state, and shall deliver a list to the assessor and the treasurer of each timber county and to the state treasurer showing the factor and proportion for each taxing district.

(2) On the tenth day of the second month of each calendar quarter, commencing February 10, 1973 and ending November 10, 1981, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (1) of this section) of the amount in state timber tax fund A collected upon timber harvested in the preceding calendar quarter, but in no event shall any quarterly payment to a taxing district, when added to the payments made to such district the previous quarters of the same year, exceed the timber factor for such district determined in December of the preceding year. The balance in state timber tax fund A, if any, after the distribution to taxing districts on November 10 each year commencing with 1973 and ending with 1981, shall be transferred to the state timber reserve fund.

(3) If the balance in state timber tax fund A immediately prior to such November 10 distribution to taxing districts is not sufficient to permit a payment which, when added to the payments made to any taxing district the previous quarters of the same year, will equal the timber factor for such district determined in December of the preceding year, the necessary additional amount shall be transferred from the state timber reserve fund to state timber tax fund A.

(4) The balance, if any, in the state timber reserve fund after the final transfer, if any, to or from state timber tax fund A in November of 1981, shall be transferred to state timber tax fund B on December 31, 1981, and one-fourth of such balance shall be distributed in each quarter of 1982 in the manner set forth in subsection (6) of this section.

(5) On or before December 31 of each year commencing with 1978, the department of revenue shall deliver to the treasurer of each timber county a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The average of the aggregate value of all timber harvested within such district in each of the immediately preceding five years as determined from the excise tax returns filed with the department of revenue;

(b) The aggregate millage rate calculated pursuant to RCW 84.33.060 and chapter 84.52 RCW and actually utilized the immediately preceding October in extending property taxes upon the tax rolls for collection the following year;

(c) A "harvest factor" which is the product of such five year average and such aggregate millage rate;

(d) The proportion that each taxing district's harvest factor bears to the sum of the harvest factors for all taxing districts in the state.

(6) On the tenth day of the second month of each calendar quarter commencing February 10, 1979, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (5) of this section) of the amount in state timber tax fund B collected upon timber harvested in the preceding calendar quarter.

Sec. 3. Section 9, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.090 are each amended to read as follows:

(1) For the purpose of calculating the limit of indebtedness which may be incurred by any taxing district, the value of the taxable property of any taxing district, as that term is used in chapter 39.36 RCW and any other statutes governing limitation of indebtedness of taxing districts, shall include the value of timber as shown from time to time on the timber roll prepared in accordance with RCW 84.33.050.

(2) *For the purposes of calculating the amount to be distributed to a school district pursuant to RCW 28A.48.110, there shall be added to the "assessed valuation of all taxable property" within such district an amount equal to the product of the assessment ratio applied generally by the assessor in computing the assessed value of other property in his county and the appropriate portion listed below of the timber roll prepared in accordance with RCW 84.33.050 for such year.*

YEAR	PORTION OF TIMBER ROLL
1972	25%
1973	55%
1974 and thereafter	100%"

Strike all of the title and insert the following:

"An Act relating to revenue and taxation of timber and forest lands; amending section 7, chapter 294, Laws of 1971 ex. sess. and RCW 82.04.291; amending section 8, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.080; and amending section 9, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.090."

Signed by: Senators Durkan, Chairman; Andersen, Bailey, Canfield, Cooney, Day, Donohue, Elicker, Fleming, Foley, Guess, Huntley, Lewis, Metcalf, Newschwander, Odegard, Peterson (Ted), Ridder, Scott, Stortini, Twigg, Wilson, Woodall.

The bill was read the second time by sections.

Senator Lewis moved adoption of the committee amendments.

Senator Lewis moved adoption of the following amendment by Senators Lewis and Durkan to the committee amendment:

On page 8, after line 19, add the following:

"Section 4. Section 5, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.050 are each amended to read as follows:

(1) In preparing the assessment roll as of January 1, 1971 for taxes payable in 1972, the assessor of each timber county shall list all timber within such county on January 1, 1971 at the 1970 timber value. For each year commencing with 1972, the assessor of each timber county shall prepare a timber roll, which shall be separate and apart from the assessment roll, listing all timber within such county on January 1, 1972 at values determined as follows:

(a) For the five years commencing with 1972, the value shall be the 1970 timber value;

(b) For each succeeding five year period, the first of which commences on January 1, 1977, the value shall be such 1970 timber value increased or decreased in proportion to the percentage change, if any, which has occurred between the last year of the preceding five year period and 1973 in the average stumpage value per unit of measure of all timber harvested in such county. Such percentage change shall be determined by the department of revenue on the basis of information contained in the excise tax returns filed pursuant to RCW 82.04.291.

(2) As used in subsection (1) of this section, "1970 timber value" means the value for timber calculated in the same manner and using the same values and valuation factors actually used by such assessor in determining the value of timber for the January 1, 1970 assessment roll, except that if a revised schedule of such values and valuation factors was applied to some but not all timber in a county for the January 1, 1970 assessment roll, such revised schedule shall be used by the assessor for any timber revalued for the 1971 or 1972 assessment rolls, and except that if the value of timber in any county on January 1, 1970 was not separately determined and shown on such assessment roll, 1970 timber value shall mean the value reconstructed from available records and information in accordance with rules to be prescribed by the department of revenue.

(3) The assessor of each timber county shall add to the assessment roll showing values of property as of January 1 of the years listed below, an "assessed valuation" of the portion, indicated below opposite each such year, of the value of timber as shown on the timber roll for such year. Such assessed valuation shall be calculated by multiplying such portion of the timber roll by the assessment ratio applied generally by such assessor in computing the assessed valuation of other property in his county. The millage rates, calculated pursuant to RCW 84.33.060 for each taxing district within which there was timber on January 1 of such year, shall be extended against such "assessed valuation" of timber within such district as well as against the assessed value of all other property within such district as shown on such assessment roll.

YEAR	PORTION OF TIMBER ROLL
1972	75%
1973	45%
1974 and thereafter	None

(4) *Timber may be added to the timber roll, at the value specified in subsection (1) of this section, commencing as of January 1 following the designation of the land upon which such timber stands pursuant to subsection (3) of RCW 84.33.120 or 84.33.130, but only if the value of such timber was not separately determined and shown on the assessment roll as of either January 1, 1970 or January 1, 1972;*

(5) *Timber may be added to the timber roll, at the value specified in subsection (1) of this section, commencing as of January 1st following the sale or transfer of the land upon which such timber stands from an ownership in which such land was exempt from ad valorem taxation to an ownership in which such land is no longer exempt.*

(6) *The value of timber shall be deleted from the timber roll upon the sale or transfer of the land upon which such timber stands to an ownership in which such land is exempt from ad valorem taxation.*

Sec. 5. Section 12, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.120 are each amended to read as follows:

(1) On or before March 1, 1972 and January 1 of each year commencing with 1973, *subject to review by the forest tax committee established pursuant to RCW 84.33.180 and after compliance with the procedures set forth in chapter 34.04 RCW for adoption of rules, the department of revenue shall determine the true and fair value of each grade of bare forest land and shall certify such values to the county assessors. Such values shall be determined on the basis that the only use of the land is for growing and harvesting timber, and other potential uses shall not be considered in fixing such values.*

(2) In preparing the assessment rolls as of January 1, 1971 for taxes payable in 1972, the assessor shall list each parcel of forest land at a value not to exceed the value used on the

1970 assessment roll for such land. In preparing the assessment roll for 1972 and each year thereafter, the assessor shall enter as the true and fair value of each parcel of forest land the appropriate grade value certified to him by the department of revenue, and he shall compute the assessed value of such land by using the same assessment ratio he applies generally in computing the assessed value of other property in his county.

(3) In any year commencing with 1972, an owner of land which is assessed and valued by the assessor other than pursuant to the procedures set forth in RCW 84.33.110 and subsections (1) and (2) of this section, and which has, in the immediately preceding year, been assessed and valued by the assessor as forest land, may appeal to the county board of equalization by filing an application with the board in the manner prescribed in subsection (2) of RCW 84.33.130. The county board shall afford the applicant an opportunity to be heard if the application so requests and shall act upon the application with due regard to all relevant evidence without any one or more items of evidence necessarily being determinative.

(4) The assessor may in any year commencing with 1972 discontinue assessing and valuing pursuant to the procedures set forth in RCW 84.33.110 and subsections (1) and (2) of this section any land, except designated forest land, for which a higher and better use exists than growing and harvesting timber. The owner of such land shall thereupon have the right to apply for designation of such land as forest land pursuant to subsection (3) of this section or RCW 84.33.130.

Sec. 6. Section 14, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.140 are each amended to read as follows:

(1) When land has been designated as forest land pursuant to subsection (3) of RCW 84.33.120 or 84.33.130, a notation of such designation shall be made each year upon the assessment and tax rolls, *a copy of the notice of approval together with the legal description or assessor's tax lot numbers for such land shall, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded*, and such land shall be graded and valued pursuant to RCW 84.33.110 and 84.33.120 until removal of such designation by the assessor upon occurrence of any of the following:

- (a) Receipt of notice from the owner to remove such designation;
- (b) Passage of sixty days following the sale or transfer of such land to a new owner without receipt of an application pursuant to RCW 84.33.130 from the new owner;
- (c) Sale or transfer to an ownership making such land exempt from ad valorem taxation;
- (d) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that such land is no longer primarily devoted to and used for growing and harvesting timber. *Removal of designation upon occurrence of any of subsections (a) through (c) above shall apply only to the land affected, and upon occurrence of subsection (d) shall apply only to the actual area of land no longer primarily devoted to and used for growing and harvesting timber, without regard to other land that may have been included in the same application and approval for designation.*

(2) Within thirty days after such removal of designation of forest land, the assessor shall notify the owner in writing, setting forth the reasons for such removal. The owner may appeal such removal to the county board of equalization.

(3) Unless the removal is reversed on appeal [,] *a copy of the notice of removal with notation of the action, if any, upon appeal, together with the legal description or assessor's tax lot numbers for the land removed from designation shall, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded, and commencing on January 1 of the year following the year in which the assessor mailed such notice, such land shall be assessed on the same basis as real property is assessed generally in that county. Except as provided in subsection (5) of this section, a compensating tax shall be imposed which shall be due and payable to the county treasurer on or before April 30 of the following year. On or before May 31 following such assessment date, the assessor shall compute the amount of such compensating tax and mail notice to the owner of the amount thereof and the date on which payment is due. The amount of such compensating tax shall be equal to:*

- (a) The difference between the amount of tax last levied on such land as forest land

and an amount equal to the new assessed valuation of such land multiplied by the millage rate of the last levy extended against such land, multiplied by

(b) A number, in no event greater than ten, equal to the number of years for which such land was designated as forest land.

(4) Any compensating tax unpaid on its due date shall thereupon become delinquent and together with applicable interest thereon, shall as of said date become a lien on such land which shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which such land may become charged or liable. Such lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. From the date of delinquency until paid, interest shall be charged at the same rate applied by law to delinquent ad valorem property taxes.

(5) The compensating tax specified in subsection (3) of this section shall not be imposed if the removal of designation pursuant to subsection (1) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other forest land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power;

(c) Sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in such land.

Sec. 7. Section 18, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.180 are each amended to read as follows:

(1) There is hereby created a committee to be known as the forest tax committee, which shall consist of [eleven] *fifteen* members: [Two] *Four* senators, [one] *two* from each political party, to be appointed by the president of the senate; [two] *four* representatives, [one] *two* from each political party, to be appointed by the speaker of the house of representatives; two county assessors to be selected by the [four] *eight* appointed legislative members from a list of five assessors to be submitted by the Washington state association of county assessors; the director of the department of revenue or his designated representative; the commissioner of public lands or his designated representative; the superintendent of public instruction or his designated representative and two representatives of private timber or timber land owners throughout the state to be selected by the [four] *eight* appointed legislative members from a list of five such representative persons submitted by the Washington forest protection association. Members shall be appointed and selected on or before June 30 of every odd-numbered year to serve two year terms. Except for such designees as the director of the department of revenue or the commissioner of public lands might appoint, membership shall not be dependent upon continuance in elective office or other status that may be required for initial qualification as a member, and should any vacancy occur, it shall be filled in the same manner as for the original appointment. Certificates of appointment of members shall be filed by the legislative members so appointing in the office of the president of the senate and in the office of the speaker of the house.

(2) The initial meeting of the forest tax committee each odd-numbered year shall be held within thirty days after the filing of all certificates of appointment, notice thereof to be given to the director of the department of revenue, and shall be called by the director of the department of revenue who shall act as temporary chairman. At such first meeting, the committee shall elect a chairman and a vice chairman. The chairman shall appoint a secretary and such other staff as the legislative members of the committee deem necessary.

(3) Except for the director of the department of revenue and the commissioner of public lands or their designees who shall receive expenses as provided in RCW 43.03.050 and 43.03.060, as now or hereafter amended, members of the committee shall receive allowances while attending meetings of the committee or while engaged in other committee business in the amount provided in RCW 44.04.120, as now or hereafter amended. All expenses incurred by the committee or the members thereof shall be paid upon voucher forms signed by the chairman of the committee. Vouchers shall be drawn upon funds

appropriated generally by the legislature for legislative expenses or upon any special appropriation which may be provided by the legislature for the expenses of the committee.

(4) The duties and responsibilities of the committee shall include, without limitation, the following:

(a) A continuing review of the provisions of this chapter, RCW 82.04.291 and 28A.41.130, including the tax rate provisions, and the implementation thereof to determine the need for any revision, and preparation of any needed legislation;

(b) Review of chapters 84.28 [, 84.32,] and 84.34 RCW and any other laws relating to taxation of timber and forest land, and preparation of legislation for introduction in the 1973 session of the legislature to integrate into this chapter, RCW 82.04.291 and 28A.41.130 the taxation of forest lands and timber classified and taxed under such laws;

(c) Supervision and control of the activities of any consultants retained by the committee for preparation of any special studies or reports;

(d) Preparation of a report summarizing committee actions and findings for submission to each regular session of the legislature;

(e) *A continuing study, in cooperation with the department of revenue, to develop appropriate procedures and standards to be used in determining the value of bare forest land in accordance with the provisions of RCW 84.33.120(1), and make recommendations to the 1973 session of the legislature relative to such procedures and standards.*

NEW SECTION. Sec. 8. The following acts or parts of acts are hereby repealed:

- (1) Section 84.32.010, chapter 15, Laws of 1961 and RCW 84.32.010;
- (2) Section 84.32.020, chapter 15, Laws of 1961 and RCW 84.32.020;
- (3) Section 84.32.030, chapter 15, Laws of 1961 and RCW 84.32.030;
- (4) Section 84.32.050, chapter 15, Laws of 1961 and RCW 84.32.050;
- (5) Section 84.32.070, chapter 15, Laws of 1961 and RCW 84.32.070;
- (6) Section 84.32.080, chapter 15, Laws of 1961 and RCW 84.32.080;
- (7) Section 84.32.090, chapter 15, Laws of 1961 and RCW 84.32.090;
- (8) Section 84.32.100, chapter 15, Laws of 1961 and RCW 84.32.100;
- (9) Section 84.32.110, chapter 15, Laws of 1961 and RCW 84.32.110;
- (10) Section 84.32.120, chapter 15, Laws of 1961 and RCW 84.32.120."

The bill was read the second time by sections.

POINT OF INQUIRY

Senator Dore: "Will Senator Lewis yield to a question? Who can take advantage of this lower tax rate? I have five acres with timber on it. Could I qualify under this bill?"

Senator Lewis: "No. Number one, Senator Dore, this is not a lower tax rate. This is a higher tax rate. There will be substantially more money raised from timber and land than is raised today. The minimum requirement is twenty acres and it must be designated as forest land. And there are rollback penalties that provide if you once pull out that you would pay the full tax plus penalty."

Senator Dore: "Senator Lewis, I understand you to say that under this system the people that own timber who would qualify under this act would pay more tax dollars than they do at the present time. Now my question to you is, had they been presently taxed under the new reevaluation program, how would that compare to what would be raised under this bill? In other words, instead of being assessed perhaps as low as eight or nine percent, had they been placed on the rolls at fifty percent of fair market value under the new reevaluation program, how many more dollars would it have had made available to the taxpayers of the state as contrasted to the formulae that is set forth in this bill?"

Senator Lewis: "Senator Dore, I want to clarify that we are talking about two different taxes here. We are talking about a tax on timber, and we are talking about a tax on land. To give you an indication of what this is going to do, we are going to see in Clallam County, for example, about a two and one-half percent increase in the value of the forest land, the ad valorem value, for tax purposes in Clallam County. Senator Dore, I do not know whether I am getting to your question or not. I am trying to."

Senator Dore: "I just asked a simple question and maybe you do not have the information, but assuming this same timber land would now be paying at fifty percent of fair market value, how would the dollars raised from that situation as contrasted to this new system? You keep talking in terms of paying more dollars. We are all paying more dollars.

But assuming that the timber land involved here had been assessed at fifty percent of fair market value like everybody else's property was, how many dollars state wide would that raise as against a comparable figure as that same land would pay under this formulae, under this bill?"

Senator Lewis: "Well, in effect what we are doing is raising the land to its true market value and it has not been there. We are doing precisely what, if I understand your question correctly, we are doing precisely what you are suggesting should be done. We are bringing the land to its true market value. Now just to give you an idea what the impact of that is, in Clallam County the current valuation is nineteen dollars. We on the Forest Tax Committee do not think that this land had been valued at its proper level. There is an additional factor, Senator Dore, that may or may not help, but the total timber that is being taxed on an ad valorem basis, in my opinion does not represent the total timber on the land in the state under the ad valorem system for the reason that the assessors were not able to get out and establish values and measure it properly. So that for the first time under this system, all the timber will be taxed. We will be able to know for the first time that all of the timber will be taxed. Many of the assessors because of staff problems, because of the relatively low valuations, did not get out into those second growth lands and properly tax them. They concentrated on the older timber and the old growth and older stands that had higher valuations where their work performance would generate more tax dollars. So that in effect many of these second growth lands were not paying taxes that they should have.

"Of course, under the yield tax system, every tree that is harvested pays a tax."

Senator Dore: "Mr. President. Maybe I could get at it another way, Senator Lewis. You said that under this bill they will pay more taxes than they did before. I assume you are talking about last year. Percentage-wise, how much more?"

Senator Lewis: "The Department of Revenue has not established the lands values firmly yet to my knowledge but they have come very close and give us an indication of where they are going to put the land value. At the present time, they are collecting about two point eight million dollars in the land portion. Under the values of the Department of Revenue as they present to me as the final values, I think will be very close, this figure will approach seven millions of dollars. So you are seeing an increase from a little under three million to close to seven million dollars."

Senator Dore: "All right. Now, had this system not been put into effect, how many million would that same land pay? You gave me one figure, seven million."

Senator Lewis: "I am convinced it would not even approach that amount, Senator Dore."

Senator Dore: "Senator Lewis, I am familiar with the system. Under this system they appraise the land and you do not pay the tax on the timber until it is actually severed. They handle it as a crop. You have to compare apples with apples. Now assuming they did not change the system but they taxed the land with the timber on it at the rate that everybody else is paying, how many more millions of dollars in taxes would they have paid as contrasted to what they pay under this new system?"

Senator Lewis: "I do not think that if the present assessing practice would have continued that the timber owners would have paid as much as they will under the new yield tax system with this exception, that in some cases assessors were evaluating forest land on the basis of recreation land. In some cases they were evaluating forest land on the basis of development land and in those cases, you are correct, they would have assessed at a substantially higher value. For example, Senator Dore, in one county they were assessing forest land at a thousand dollars an acre. What in essence this means is that no longer can you grow trees on that land. You cannot justify it and so the tax increase that you are suggesting would have been very short lived. There would have been no timber on that land."

Senator Dore: "I am not trying to belabor this but I wonder, have you prepared any memorandum in writing or anything that might project the money that we would receive in taxes had this plan not gone into effect as contrasted as it will be under this plan?"

Senator Lewis: "No, we have not."

Senator Dore: "Could you possibly do that and make it available? I think it would be very helpful."

Senator Lewis: "Yes, I can try. I think it is a bigger job than it appears, Senator Dore,

because we do not have accurate figures by taxing districts for every area of the state. But we can take a stab at it and I would be glad to do that.”

POINT OF INQUIRY

Senator Woodall: “Would Senator Lewis yield? I thought I heard you say you were creating some additional legislative positions in here?”

Senator Lewis: “Yes.”

Senator Woodall: “Has that been checked? Perhaps Senator Twigg could comment. I think there was an Attorney General’s ruling that any positions we create, none of us can fill. I think they decided that no member here could go on the Fair Commission and I am wondering if we are creating some new positions that no one among us is going to be able to fill.”

Senator Lewis: “Senator Woodall, we have checked that out. You want to remember that everything that the Forest Tax Committee does ultimately lies in the hands of this body and the House’s, as compared to other commissions who can spend funds and allocate moneys without that provision. So there is no problem in this area. The attempt really is to try to broaden the committee so that there would be additional knowledge of this technical legislation.”

MOTION

Senator Francis moved that Engrossed Senate Bill No. 207 be held for further consideration following the reconsideration by Senator Greive on Engrossed Substitute House Joint Resolution No. 82 which failed to pass the Senate.

Debate ensued.

PERSONAL PRIVILEGE

Senator Francis: “I would say that Senator Andersen went a little bit far last night in some of his remarks and has gone too far now. I am not trying to trade votes; I am not trying to do anything more than what Senator Holman has been saying all along and that is that the interests groups have been pushing for these special considerations, and earlier in this session that included sugar beets in transit, logs in transit, we did something for agriculture. I am saying that those interest groups instead of getting their own little thing and then going home and saying ‘Forget it’ to the rest of you, ought to be involved in the entire push for tax reform for the whole state. I am not trying to swap votes or anything else but I think those people ought to be on notice and I resent very much being accused of an attempt to swap votes.”

Senator Fleming demanded a roll call on the motion by Senator Francis to resume consideration of Senate Bill No. 207 and the pending amendments following reconsideration of Engrossed Substitute House Joint Resolution No. 82, and the demand was sustained by Senators Metcalf, Connor, Holman, Washington, Foley, Wilson, Rasmussen, Gardner, Sellar and Guess.

ROLL CALL

The Secretary called the roll and the motion by Senator Francis failed by the following vote: Yeas, 13; nays, 36.

Voting yea: Senators Connor, Cooney, Dore, Fleming, Francis, Gissberg, Greive, Holman, Keefe, Mardesich, Rasmussen, Ridder, Washington—13.

Voting nay: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Day, Donohue, Durkan, Elicker, Foley, Gardner, Guess, Henry, Herr, Huntley, Jolly, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Whetzel, Wilson, Woodall—36.

POINT OF INQUIRY

Senator Odegaard: "Mr. President, would Senator Lewis yield? Senator Lewis, when we passed the timber tax bill last session there was much concern about possible loss to local governmental entities as far as revenue goes and we were assured that there would be no loss, that the bill was written so that schools and other local units of local government could be assured that there would be no revenue loss. With permission of the Senate, I would like to read a part of a letter received from a forester of Lewis County, Richard Bickford. It says, 'The apparent yield tax required to produce an equal amount of taxes varies from one point nine percent in Jefferson County to nine point nine percent in Lewis County, the state average being four point eight percent. In the end, this will probably mean that our income, speaking from Lewis County now, from timber taxes will be cut in half. During the transition our income will stay where it is and it has already declined but after the transition period taxes will be paid according to the location of the timber cut and any yield tax less than nine point nine percent will yield less income to Lewis County.' Now any counties that have a high timber yield would suffer if the case he presents here is true and I would like you to respond to that and how your amendment and this bill would take care of this problem, if it would."

Senator Lewis: "Senator Odegaard, to answer your question directly, we have analyzed various school districts to the best of our ability in your county as well as other counties throughout the state. In every case we have found that more revenue will be produced for the school districts in your county than is presently being produced. Now the answer to the question raised by the forester in Lewis County is that the distribution formula and the collection of the yield tax from around the state will provide for a distribution back into the local taxing districts on a level that will guarantee them at least as much funding as they presently have. Lewis County with its high old growth rate is in a peculiar position from that respect, but it will not affect the input into the local taxing districts. And I would be glad to have our consultant go over this in detail with you on the taxing districts in your county to verify that. I can assure you, Senator Odegaard, that your school districts in Lewis County will not receive less money than they receive today."

Senator Odegaard: "Senator Lewis, after the transition period is completed would you also be as assured?"

Senator Lewis: "Senator Odegaard will note that the legislation provides for continuing study and provides for methodology through 1975. I am convinced by that time in the transition period that we will have to do some adjusting but we will have ample time and opportunity for adjustments as we go through, through the phase in period and for the years thereafter."

The motion by Senator Lewis carried and the amendment to the committee amendment was adopted.

The motion by Senator Lewis carried and the committee amendment, as amended, was adopted.

Senator Lewis moved adoption of the committee amendment to the title.

On motion of Senator Lewis, the following amendment to the committee amendment to the title was adopted:

On page 8, line 28, of the title, after "84.33.090" and before the period add the following: "amending section 12, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.120; amending section 14, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.140; amending section 18, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.180; repealing section 84.32.010, chapter 15, Laws of 1961 and RCW 84.32.010; repealing section 84.32.020, chapter 15, Laws of 1961 and RCW 84.32.020; repealing section 84.32.030, chapter 15, Laws of 1961 and RCW 84.32.030; repealing section 84.32.050, chapter 15, Laws of 1961 and RCW 84.32.050; repealing section 84.32.070, chapter 15, Laws of 1961 and RCW 84.32.070; repealing section 84.32.080, chapter 15, Laws of 1961 and RCW 84.32.080; repealing section 84.32.090, chapter 15, Laws of 1961 and RCW 84.32.090; repealing section 84.32.100, chapter 15, Laws of 1961 and RCW 84.32.100; repealing section 84.32.110, chapter 15, Laws of 1961 and RCW 84.32.110; and repealing section 84.32.120, chapter 15, Laws of 1961 and RCW 84.32.120."

The motion by Senator Lewis carried and the committee amendment to the title, as amended, was adopted.

On motion of Senator Lewis, the rules were suspended, Engrossed Senate Bill No. 207 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 207, and the bill passed the Senate by the following vote: Yeas, 42; nays, 7.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Whetzel, Wilson, Woodall—42.

Voting nay: Senators Dore, Gissberg, Mardesich, Odegaard, Rasmussen, Walgren, Washington—7.

ENGROSSED 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.

MOTION

On motion of Senator Lewis, Engrossed Senate Bill No. 207 was ordered immediately transmitted to the House.

PERSONAL PRIVILEGE

Senator Peterson (Ted): "Mr. President, I rise to a point of personal privilege and may I have the privilege of joining you at the bar of the Senate? Mr. President and my fellow colleagues in the Senate, I want to say that what you did and some of the things that you said this morning were, well, just beyond anything that I could ever anticipate. I came up here mainly to get ahead of Senator Knoblauch. I want to suspend that portion of the old Rule 40 as it pertains to smoking and cigars and I also want to do the same thing on candy for these wonderful ladies and people that we have here that serve us so well all through the session. I want to say to you that it is a great privilege to be appointed to this Pacific Marine Fisheries Commission but it is a greater privilege to be here with you wonderful fellows as I look you over I know that there will be changes in the future but we will never forget the bit that we have and you can cut it right down the aisle, my fellow Senators, and I will take any of you anywhere. I wish I could be a public relations to the public on the outside and tell them what a great group you are and what you are actually doing and what you are trying to do for the state of Washington. So I want to say again it is a privilege to have the honor, it is wonderful to be here with you and, Governor, I appreciate the words that you said too. Thank you."

MOTION

At 12:45 p.m., on motion of Senator Greive, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

There being no objection, the Senate returned to the second order of business.

REPORT OF CONFERENCE COMMITTEE

February 18, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE

BILL NO. 177, providing for the state to pay the costs of an appeal constitutionally guaranteed to a person unable to pay such costs, have had the same under consideration, and we recommend that we be accorded the powers of free conference as we are unable to agree on matters directly at issue between the two houses.

Items at issue between House and Senate

The Senate Amendments dealing with state payments of costs in habeas corpus proceedings.

New proposed items within scope and object of original bill

Need revised language dealing with costs in habeas corpus proceedings to provide state will pay these costs only when required by the constitution, and not in every case.

Revised language agreed upon by your conferees which will be the language of the proposed free conference report:

Concur in Senate Amendments and add:

On page 2, Section 1, line 6 after "determined" and before "to be" insert "to have a constitutional right to a free transcript and"

On page 2, Section 2, line 20 after "determined" and before "to be" insert "to have a constitutional right to obtain a review and"

Signed by: Senators Woodall, Francis and Knoblauch; Representatives Eikenberry, Knowles and Ross.

MOTION

On motion of Senator Woodall, the report of the Conference Committee was adopted and the committee was granted the powers of Free Conference.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 23, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 23, by Representative Morrison:

Free conference thirty-six hour requirement suspended on Engrossed Senate Bill No. 27.

On motion of Senator Gissberg, 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 Gissberg, the rules were suspended, House Concurrent Resolution No. 23 was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 27 and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED

SENATE BILL NO. 27, relating to salaries of supreme court justices, court of appeals judges and superior court judges, have had the same under consideration, and we recommend that Engrossed Senate Bill No. 27 be amended as follows:

On page 2, after section 3, beginning on line 7 insert a new section as follows:

"Sec. 4. Section 100, chapter 299, Laws of 1961 as last amended by section 1, chapter 52, Laws of 1969 and RCW 3.58.010 are each amended to read as follows:

The annual salary of each full time justice of the peace shall be [twenty] *twenty-two* thousand dollars: PROVIDED, 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: PROVIDED FURTHER, That no full time justice of the peace shall [receive any fees or emoluments for the solemnization of] perform any civil marriage [s during courthouse hours or during scheduled sessions of the court] *between 8:00 A.M. and 5:00 P.M. Monday through Friday.*"

Renumber the remaining sections consecutively.

On page 1, line 2 of the title after "judges," and before "superior" strike "and"

On page 1, line 2 of the title after "judges" and before the semicolon insert ", and district court judges"

On page 1, line 7 of the title after "2.08.090;" and before "making" insert "amending section 100, chapter 299, Laws of 1961 as last amended by section 1, chapter 52, Laws of 1969 and RCW 3.58.010;"

Signed by: Senators Gissberg, Andersen and Dore; Representatives Hubbard, Paris and Haussler.

MOTION

On motion of Senator Gissberg, the report of the Free Conference Committee on Engrossed Senate Bill No. 27 was adopted.

POINT OF INQUIRY

Senator Canfield: "Would Senator Gissberg yield? Would you please repeat what you said about the effects of the wage price board on this bill?"

Senator Gissberg: "Yes, any of these salaries are subject to wage price board action. However, the legislature has just specifically said in this case that what is already the law, in other words, whether we say it or not, the federal law is applicable to these judges pay raise increases that we are granting. But we are specifically saying it as well. It is probably not necessary but in any event we are saying it to them. Recently in a Michigan case it was held that the pay raise granted by the state of Michigan to the judges had to go through the Pay Raise Board to be validated. So here, before the validation would be acceptable, as far as the federal government is concerned there will have to be petitions made and a showing made to them as they have made to us that this is justified."

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Gissberg yield to a question? I have a fiscal note on my desk related to Senate Bill No. 27. It says here, 'the anticipated growth in forfeitures with the introduction of a new bail schedule are as of yet indeterminate. The historical base is only one month. However, a series of inquiries indicate a projected growth range of six to thirty-seven percent.' I remembered that we did pass a filing fees increase for the courts. I did not know that they were going to file an additional increase on bail and then expect to have a greater forfeiture. Do you know anything about that?"

Senator Gissberg: "Yes. Let us clarify that in this fashion. The filing fee increases took care of the costs of funding the supreme court of appeals and superior court judges' salaries. What you have reference to there has to do with my inquiry at the time the House put on the twenty-four thousand dollar amendment for district court judges. It is the method of funding. And I raised the question that if they were to get a salary increase there should be some corresponding method of funding that increase as we had done in the case of the

higher courts. The Budget Committee then advised me that effective January 1, something the lawyers know anyway, of this year the supreme court had promulgated new and uniform bail schedules and forfeiture schedules and fine schedules. Now strike that last, not fine schedules but simply bail schedules. And those bail schedules are in some instances higher than they had been previously and the reason for that was to attempt to assure that defendants would appear in court in the more serious traffic accident, traffic violation cases. But experience has shown that many people do not. For instance, the bail schedule on speeding used to be typically one dollar per mile per hour over the speed limit. The supreme court doubled that, said two dollars per hour per mile over the speed limit. So that with these new bail and uniform schedules in effect the Budget Committee has indicated that there will be more than ample funds for the counties to fund this district court increase in salary of two thousand dollars a year. I have every confidence in the world that that is the case. I had Jack Rogers of the Association of County Commissioners before our committee to develop that and he agreed and concurred that there would be ample funds developed out of that uniform bail schedule which has already been adopted by the supreme court as of January 1 of this year."

POINT OF INQUIRY

Senator Talley: "I wonder if Senator Gissberg would yield to a question? This gives the justice court justices two thousand dollars increase?"

Senator Gissberg: "Yes."

Senator Talley: "Thank you."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 27, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 29; nays, 13; absent or not voting, 7.

Voting yea: Senators Andersen, Clarke, Connor, Cooney, Day, Dore, Elicker, Foley, Francis, Gardner, Gissberg, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Matson, Metcalf, Peterson (Lowell), Sandison, Sellar, Stender, Talley, Twigg, Walgren, Washington, Woodall—29.

Voting nay: Senators Canfield, Durkan, Guess, Lewis, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Scott, Stortini, Whetzel, Wilson—13.

Absent or not voting: Senators Atwood, Bailey, Donohue, Fleming, Greive, Mardesich, Murray—7.

ENGROSSED SENATE BILL NO. 27, 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

February 18, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 24, and the same is herewith transmitted. DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 24, by Representatives Morrison:

Free conference thirty-six hour requirement suspended on Engrossed Senate Bill No. 4.

On motion of Senator Guess, 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 Guess, the rules were suspended, House Concurrent Resolution No. 24 was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 4, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 18, 1972.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 4, reducing camper excise tax to one percent, have had the same under consideration, and we recommend the following amendments:

On page 1 of the printed amendment, after section 1, insert the following:

"Sec. 2. Section 56, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.410 are each amended to read as follows:

The rate and measure of tax imposed by this chapter for each calendar year shall be [two] *one* percent of the fair market value of the travel trailer or camper, as determined in the manner provided in this chapter: PROVIDED, That the calendar year shall be divided into twelve parts corresponding to the months of the calendar year and the excise tax upon a travel trailer or camper used for the first time in this state after the last day of any month shall only be levied for the remaining months of the calendar year including the month in which the travel trailer or camper is first used: PROVIDED FURTHER, That the minimum amount of tax payable shall be two dollars.

A travel trailer or camper shall be deemed used for the first time in this state when such vehicle was not previously licensed by this state for the year or any part thereof immediately preceding the year in which application for license is made."

On page 1 of the printed amendment to the title, line 3, after the quotation marks and before "amending", strike "and";

On page 1 of the printed amendment to the title, line 5, after "and RCW 82.50.030" and before the period, insert:

"and amending section 56, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.410".

Signed by: Senators Guess, Rasmussen and Washington; Representatives Flanagan, Marzano and Polk.

MOTION

On motion of Senator Guess, the report of the Free Conference Committee on Engrossed Senate Bill No. 4 was adopted.

POINT OF INQUIRY

Senator Odegaard: "Will Senator Rasmussen yield? Senator Rasmussen, does the conference committee report take care of the personal property tax problem or what did you do with that?"

Senator Rasmussen: "Well when they are licensed under the excise they are exempt from the personal property, the ad valorem."

Senator Odegaard: "The bill that we passed and sent over to the House, did not it take personal property out altogether?"

Senator Rasmussen: "It did in regards to the campers, yes. But that has been changed by the conference committee report which we are adopting."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 4, as

amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 43; nays, 2; absent or not voting, 4.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Connor, Cooney, Day, Dore, Elicker, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Woodall—43.

Voting nay: Senators Fleming, Wilson—2.

Absent or not voting: Senators Atwood, Donohue, Durkan, Murray—4.

ENGROSSED SENATE BILL NO. 4, 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.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 313, by Committee on Appropriations (Originally sponsored by: Representatives Goldsworthy, Kopet, Anderson, Marzano and Wolf):

Relating to appropriations.

The bill was read the second time by sections.

Senator Scott moved adoption of the following amendment:

On page 2, section 3, line 26, strike subsection (2) and insert:

“(2) A Viet Nam bonus recipient shall apply the award solely to academic, vocational or technical training or retraining; home acquisition or improvement; or life, health or accident insurance contract premium payments. The state treasurer is authorized to make payment only directly to the school, institution, agency or company with whom the contract has been made on receipt of a bona fide invoice therefor. Eligibility to apply for bonus payments shall terminate ten years after the applicant’s separation from the service.”

Debate ensued.

MOTIONS

On motion of Senator Rasmussen, the amendment by Senator Scott was laid upon the table.

On motion of Senator Newschwander, Senator Murray was excused.

Senator Rasmussen moved adoption of the following amendment:

On page 2, section 2, line 13, strike everything after “Washington,” down to and including “medal,”

Debate ensued.

The motion by Senator Rasmussen failed and the amendment was not adopted.

On motion of Senator Durkan, the rules were suspended, Substitute House Bill No. 313 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 313, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—46.

Voting nay: Senators Scott, Whetzel—2.

Excused: Senator Murray—1.

SUBSTITUTE HOUSE BILL NO. 313, having received the constitutional majority, was

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

There being no objection, the Senate returned to the fifth order of business.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 12, by Senators Gissberg, Twigg and Rasmussen:

Suspending certain provision of Joint Rule No. 9 regarding Engrossed House Bill No. 143.

On motion of Senator Twigg, the rules were suspended, Senate Concurrent Resolution No. 12 was advanced to second reading and read the second time in full.

On motion of Senator Twigg, the rules were suspended, Senate Concurrent Resolution No. 12 was advanced to third reading, the second reading considered the third and the resolution was adopted.

MOTION

On motion of Senator Dore, Senators Dore, Atwood and Durkan were excused to attend a meeting.

REPORT OF FREE CONFERENCE COMMITTEE

February 18, 1972.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 143, providing for the rights of married persons, have had the same under consideration, and we recommend:

1. That Engrossed House Bill No. 143 be amended as follows:

On page 3, section 3, line 12, after subsection "(5)" insert a new subsection "(6)" to read as follows:

"(6) Neither spouse shall acquire, purchase, sell, convey, or encumber the assets, including real estate, or the good will of a business where both spouses participate in its management without the consent of the other: PROVIDED, That where only one spouse participates in such management the participating spouse may, in the ordinary course of such business, acquire, purchase, sell, convey or encumber the assets, including real estate, or the good will of the business without the consent of the nonparticipating spouse."

2. That the Senate amendment to Engrossed House Bill No. 143, inserting "express or implied" before "consent" on page 2, section 3, line 31, be accepted and that the bill, as amended, be passed.

Signed by: Senators Gissberg, Rasmussen and Twigg; Representatives Kuehnle, Julin and Wojahn.

MOTION

On motion of Senator Twigg, the report of the Free Conference Committee on Engrossed House Bill No. 143 was adopted.

POINT OF INQUIRY

Senator Gissberg: "Would Senator Twigg yield? Does Maggie agree with this now?"

Senator Twigg: "Yes, we checked it out the other day."

Senator Gissberg: "I like that equality."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 143, as

amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Excused: Senators Atwood, Dore, Durkan, Murray—4.

ENGROSSED HOUSE BILL NO. 143, 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

February 18, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 45, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 16, 1972.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 45, changing law relating to apportionment of state funds to school districts, 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 apportionment of state funds to common school districts; amending section 15, chapter 15, Laws of 1970 ex. sess. and RCW 28A.48.010; adding a new section to chapter 223, Laws of 1969 ex. sess. and RCW 28A.41; and declaring an emergency and making effective dates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 15, chapter 15, Laws of 1970 ex. sess. and RCW 28A.48.010 are each amended to read as follows:

On or before the last business day of September 1969 and each month thereafter, the superintendent of public instruction shall apportion from the current state school fund and/or the state general fund to the several intermediate school districts of the state the proportional share of the total annual amount due and apportionable to such intermediate school districts for the school districts thereof as follows:

September	10%
October	8%
November	6.5%
December	[6.5] 8.5%
January	13%
February	13%
March	11%
April	5%
May	5%
June	[5] 3%
July	8.5%
August	8.5%

The annual amount due and apportionable shall be the amount apportionable for all apportionment credits estimated to accrue to the schools during [a] the apportionment year beginning September first and continuing through August thirty-first. Appropriations made

for school districts for [the biennium beginning July 1, 1969, and ending June 30, 1971, shall consist of the monthly apportionments due for July and August of 1969 plus the apportionment due for twenty-two months beginning with September, 1969.] *each year of a biennium shall be apportioned according to the schedule set forth in this section for the fiscal year starting July 1 of the then calendar year and ending June 30 of the next calendar year.* The apportionment from the state general fund for each month shall be an amount which together with the revenues of the current state school fund will equal the amount due and apportionable to the several intermediate school districts during such month: *PROVIDED, That any school district may [, through its intermediate school district superintendent,] petition the superintendent of public instruction for an emergency advance of funds which may become apportionable to it but not to exceed [five] ten percent of the total amount to become due and apportionable during the school districts [fiscal] apportionment year. The superintendent of public instruction shall determine if the emergency warrants such advance[, and] if the funds are available therefor[, and]. If he determines in the affirmative, he may approve such advance and, at the same time, add such an amount to the apportionment for the intermediate school district in which the school district is located: PROVIDED, That the emergency advance of funds and the interest earned by school districts on the investment of temporary cash surpluses resulting from obtaining such advance of state funds shall be deducted by the superintendent of public instruction from the remaining amount apportionable to said districts during the apportionment year in which the funds are advanced.*

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW a new section to read as follows:

Each school district shall estimate and report to the superintendent of public instruction by June 15, of each year the amount of moneys the district will fail to receive during their present fiscal year due to the nonpayment of local property taxes from the regular levy within the school district less an estimated amount for delinquent payments from prior year regular levies; such net estimate shall be based upon the amount of moneys the district failed to receive because of nonpayment of regular levy property taxes during the first six months of the then fiscal year and during the last six months of the preceding fiscal year. The superintendent of public instruction shall present in his budget submittal to the governor an amount sufficient to reimburse the school districts for moneys lost due to such nonpayment of taxes as described in this section, which moneys shall be deemed amounts needed for state support to the common schools under RCW 28A.41.050.

NEW SECTION. Sec. 3. This 1972 amendatory 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 section 1 shall take effect July 1, 1972, and section 2 shall take effect immediately."

Signed by: Senators Francis and Ridder; Representatives Barden, Shera and Bauer.

MOTION

Senator Ridder moved adoption of the Free Conference Committee report on Engrossed Senate Bill No. 45.

Debate ensued.

POINT OF INQUIRY

Senator Rasmussen: "Senator Canfield, you say that the delinquent taxes that are a lien against local property are turned over to the Superintendent of Public Instruction and then we make that up from the general fund of the state?"

Senator Canfield: "The taxes are not turned over to the Superintendent of Public Instruction but the amount is turned over to the Superintendent and he is required under this section 2 to include that in his budget for the public schools and the general fund picks up the tab. Now I checked with the Budget Committee this morning and that means two million bucks in the first year picked up by the general fund."

Senator Rasmussen: "Let me ask one more question then. When the property is sold for delinquent taxes, where does the money go? To the general fund?"

Senator Canfield: "To the general fund of the state do you mean?"

Senator Rasmussen: "This is right, if we are paying the money out of the general fund."

Senator Canfield: "No, it is not quite as simple as I have tried to explain it here because these delinquent taxes, if not paid, draw interest at a certain rate as set by the local authority and some people are not paying their delinquent taxes on account of the fact that it pays them not to do so because they can borrow money and it is a kind of a good deal not to pay their delinquent taxes, say at five percent, if you can get six or seven or eight on your money out. But that is another question, Senator Rasmussen. I do not care to get into that matter. What I am really pointing out is that somebody should have raised the question of scope and object when section 2 was tacked onto this bill, which does not belong here on the simple little bill of distribution of school funds as in Senate Bill No. 45."

POINT OF INQUIRY

Senator Woodall: "Would Senator Canfield further yield? I am thinking of a building that I happen to know that a man has in Toppenish. It is an old hotel that he cannot rent and he thinks the valuation is so high that he is just going to let it go and let it be sold because he can buy it back as deserted for less than they are taxing him. Let us assume that the school portion of the tax he should pay this year is one hundred dollars. Then because that was not collected locally the state's general fund sends to that school district the amount of money it would have received if this man would have paid his taxes. Is that what you are saying?"

Senator Canfield: "What I am saying is that if this man does not pay delinquent taxes of one hundred dollars, that is simply one item among all the delinquent taxes in your local school district. The sum total of those delinquencies are turned over to the Superintendent of Public Instruction and he is required, under this section 2 to include that in his budget to this body for general fund appropriation."

Senator Woodall: "Then in effect, we are paying to the school district from here the amount of taxes that would have come in had the man locally paid them."

Senator Canfield: "Yes."

Senator Woodall: "Now then, let us say he waits five years and the place is sold. Then upon the date of sale, is there any provision that the money comes back to the state when it is finally sold or does that all go into county current expense after the date of sale?"

Senator Canfield: "No, your first assumption is correct. There is a revolving fund set up and these delinquent taxes when collected are returned to the fund. But there may be several slips in between there, Senator Woodall. The use of the money, the interest rate, and the like. And also the fact that according to the Budget Committee the first obligation during the first year of the implementation of this act would result in irrecoverable loss of two million dollars to the general fund."

The motion by Senator Ridder carried and the report of the Free Conference Committee on Engrossed Senate Bill No. 45 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 45, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 33; nays, 11; absent or not voting, 1; excused, 4.

Voting yea: Senators Andersen, Bailey, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Greive, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Stender, Stortini, Talley, Washington, Whetzel—33.

Voting nay: Senators Canfield, Gissberg, Guess, Huntley, Sandison, Scott, Sellar, Twigg, Walgren, Wilson, Woodall—11.

Absent or not voting: Senator Henry—1.

Excused: Senators Atwood, Dore, Durkan, Murray—4.

ENGROSSED SENATE BILL NO. 45, 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.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 13, by Senators Washington, Huntley and Henry:

Suspending certain provisions of Joint Rule No. 9 regarding Engrossed House Bill No. 221.

On motion of Senator Washington, the rules were suspended, Senate Concurrent Resolution No. 13 was advanced to second reading and read the second time in full.

On motion of Senator Washington, the rules were suspended, Senate Concurrent Resolution No. 13 was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the Senate returned to the second order of business.

REPORT OF FREE CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 221, clarifying provisions relative to motor fuel tax exemption, have had the same under consideration, and we recommend that the bill be amended as follows:

On page 5, line 32, after "*within the*" and before "*day*" strike "*fifteen*" and insert "*thirty*"

Signed by: Senators Washington, Huntley and Henry; Representatives Wanamaker, Gallagher and Gilleland.

MOTION

On motion of Senator Washington, the report of the Free Conference Committee on Engrossed House Bill No. 221 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 221, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 42; absent or not voting, 3; excused, 4.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Absent or not voting: Senators Fleming, Huntley, Matson—3.

Excused: Senators Atwood, Dore, Durkan, Murray—4.

ENGROSSED HOUSE BILL NO. 221, 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.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 14, by Senator Stortini:

Suspending certain provisions of Joint Rule No. 9 regarding Substitute House Bill No. 411.

On motion of Senator Stortini, the rules were suspended, Senate Concurrent Resolution No. 14 was advanced to second reading and read the second time in full.

On motion of Senator Stortini, the rules were suspended, Senate Concurrent Resolution No. 14 was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the Senate returned to the second order of business.

REPORT OF FREE CONFERENCE COMMITTEE

February 18, 1972.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED SUBSTITUTE HOUSE BILL NO. 411, an act relating to gambling, have had the same under consideration, and we recommend that the Senate Committee Amendment to SHB 411 by the Judiciary Committee on page 5, section 1, line 1, be stricken and that the following amendment be adopted:

On page 5, section 1, line 1 after "year," insert "and except in the case of any agricultural fair as authorized under chapter 15.76 and 36.37 RCW,"

Signed by: Senators Stortini and Woodall; Representatives Curtis, Jones and Litchman.

MOTION

On motion of Senator Stortini, the report of the Free Conference Committee on Engrossed Substitute House Bill No. 411 was adopted.

POINT OF INQUIRY

Senator Canfield: "Will Senator Stortini yield to a question? Senator, I just want to ask this question. Do you think the passage of this bill, in view of recent court decisions, will bring this idea back into good repute? Will it now be legal because the legislature has so acted or would you care to comment on that for the record?"

Senator Stortini: "Senator Canfield, we have talked about that before. I do not think it clarifies anything at all. It simply raises the amount that a non-charitable organization can raise from five to twenty thousand dollars. As far as the constitutionality, I am sure that that will continue in the future bill."

Senator Walgren: "Mr. President and members of the Senate, in further answer to Senator Canfield, no matter how hard you fine conferees worked on this particular bill, it is still unconstitutional."

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Stortini yield to a question? Senator Stortini, does this bill provide that you can hire a professional gambler to run the game or did you take the nonprofessional part and put it back in?"

Senator Stortini: "All bingo is operated by members of the club or organization itself that are and have been members of the club."

Senator Rasmussen: "As I remember, it struck that portion."

Senator Stortini: "That is right."

Senator Rasmussen: "The bill did strike that portion that you had to be a nonprofessional?"

Senator Stortini: "There is nothing professional about this, Senator."

Senator Rasmussen: "Didn't they take the nonprofessional part out of the bill?"

Senator Stortini: "No, the nonprofessional part of the bill is still in there, Senator. The only changes that have taken place were in the Judicial Committee in the Senate. The House accepted two of those amendments and we went into free conference because of the other one, the major one being the change from five to twenty thousand dollars. That was the only change, Senator."

Senator Rasmussen: "Thank you."

The motion by Senator Stortini carried and the report of the Free Conference Committee on Engrossed Substitute House Bill No. 411 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 411, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 33; nays, 11; absent or not voting, 1; excused, 4.

Voting yea: Senators Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Francis, Gardner, Gissberg, Greive, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Odegaard, Peterson (Lowell), Ridder, Sandison, Seller, Stender, Stortini, Talley, Twigg, Walgren, Washington-33.

Voting nay: Senators Andersen, Foley, Guess, Holman, Newschwander, Peterson (Ted), Rasmussen, Scott, Whetzel, Wilson, Woodall-11.

Absent or not voting: Senator Fleming-1.

Excused: Senators Atwood, Dore, Durkan, Murray-4.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 411, 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

February 18, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 21, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 21, by Representative Morrison:

Free conference thirty-six hour requirement suspended on Senate Bill No. 173.

On motion of Senator Talley, the rules were suspended, House Concurrent Resolution No. 21 was advanced to second reading and read the second time in full.

On motion of Senator Talley, the rules were suspended, House Concurrent Resolution No. 21 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on SENATE BILL NO. 173, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SENATE BILL NO. 173, conforming fire commission filing dates to general law and prescribing fire district bid limits have had the same under consideration, and we recommend that Senate Bill No. 173 be amended as follows:

On page 1, line 22, before the period after "RCW 39.24.010" insert "": *PROVIDED*,

That where the cost of work to be done or materials, supplies, or equipment to be purchased involves the construction or improvement of any fire station or other buildings the same shall be done by contract after call for bids whenever the estimated cost exceeds one thousand dollars”

Signed by: Senators Talley, Foley and Huntley; Representatives Charette, Smythe and Kopet.

MOTION

On motion of Senator Talley, the report of the Free Conference Committee on Senate Bill No. 173 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 173, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 41; nays, 2; absent or not voting, 2; excused, 4.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Elicker, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—41.

Voting nay: Senators Holman, Whetzel—2.

Absent or not voting: Senators Connor, Fleming—2.

Excused: Senators Atwood, Dore, Durkan, Murray—4.

SENATE BILL NO. 173, 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

February 18, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 22, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 22, by Representatives Bluechel, Pardini and Perry:

Free conference thirty-six hour requirement suspended on Reengrossed Senate Bill No. 92.

On motion of Senator Gardner, 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 Gardner, the rules were suspended, House Concurrent Resolution No. 22 was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on REENGROSSED SENATE BILL NO. 92, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 17, 1972.

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred REENGROSSED SENATE BILL NO. 92, providing for a regional economic development authority, 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 economic development; adding a new chapter to Title 43 RCW; creating new sections; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. It is declared to be the public policy of the state of Washington to direct financial resources of this state toward the fostering of economic development through the stimulation of investment and job opportunity in order that the general welfare of the inhabitants of the state is served. The legislature further finds that reducing unemployment as soon as possible is of major concern to the economic welfare of the state.

It is further declared that such economic development should be fostered through provision of investment tax deferrals, construction of public facilities, the insurance of industrial mortgages, and technical assistance; that expenditures made for these purposes as authorized in this chapter are declared to be in the public interest, and to constitute a proper use of public funds, and that an economic assistance authority is needed which shall effect such development of economic opportunity.

NEW SECTION. Sec. 2. The economic assistance authority of the state, hereafter designated "authority", is hereby created to exercise those powers granted by this chapter.

The authority shall consist of eight members appointed by the governor, the director of the department of commerce and economic development, and two ex officio members as provided for herein. Of the appointive members two shall be city officials or representatives of cities, two shall be county officials or representatives of counties, and four shall be citizen members from the public. The appointive members shall be broadly representative of geographic areas of this state. These members shall initially be appointed as follows: Two members for one-year terms, two members for two-year terms, two members for three-year terms, and two members for four-year terms. Each succeeding term shall be for four years. The two ex officio members shall be the directors of the planning and community affairs agency, the department of ecology, or their designees. The director of the department of commerce and economic development shall serve as chairman of the authority. Staff support shall be provided by the department of commerce and economic development.

All appointive members of the authority in the performance of their duties shall receive per diem as provided in RCW 43.03.050 and travel expenses as provided in RCW 43.03.060.

The authority shall adopt, promulgate, amend, or rescind suitable rules and regulations to carry out the provisions of this chapter, and the policies and practices of the authority in connection therewith.

NEW SECTION. Sec. 3. If a vacancy shall occur by death, resignation, or otherwise of appointive members of the authority, the governor shall fill the same for the unexpired term. Any member of the authority, appointive or otherwise, may be removed for malfeasance or misfeasance in office, upon specific written charges by the governor, according to the provisions of chapter 34.04 RCW.

NEW SECTION. Sec. 4. In addition to other applicable provisions of law pertaining to conflicts of interest of public officials, no authority member, appointive or otherwise, may participate in any decision on any authority contract in which he has any interests, direct or indirect, with any firm, partnership, corporation, or association which would be the recipient of any authority aid whether by way of grant, loan, insurance, or other authority assistance. In any instance where such participation occurs, the authority shall void the transaction, and the involved member shall be subject to whatever further sanctions may be provided by law. In addition, the authority shall frame and adopt a code of ethics for its members, which shall be designed to protect the state and its citizens from any unethical conduct by the authority.

NEW SECTION. Sec. 5. In addition to powers and duties granted elsewhere in this chapter, the authority shall be authorized:

- (1) To adopt bylaws for the regulation of its affairs and the conduct of its business;
- (2) To adopt an official seal and alter the same at its pleasure;
- (3) To contract with such consultants as may be necessary or desirable for its purposes and to fix their compensation and to utilize the services of other governmental agencies;
- (4) To accept from any federal agency loans or grants for the planning or financing of any project and to enter into an agreement with such agency respecting such loans or grants;
- (5) To conduct examinations and investigations and take testimony at public or private hearings of any matter material for its information that will assist in determinations related to exercise of the authority's lawful powers;
- (6) To accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on the terms and conditions thereof which are not in conflict with the provisions of this chapter;
- (7) To establish such procedures, rules, and regulations consistent with the purposes of this chapter as necessary;
- (8) To do all acts and things necessary or convenient to carry out the powers expressly granted or implied in this chapter.

NEW SECTION. Sec. 6. In all instances in which the authority shall consider providing public facilities construction grants or loans, investment tax deferrals, and industrial mortgage payment insurance as authorized in this chapter, the authority shall give its approval only when the project for which the economic assistance is sought will be consistent with the plans, programs, and policies of state agencies and/or local governmental units within whose jurisdiction the project is located.

NEW SECTION. Sec. 7. The authority is authorized to make direct grants and/or loans to political subdivisions of the state and Indian tribes recognized as such by the federal government, for the purpose of assisting such organizations in financing the cost of public facilities, including the cost of acquisition and development of land and improvements for public facilities, as well as the acquisition, construction, rehabilitation, alteration, expansion, or improvement of such facilities.

NEW SECTION. Sec. 8. Public facilities grants or loans shall be used to fund those projects which will improve the opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the creation or retention of long-term economic opportunities: PROVIDED, That the authority shall initially consider projects which (1) are scheduled to go to bid within three months of approval of the project by the authority, and (2) are scheduled to reach fifty percent of peak employment within six months from the date of letting the bid.

NEW SECTION. Sec. 9. (1) Not less than two-thirds of the amount to be available to the public facilities construction loan and grant revolving account within any biennium shall be made available by the authority for public facilities grants and loans to those areas which have been designated by the secretary of the United States department of commerce as redevelopment areas and to those counties in which the rate of increase in population is less than fifteen percent between the two prior decennial federal census figures available for the counties of this state. Such designated areas for the purposes of this chapter shall be known as economic assistance areas. Thereafter, the authority may from time to time redefine the initially designated economic assistance areas. The authority shall base its determination of redefined economic assistance areas on one or more of the following criteria:

(a) The rate of unemployment in the area, as determined by appropriate annual statistics for the most recent available calendar year, is six percent or more and has been at least (i) fifty percent above the national average for three of the preceding four calendar years, or (ii) seventy-five percent above the national average for two of the preceding three calendar years, or (iii) one hundred percent above the national average for one of the preceding two calendar years; and has averaged at least six percent for those qualifying time periods; or

(b) The rate of increase in population is less than fifteen percent between the two prior decennial federal census figures available for the counties of this state; or

(c) The area is a federal Indian reservation manifesting economic distress as based on unemployment, low income levels, and other evidence of economic underdevelopment.

(2) No more than one-third of the amount estimated to be available to the public facilities construction loan and grant revolving account within any biennium may be made available by the authority to areas not designated economic assistance areas for public facilities grants and loans when the project for which such funds are sought satisfy one or more of the following criteria:

(a) Provides for greater balance in the distribution of economic opportunity within that region; or

(b) Provides for greater equity in the distribution of economic opportunities for state residents relative to such factors as racial, ethnic, or social group, and educational or skill levels; or

(c) Provides for continued economic diversification leading to greater seasonal or cyclical stability.

NEW SECTION. Sec. 10. In addition to economic assistance areas, the authority may declare any county, city, or community as a special impact area wherein the authority determines that the loss, removal, curtailment, or closing of a major source or sources of employment, including the loss, removal, curtailment, or closing of a major state institution, has caused or will cause an unusual and severe rise in unemployment. Such designation as a special impact area shall be for a period of two years from such time of designation. Special impact areas shall be eligible as an economic assistance area for public facilities grants and loans as provided in section 9 of this act. The authority, through the department of commerce and economic development, further, shall with agencies of the federal government, appropriate agencies of state government and local city, county, and community officials develop projects and programs which will assist in alleviating such unemployment.

NEW SECTION. Sec. 11. Public facilities grants or loans by the authority shall be subject to the following conditions:

(1) The moneys in the public facilities construction loan and grant revolving account are to be used solely to fulfill commitments arising from loans and grants authorized in section 7 of this 1972 act. The total outstanding amount which the authority may disburse at any time pursuant to this section shall not exceed the moneys available for grants and loans from said account;

(2) Financial assistance through such grants or loans may be used directly or indirectly for any facility for public purposes, including, but not limited to, sewer or other waste disposal facilities, arterials, bridges, access roads, port facilities, or water distribution and purification facilities;

(3) On contracts made for public facilities loans the authority shall determine the interest rate which advances shall bear, such interest rate not to exceed ten percent per annum, and the authority shall provide such reasonable terms and conditions for repayment of advances as it may determine; said loans not to exceed twenty years in duration.

NEW SECTION. Sec. 12. Repayments of advances made pursuant to such contracts for public facilities construction loans shall be paid into the public facilities construction loan and grant revolving account.

NEW SECTION. Sec. 13. As used in sections 14 through 18 of this 1972 act:

(1) "Eligible investment project" shall mean construction of new buildings or major improvements to existing buildings and the machinery installed in such buildings in the course of such construction or major improvements, when said buildings and machinery are used or are to be used for activities defined in RCW 82.04.120 (the definition of the term "to manufacture"); PROVIDED, That an investment project undertaken by a business as defined in RCW 82.16.010(5) (an electrical utility) shall not be eligible: PROVIDED FURTHER, That one or more the following criteria must be met:

(a) The investment project is or will be located in an economic assistance area or special impact area;

(b) A minimum of twenty percent of the employees at the plant complex for which the deferral is requested shall be of a minority race;

(c) The plant complex shall be within an industry classification which is not currently a major employing industry in the county in which the plant complex is located. The

industry classification of the plant complex shall be determined by the standard industrial classification as assigned by the department of employment security. The major employing industries in a county shall be the two manufacturing sectors, as defined by the two-digit standard industrial classification, which employed the greatest number of persons on an annual average basis in the most recent calendar year for which such information is available from the department of employment security.

(2) "Buildings" shall mean and include only those structures used or to be used to house or shelter manufacturing activities. The term shall include plant offices and warehouses or other facilities for the storage of raw material or finished goods when such facilities are an essential or an integral part of a factory, mill, or manufacturing plant and such factory, mill, or manufacturing plant is used or to be used in the business of manufacture for sale or commercial or industrial use of an article, substance, or commodity. Where a building is used partly for manufacturing and partly for other purposes the applicable tax deferral shall be determined by apportionment of the costs of construction under such rules as the department of revenue shall provide;

(3) "Machinery" shall mean all industrial fixtures, equipment, and support facilities that are an integral and necessary part of a manufacturing operation;

(4) "Major improvement" shall mean the expansion, modernization, or renovation of existing buildings wherein the costs are in excess of twenty-five percent of the true and fair value of the plant complex prior to the improvement;

(5) "Plant complex" shall mean land, machinery, and buildings adapted to industrial use as a single functional or operational unit for the assembling, processing, or manufacturing of finished or partially finished products from raw materials or fabricated parts.

NEW SECTION. Sec. 14. The authority shall certify the eligibility of investment projects, and the department of revenue shall grant investment tax deferrals for eligible investment projects in an amount not to exceed the state and local sales tax payable under chapters 82.08 and 82.14 RCW or the use tax payable under chapters 82.12 and 82.14 RCW on machinery, materials, labor, and services directly utilized in a certified eligible investment project undertaken by a firm engaged in or to be engaged in manufacturing.

NEW SECTION. Sec. 15. Application for certification of an investment project shall be made to the authority in such a form and manner as the authority may prescribe, but in no case shall an application be accepted after initiation of the construction of the investment project. The application shall contain information regarding the location of the investment project, the firm's average employment in the state for the prior year, estimated or actual new employment related to the project, estimated or actual costs, time schedules for completion and operation, and such other information as the authority may require. The authority shall rule on the application within sixty days, and the department of revenue shall issue an investment tax deferral certificate when the authority certifies that the criteria for an eligible investment project have been satisfied.

NEW SECTION. Sec. 16. The department of revenue shall conduct an audit of the project upon its completion in order to determine the total amount of tax deferral. Any tax found due on nonqualifying construction or purchases shall be immediately assessed and payable. The manufacturing firm will begin paying the deferred taxes three years after the date certified by the authority as the date on which the construction project has been operationally completed. The first payment will be due on December 31st of the third calendar year after such certified date, with subsequent annual payments due on December 31st of the following four years with amounts of payment scheduled as follows:

<i>Repayment Year</i>	<i>Percent of Deferred Tax Repaid</i>
1	10%
2	15%
3	20%
4	25%
5	30%

NEW SECTION. Sec. 17. The department of revenue may authorize an accelerated repayment schedule upon request of the manufacturing firm. No interest by the state of

Washington will be charged on any taxes so deferred for the period of deferral, although all other penalties and interest available to the department of revenue may be assessed and imposed for delinquent payments as are otherwise provided by law. The debt for deferred taxes will not be extinguished by insolvency or other failure of the firm.

NEW SECTION. Sec. 18. The department of revenue may adopt such rules and regulations as it deems necessary for the administration of the investment tax deferral provisions of this chapter.

NEW SECTION. Sec. 19. Where a firm qualifies for a tax deferral under section 13, subsection 1(b) of this 1972 act, the firm shall submit a report to the department of revenue on December 31st of each of the first seven years of the tax deferral. Such report shall contain information upon which the department of revenue may determine whether the firm is meeting the requirements of that subsection. If, on the basis of the report or other information, the department of revenue finds that the firm is not meeting the requirements of that subsection, the amount of deferred taxes outstanding shall be immediately assessed and payable. If the firm fails to submit a report or submits an inadequate report, the department of revenue may declare the amount of deferred taxes outstanding to be immediately assessed and payable.

NEW SECTION. Sec. 20. The authority may establish an independent study board consisting of governmental and nongovernmental experts to investigate the effects of governmental programming, procurement, scientific, technical, and other related policies for economic assistance. Members of the board may be compensated in accordance with provisions for advisory councils to the department of commerce and economic development. The authority shall report the board's findings and recommendations to the governor and the legislature for the better coordination of such policies.

NEW SECTION. Sec. 21. For purposes of sections 22 through 31 of this 1972 act:

(1) "Industrial project" means any building or other real estate improvement and the land upon which it may be located, machinery and equipment including installation thereof, and all real properties deemed necessary for this use, including all property rights, easements, and franchises relating thereto and deemed necessary or convenient for operation, by (a) an industry for the manufacturing, processing, or assembling of raw materials or manufactured products, (b) research and development facilities for discovery, perfection, and/or evaluation of new processes or products, or (c) the construction, acquisition, rehabilitation, or improvements of tourist industry facilities and other facilities used by tourists when such facilities fill an established need in the overall development for expansion of a municipality's, county's, or region's tourist industry and/or convention business;

(2) "Mortgagor" means the original borrower under a mortgage and his successors and assigns;

(3) "Mortgagee" means the original lender under a mortgage, and his successors and assigns authorized by federal or state law and approved by the authority, including but not limited to trust companies, banks, and any other classes of lending agencies and institutions;

(4) "Mortgage" means a mortgage or deed of trust on an industrial project, and the term "first mortgage" means such classes of first liens as are commonly given to secure advances such as real estate contracts or real estate under the laws of the state of Washington, together with the credit instruments, if any, secured thereby;

(5) "Cost of project" means the cost of fair market value of construction, lands, property rights, easements, engineering, and any other necessary services.

NEW SECTION. Sec. 22. The authority, upon application of a proposed mortgagee, may insure mortgage payments required by a first mortgage on any industrial project which at the date of application is located or is to be located within an economic assistance area or special impact area or meets criteria established in subsection (2) of section 9 of this 1972 act, upon such terms and conditions as the authority may prescribe: PROVIDED, That the aggregate amount of principal obligations of all mortgages so insured outstanding at any one time shall not exceed sixty million dollars.

NEW SECTION. Sec. 23. Mortgage payment insurance authorized under section 22 of this 1972 act may be approved where the authority finds that the establishment of the project will meet the general objectives of this chapter and that the project to which the mortgage shall apply is financially sound and there is a reasonable assurance of repayment.

NEW SECTION. Sec. 24. To be eligible for industrial mortgage payment insurance contract under the provisions of this chapter, a mortgage:

(1) Shall be one which is to be made by a mortgagee approved by the authority as responsible and able to service the mortgage properly: PROVIDED, That proprietary information required of an applicant to establish eligibility shall be considered privileged and confidential in nature;

(2) Shall not exceed three million dollars for any one previously delineated project, such amount not to exceed ninety percent of the reasonable cost of the project related to real property, and including initial service charges and appraisal, and inspection and other fees approved by the authority; and shall not exceed fifty percent of the cost of the project related to machinery and equipment without the approval of eighty percent of the members of the authority;

(3) Shall have a maturity satisfactory to the authority but not later than twenty-five years from the date of issuance of the insurance agreement, without the approval of eighty percent of the members of the authority, except in the case of machinery and equipment for which the maturity is to be no more than ten years from the date of the authority's insurance policy, without the approval of eighty percent of the members of the authority, but not beyond the normal life of the machinery and equipment;

(4) Shall contain complete amortization provisions, requiring periodic mortgage payments by the mortgagor which may include principal and interest payments, cost of local property taxes and assessments for payments in lieu thereof, land lease rentals (if any), hazard insurance on the property, such mortgage insurance premiums as are required under section 25 of this 1972 act, and such depreciation payments as may be necessary to maintain the integrity of the project until principal has been completely paid off, all as the authority from time to time may prescribe or approve;

(5) Shall contain such terms and provisions with respect to property insurance, repairs, alterations, payment of taxes and assessments, default reserves, delinquency charges, default remedies, anticipation of maturity, additional and secondary liens, and other matters as the authority may deem necessary;

(6) Shall have a maturity agreement that expires not later than six months after the initial term of the lease of the property on which the mortgage is granted: PROVIDED, That this shall in no way preclude the prepayment of any mortgage so insured: AND FURTHER PROVIDED, That such period is to permit the removal or dispensation of leasehold improvements.

NEW SECTION. Sec. 25. The authority shall fix mortgage insurance premiums for each industrial project for the insurance of the first mortgage payments under the provisions of this chapter: PROVIDED, That such premiums are to be computed as a percentage of the principal obligation of the mortgage outstanding at the beginning of each mortgage year. Such premiums shall be payable by the mortgagors or the mortgagees in such manner as shall be agreed to by the authority. The amount of such premiums shall be on the merits of an individual delineated project. The amount of such premiums need not be uniform among the various loans insured. If such premiums are not paid when due, such nonpayment shall constitute a default and mortgage insurance benefit shall terminate.

NEW SECTION. Sec. 26. Upon default in payment of any mortgage installment by the mortgagor of more than sixty days or as otherwise provided in the mortgage insurance agreement, the authority, after receiving notification, shall pay to or on behalf of the mortgagee or his order all installment sums required by the mortgage, exclusive of any acceleration provision, as and when such sums fall due, and not the agreement total amount of guaranteed mortgage for the entire policy period which might otherwise be construed to be due by reason of default. When a mortgagor does not meet mortgage payments insured by the authority by reason of vacancy of its industrial project, the authority for the purpose of safeguarding the mortgage insurance fund may grant the mortgagee permission to lease or rent the property to a tenant for a use other than that specified in section 22 of this 1972 act. Such lease or rental may be temporary in nature, and shall be subject to such conditions as the authority may prescribe. The mortgagee shall take responsible steps to correct any default. In the case of a default which will likely continue for more than ninety days, the mortgagee shall, in consultation with the authority, proceed to effect an orderly disposition of the property.

NEW SECTION. Sec. 27. Any loan secured by a first mortgage insured by the authority, any loan to a proposed mortgagor for the purpose of building or improving any industrial project owned by such proposed mortgagor, or any proposed mortgagee given advance commitment by the authority to insure mortgage payments required by a first mortgage upon a completed industrial project, shall be a legal investment for any trust company, bank, investment company, savings bank, savings and loan association, executor, administrator, guardian, conservator, trustee or other fiduciary, and pension, profit-sharing, or retirement fund: PROVIDED, That such loans shall be in conformity with any laws, rules, or regulations governing banks, trust companies, mutual savings banks, or savings and loan associations, by any regulatory agency of the state of Washington or the federal government. When the real estate is mortgaged to secure real or personal property, security for such loans shall be unencumbered except for leases and easements.

A policy of title insurance shall be lodged with the mortgagee until the mortgage is paid. Loans to a proposed mortgagor for the purpose of building or improving industrial projects shall provide for advance at the discretion of the lender as the work progresses: PROVIDED, That they shall not exceed the amount of the advance commitment to insure, shall have construction maturities of not more than twenty-four months unless eighty percent of the members of the authority approve a longer period, and shall be secured by a first mortgage.

NEW SECTION. Sec. 28. The industrial mortgage payment insurance revolving account shall be used by the authority for carrying out the industrial mortgage payment insurance provisions of this chapter. To this account shall be charged any and all expenses of the authority necessary to carry out the industrial mortgage payment insurance provisions of this chapter, including mortgage insurance payments required by loan defaults. To the account shall be credited all receipts of the account, including mortgage insurance premiums which the authority may receive under the industrial mortgage payment insurance provisions of this chapter. The mortgagor will be required to repay the state for all expenses incurred prior to loan closing and the finalizing of an insurance policy. These moneys shall be deposited in the industrial mortgage payment insurance account. The account shall be nonlapsing.

NEW SECTION. Sec. 29. The authority may expend out of the industrial mortgage payment insurance revolving account such moneys as may be necessary for any expenses of the authority required to carry out the industrial mortgage payment insurance provisions of this chapter, including administrative, legal, actuarial, and other services. All such expenses incurred by the authority shall be paid by the authority and shall be charged to the account or to the appropriate industrial project or projects.

NEW SECTION. Sec. 30. A fidelity bond in an amount determined by the authority shall be required for each staff member or consultant handling any insurance transaction. Bond premiums for staff members will be paid from the industrial mortgage payment insurance revolving account.

NEW SECTION. Sec. 31. If in the opinion of the authority the addition of moneys to the industrial mortgage payment insurance revolving account shall be required, the authority in writing shall request the state finance committee to provide sufficient moneys to maintain the account at a level deemed adequate by the authority. The state finance committee is authorized to issue anticipatory or arbitrage notes or bonds, or limited obligation bonds to satisfy the request of the authority for funds: PROVIDED, That the total outstanding shall not exceed sixty million dollars.

NEW SECTION. Sec. 32. The following accounts are hereby created and authorized within the general fund of the state treasury: (1) The public facilities construction loan and grant revolving account; (2) the industrial mortgage payment insurance revolving account; and (3) whatever additional accounts may be required from time to time for carrying out the purposes of this chapter. These accounts shall be exclusive to the authority and where designated are nonlapsing and revolving.

Moneys in these accounts not needed currently to meet the expenses and obligations of the authority shall be invested in such manner as is provided by law for such temporarily available funds, and any interest earned shall be deposited in the respective accounts and shall be used for the purposes specified in this chapter. The state treasurer shall render reports to the authority advising the members of the authority of the status of any funds

invested, the market value of the assets as of the date such statement is rendered, and the income received from the investments during the period covered by the report.

NEW SECTION. Sec. 33. The authority shall keep proper records of accounts and shall be subject to audit by the state auditor. An annual accounting of the condition of the industrial mortgage payment insurance revolving account shall be made. Biennial reports on the activities of the authority shall be made by the chairman to the governor and the legislature.

NEW SECTION. Sec. 34. Sections 21 through 31 of this act shall not be effective until the voters have approved a constitutional amendment authorizing the state to lend its credit for purposes as contemplated in this act.

NEW SECTION. Sec. 35. If any provision of this 1972 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. 36. This 1972 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.

NEW SECTION. Sec. 37. This act may be cited as the "Economic Assistance Act of 1972".

NEW SECTION. Sec. 38. Sections 1 through 34 and section 37 of this act shall constitute a new chapter in Title 43 RCW."

Signed by: Senators Greive, Guess and Gardner; Representatives Bluechel, Pardini and Perry.

MOTION

On motion of Senator Gardner, the report of the Free Conference Committee on Reengrossed Senate Bill No. 92 was adopted.

POINT OF INQUIRY

Senator Canfield: "Will Senator Gardner yield? Is not this the bill that lends the state's credit?"

Senator Gardner: "No, sir, this is not the bill lending the state credit. That is Senate Bill No. 109, Senator Canfield."

Senator Canfield: "Is not this Senate Bill No. 92?"

Senator Gardner: "This is Senate Bill No. 92 and as it currently stands, the tax deferral provisions would be enacted if this bill were passed and the loans and grants to public authorities as provided for in the budget through the funding of what we call the Jobs Now program."

Senator Canfield: "And does it not on page 1 lend the state's credit to the insurance of industrial mortgages?"

Senator Gardner: "It could if Senate Bill No. 109 were to pass but that bill is not going anywhere so. . ."

Senator Canfield: "What does this do then if the other bill is not going anywhere?"

Senator Gardner: "This just, if a constitutional amendment were passed by this body and the other body and gone to the people for a vote and passed, then we would have all ready in hand the implementing legislation to effect it. Otherwise the language that is in here with regard to mortgage industrial insurance is meaningless."

MOTION

On motion of Senator Greive, final passage of Reengrossed Senate Bill No. 92 was made a special order of business for 4:30 p.m. today.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 15, by Senators Talley, Andersen and Foley:

Suspending certain provision of Joint Rule No. 9 regarding House Bill No. 289.

On motion of Senator Andersen, the rules were suspended, Senate Concurrent Resolution No. 15 was advanced to second reading and read the second time in full.

On motion of Senator Andersen, the rules were suspended, Senate Concurrent Resolution No. 15 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

There being no objection, the Senate returned to the second order of business.

REPORT OF FREE CONFERENCE COMMITTEE

February 18, 1972.

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee to whom was referred HOUSE BILL NO. 289, defining dognapping as a crime and prescribing penalties therefor, have had the same under consideration, and we recommend that it pass as amended by the Senate.

Signed by: Senators Talley, Andersen and Foley; Representatives Jueling and Jastad.

MOTION

On motion of Senator Andersen, the report of the Free Conference Committee on House Bill No. 289 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 289, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 45; excused, 4.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Excused: Senators Atwood, Dore, Durkan, Murray—4.

HOUSE BILL NO. 289, 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.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 16, by Senator Francis:

Suspending certain provision of Joint Rule No. 9 regarding Substitute House Bill No.

413.

On motion of Senator Francis, the rules were suspended, Senate Concurrent Resolution No. 16 was advanced to second reading and read the second time in full.

On motion of Senator Francis, the rules were suspended, Senate Concurrent Resolution No. 16 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

There being no objection, the Senate returned to the second order of business.

REPORT OF FREE CONFERENCE COMMITTEE

February 17, 1972.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE

BILL NO. 413, authorizing school districts to purchase insurance or otherwise hold harmless directors from actions arising out of the performance or failure of performance of their duties, have had the same under consideration, and we recommend that the attached bill do pass.

“An Act relating to education; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Whenever any action, claim or proceeding is instituted against any director, officer, employee or agent of a school district or intermediate school district arising out of the performance or failure of performance of duties for, or employment with any such district, the board of directors of the school district or intermediate school district board, as the case may be, may grant a request by such person that the prosecuting attorney and/or attorney of the district's choosing be authorized to defend said claim, suit or proceeding, and the costs of defense, attorney's fees, and any obligation for payment arising from such action may be paid from the school district's general fund, or in the case of an intermediate school district, from any appropriation made for the support of the intermediate school district, to which said person is attached: PROVIDED, That costs of defense and/or judgment against such person shall not be paid in any case where the court has found that such person was not acting in good faith or within the scope of his employment with or duties for the district.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Any school district board of directors and intermediate school district board are authorized to purchase insurance to protect and hold personally harmless any director, officer, employee or agent of the respective school district or intermediate school district from any action, claim or proceeding instituted against him arising out of the performance or failure of performance of duties for or employment with such institution and to hold him harmless from any expenses connected with the defense, settlement or monetary judgments from such actions.

NEW SECTION. Sec. 3. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.67 RCW a new section to read as follows:

Certificated employees subject to the provisions of this chapter shall not include those certificated employees hired to replace certificated employees who have been granted sabbatical, regular, or other leave by school districts: PROVIDED, That certificated employees hired under the provisions of this section shall be accorded preferential treatment for future employment by the hiring district in the event that positions for which they qualify subsequently become available.

It is not the intention of the legislature that this section apply to any regularly hired certificated employee or that the legal or constitutional rights of such employee be limited, abridged, or abrogated.

NEW SECTION. Sec. 4. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

In addition to the powers conferred under RCW 28A.58.045, the board of directors of any school district may, in the event the board finds that a sale of real property cannot be made in the manner provided by RCW 28A.58.045, engage an agent to negotiate the sale of any real property, the sale of which is authorized under RCW 28A.58.045: PROVIDED, That the board shall not obligate the school district to pay a fee for any such agent's services unless a sale be concluded for not less than ninety percent of the appraised value thereof.

NEW SECTION. Sec. 5. There is added to chapter 28A.58 RCW a new section to read as follows:

The rules adopted pursuant to RCW 28A.58.101 shall be interpreted to insure that the optimum learning atmosphere of the classroom is maintained, and that the highest consideration is given to the judgment of qualified certificated educators regarding conditions necessary to maintain the optimum learning atmosphere.

NEW SECTION. Sec. 6. Sections 1 and 2 of this act are 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.”

Signed by: Senators Francis, Odegaard and Metcalf; Representatives Hoggins, Hatfield and Randall.

MOTION

Senator Francis moved that the report of the Free Conference Committee on Substitute House Bill No. 413 be adopted.

POINT OF INQUIRY

Senator Mardesich: “Would Senator Francis yield? Senator Francis, I have a couple of questions. New section 3 provides for preferential job treatment and as I read it, it would apply to those people who are hired on a temporary basis to replace a certificated teacher who goes on sabbatical or leave, right?”

Senator Francis: “That is correct, Senator. The application is that those teachers, certificated employees who are hired to replace someone who has gone on leave, are not certificated within the meaning of the continuing contract law. In other words, they can be told, ‘You are just here as a replacement. When this person comes back you are not sure of having a job.’ It also provides that they will be given preference over anybody else but if the person comes back and there are no more jobs available, that would be it for them.”

Senator Mardesich: “For that person who is acting as the replacement during the time of sabbatical, what would happen if the school district were unable to find what they thought would be a highly qualified person and yet they needed someone to fill in during that three months sabbatical and they did not particularly want to hire that replacement on a full time basis at a later date? Would not this give him a preferential position, even though the school district did not particularly like his ability or the job he had done?”

Senator Francis: “I think that is so. He would have preference over somebody who had never been hired by the district before. He would have first crack at any new openings that came up and then the decisions would have to be made the same as they are now on the basis of the other considerations that you mentioned. But I think you are, the answer to your question has to be yes.”

Senator Mardesich: “Do you mean to tell me then that the schools would be in favor of this amendment?”

Senator Francis: “Well I do not know. Perhaps Senator Metcalf can answer that. I have only spoken to one teacher association person and he was opposed to it. A good friend of mine, who I ended up disagreeing with, although I think that it could be more tightly written, I think that his concern was the other way around, that the person who does the replacing would not have sufficient rights to stay on the job and not that he would have too much right, so I have heard it from the other direction.”

Senator Mardesich: “I gather that is what they had in mind but it seems to me they have opened the door from the other direction as well. And then another question with respect to new section 4. I do not know what RCW 28A.58.045 means but I gather that it relates to the subject of calling for bids upon the sale of property. If that is the case, what would be the situation that would arise that would make it impossible to have a sale of real property under a bid?”

Senator Francis: “You have a situation where either you did not get any bids or you did not get any bids for enough money to feel that you were justified in selling the property and you felt you could do a lot better for the school district by employing an agent and going out and actively working to achieve a sale. I was not one of the prime movers of the bill that this is part of and I think there is someone else here who could speak to it. I forget whether it was Senator Guess or one of the other Senators here who had a concern. It was someone from Spokane as I recall. It might have been a House member. I think Jim Kuehnle was the main person that was working on the bill. They have had some property in Spokane for some years that they have not been able to sell at anywhere near a decent price and they want the authority to go ahead and get an agent and work on it so that they can get the property sold for a proper price.”

POINT OF INQUIRY

Senator Wilson: "Mr. President, would Senator Francis yield please? My question is with respect to section 3. Would the preferential treatment offered to a substitute teacher extend to one who came in for a day to replace a teacher who was on sick leave, for example? Would such a person, having worked one day for this district, thereby gain eligibility for preferential treatment should a position for which he is qualified later open up?"

Senator Francis: "It is my impression that the answer—well, I think that the section is ambiguous on that. I am not going to try to state the legislative intent because I think we are stuck with what is written there. It says, 'sabbatical, regular or other leave,' and if someone wanted to claim that leave on the basis of sick leave were leave and that since he had worked for that school district and somebody else had never worked for the school district he should be given preference, it may well give him that preference. Now I know that Senator Ridder and Senator Metcalf have some familiarity with this question and I would request that they be given an opportunity to respond more fully to your question."

Senator Wilson: "May I ask the same question then of Senator Metcalf?"

Senator Metcalf: "Thank you, Mr. President and thank you, Senator Wilson. I think lines 22 and 23 cover that point. This is a special person that comes in for a special position; in lines 22 and 23, it is not the intention of the legislature that this section apply to any regularly hired certificated employee. That means that your regular substitute teachers, no, it does not apply to them. This is a special case of a person coming in to replace someone gone for a specific special leave."

POINT OF INQUIRY

Senator Stender: "Mr. President, I do not quite understand how we can send out a conference committee on one matter and you come back with two or three others that could not make it through the mill there. I have had no notice that the free conference was going to load this stuff on here. Has there been such a notice given, Senator Francis, that House Bill 413 was going to be loaded with these other two measures at the time that they asked for the free conference?"

Senator Francis: "The only notice that I know of, Senator, is that this report has been on your desk for two days that I know of."

Senator Stender: "That is not the rule. The rule is that when the free conference is requested that we be given notice of what other matters they are going to consider and that has not been done that I know of. And here we have a measure now that went out as an insurance measure and it comes back with the real estate section in here and it comes back with the matter of hiring part-time employees or getting tenure for part-time employees in the school districts that apparently were subjects of some other bill that never was considered here. I think that is outside of the rules and I am going to raise the question, a parliamentary question with respect to the matter."

The President: "The Secretary will please read the list of differences that existed between the two houses.

"Senator Stender has withdrawn his challenge but the President believes it advisable to read at least a portion of the differences."

The Secretary: "Of item two. New items within the scope and title of the bill approved by one house and the provisions of Substitute House Bill 318 and House Bill 191 as amended by the Senate Education Committee. Substitute House Bill 318 passed the House by a vote of 95-3 and House Bill 191 was approved by the House 91 to 4. Both of these bills were reported approved by the standing committee in the Senate, their status is Rules 2 in the Senate."

The motion by Senator Francis carried and the report of the Free Conference Committee on Substitute House Bill No. 413 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 413, as

amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 45; nays, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—45.

Voting nay: Senators Guess, Mardesich, Stender—3.

Excused: Senator Murray—1.

SUBSTITUTE HOUSE BILL NO. 413, 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.

MESSAGES FROM THE HOUSE

February 18, 1972.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 14 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 18, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 186 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 18, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 187 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 18, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 189 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 18, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 190 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 18, 1972.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 381 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Twigg, Senator Lewis was excused.

SPECIAL ORDER OF BUSINESS

SECOND READING

SENATE BILL NO. 293, by Senators Ridder and Stortini:

Providing for cost sharing of property assessment costs and creating an assessor's budget board.

The time having arrived, the Senate resumed consideration of Senate Bill No. 293 and the motion by Senator Ridder that the committee amendment be adopted.

Senator Whetzel moved adoption of the following amendment to the committee amendment:

On page 2, section 1, line 1, strike the remainder of the section and insert: "district each year, and he shall, on December 31 of each year, bill each local taxing district the amount so computed. The treasurer shall collect said bill by deducting said amount from the next year's tax receipts and place the deducted sums in a special fund to be used solely for the expenses and costs of the administration of the revaluation program: PROVIDED, That the sum deducted from the basic millage for common schools shall be excluded and not considered as revenue in the computation of the school equalization formula pursuant to RCW 28A.41.130. A copy of the assessor's portion of the preliminary county budget shall be sent to each local taxing district affected by the provisions of this section at the time such budget is prepared."

The motion by Senator Whetzel carried and the amendment to the committee amendment was adopted.

The motion by Senator Ridder carried and the committee amendment, as amended, was adopted.

On motion of Senator Durkan, the committee amendment to the title was adopted.

On motion of Senator Durkan, the rules were suspended, Engrossed Senate Bill No. 293 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

POINT OF INQUIRY

Senator Bailey: "Would Senator Durkan yield? Senator Durkan, are there adequate safeguards in this bill so that the county assessor in building his staff and accumulating expenses in his office would not end up in a couple of years dividing and assigning to other taxing districts the burden of his whole budget except for computers?"

Senator Durkan: "Yes, it is strictly on the reevaluation program, Senator, but as to whether you can ever stop a bureaucrat from increasing his payroll, I just do not know. I have not been able to figure a way."

Senator Bailey: "Senator Durkan, it is not the intent then of this measure to in any way force the burden of total support of the county assessor's office on any taxing district? It is limited then strictly to the reevaluation program?"

Senator Durkan: "That is right."

POINT OF INQUIRY

Senator Peterson (Lowell): "Would Senator Durkan yield further? Senator, for those counties that have for the large part may have completed their revaluation, does this in any way affect them?"

Senator Durkan: "There would not be any charge back to them."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 293, and the bill passed the Senate by the following vote: Yeas, 40; nays, 3; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Cooney, Donohue, Durkan, Elicker, Foley, Francis, Gardner, Greive, Guess, Henry, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—40.

Voting nay: Senators Clarke, Connor, Gissberg—3.

Absent or not voting: Senators Day, Dore, Fleming, Herr, Mardesich—5.

Excused: Senator Murray—1.

ENGROSSED SENATE BILL NO. 293, having received the 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 Durkan: "I am having distributed on your desks the conclusions of the House leadership in Appropriations as to their position on the supplemental bill. You will see where it says 'concur' 'not concur'. That is the position that they have taken. And so the purpose of the distribution is for the members of the Senate to become familiar with it so that you can discuss it at your caucus at the appropriate times and that we will then be able to vote on the matter when it comes back over."

SIGNED BY THE PRESIDENT

The President signed:
SENATE CONCURRENT RESOLUTION NO. 11.

SECOND READING

SENATE BILL NO. 432, by Senators Durkan, Connor, Peterson (Ted) and Donohue:
Providing for notice of exemptions.

REPORT OF STANDING COMMITTEE

February 16, 1972.

SENATE BILL NO. 432, providing for notice of exemptions (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16, after "therefor." insert a new sentence as follows: "Any mortgage or trust deed beneficiary which receives the foregoing notice for a taxpayer shall within thirty days forward the notice to the taxpayer at the taxpayer's last known address."

On page 1, section 1, line 17, add a new section 2 as follows:

"*NEW SECTION.* Sec. 2. Any taxpayer, who, being eligible for any exemption provided for in RCW 84.36.370 and RCW 84.36.380, fails through inadvertence, to file for the exemption, may, within three years of the date of payment of his real property taxes, file for a refund in the same manner as provided for in RCW 84.36.370."

Renumber section 2 as section 3.

Signed by: Senators Durkan, Chairman; Bailey, Canfield, Connor, Day, Donohue, Dore, Fleming, Foley, Francis, Gissberg, Herr, Holman, Huntley, Jolly, Mardesich, Odegaard, Peterson (Lowell), Ridder, Sandison, Talley, Walgren.

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. 432 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 Guess: "Would Senator Peterson yield? Senator Peterson, will this make it possible for those people who did not file timely this last year, after we passed the last bill, can they now go back and get a credit for the tax that just came due?"

Senator Peterson (Ted): "That is what I said. There is no roll back on it, Senator. No."

Senator Guess: "It is retroactive?"

Senator Peterson (Ted): "It is not retroactive, no."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 432, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall--47.

Absent or not voting: Senator Dore--1.

Excused: Senator Murray--1.

SENATE BILL NO. 432, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

February 18, 1972.

SUBSTITUTE HOUSE BILL NO. 324, relating to state government (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass as amended by the Committee on State Government.

Signed by: Senators Durkan, Chairman; Andersen, Bailey, Connor, Cooney, Day, Elicker, Fleming, Francis, Greive, Herr, Holman, Jolly, Mardesich, Odegaard, Peterson (Ted), Sandison, Stortini, Talley, Walgren, Washington.

MOTION

Senator Henry moved that Substitute House Bill No. 324 be advanced to second reading.

POINT OF ORDER

Senator Gissberg: "My point of order is that the motion requires a suspension of the rules and he has not so moved. Otherwise the bill has to go to second reading in the Rules Committee."

RULING BY THE PRESIDENT

The President: "Senator Gissberg's point is well taken."

PARLIAMENTARY INQUIRY

Senator Gissberg: "Would the President indicate to the body what this bill is so that we can know what we are doing? Is this the fifty million dollar bond issue that comes out of general funds for the purpose of financing, giving money to the department of highways to conduct studies?"

POINT OF INQUIRY

Senator Ridder: "Will Senator Henry yield to a question? I am a little bit worried about this. Metro has bought rubber tired vehicles, diesel vehicles before with money given to them. Is there anything in this bill that prevents them from turning a good portion of this money into rubber tired diesel vehicles?"

Senator Henry: "Well I can only recall what it says here, that what we are interested in is something that will do the job. This is the statement by the federal administrator. It says that it can be used for purchase of buses, rail transit cars, commuter stations. It can also be used for, and they are asking here, and they are underwriting for example, the development

of nonpolluting bus engines, new rail, commuter and subway cars, tract-air cushion vehicles capable of traveling one hundred and fifty miles an hour, and automated circulation and distribution systems known as people movers. Now, of course, we have an existing system known as the Blue Streak which seems to be working very well, even though a certain newspaper said a couple three years ago that it was the death of mass transit as advocated by Professor Kain of Harvard University. But I do not believe that is true. No, this is not intended to extend or add new buses to your present system. This is an innovative program just as sometimes you have innovative programs in education, Senator."

POINT OF ORDER

Senator Woodall: "My point of order is this The motion is that we by-pass Rules Committee and put it at the foot of the calendar. A brief explanation of what the bill does was in order, but beyond that I do not believe debate of the whole merits should be opened up at this time."

RULING BY THE PRESIDENT

The President: "Senator Woodall's point is well taken. The President is trying to determine what action took place relating to Substitute House Bill 324 yesterday."

Senator Henry: "It is my contention this bill having been through committee, through Rules Committee, on the floor on second reading, referred back to Ways and Means for them to take a look see, it is back before us now and I think a simple majority is all that is necessary."

The President: "Would you please refer the President to the proper rule, Senator Henry?"

Senator Henry: "That is not under Robert's Rules, Mr. Lieutenant Governor. That is Henry's Rules of Order."

RULING BY THE PRESIDENT

The President: "The President believes, in the absence at least in the President's mind and experience of any ruling on this particular subject that it will be necessary to adhere to the rule, that portion of 47 stating, '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.' The President believes that in essence this would be an advancement of the bill and therefore would take a suspension of the rules."

MOTION

Senator Henry moved that the rules be suspended and Substitute House Bill No. 324 be advanced to second reading.

Senator Henry demanded a roll call on the motion to suspend the rules and advance Substitute House Bill No. 324 to second reading and the demand was sustained by Senators Connor, Woodall, Guess, Gissberg, Greive, Scott, Metcalf, Dore and Knoblauch.

ROLL CALL

The Secretary called the roll and the motion by Senator Henry failed by the following vote: Yeas, 28; nays, 18; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Bailey, Clarke, Connor, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Greive, Guess, Henry, Herr, Holman, Jolly, Knoblauch, Peterson (Ted), Rasmussen, Ridder, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—28.

Voting nay: Senators Atwood, Cooney, Day, Donohue, Gissberg, Huntley, Keefe, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Sandison, Scott, Sellar, Twigg, Woodall—18.

Absent or not voting: Senators Canfield, Lewis—2.

Excused: Senator Murray—1.

SUBSTITUTE HOUSE BILL NO. 324 was referred to the Committee on Rules and Joint Rules.

MOTION

At 4:30 p.m., on motion of Senator Henry, the Senate recessed until 5:30 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 5:30 p.m.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 25, and the same is herewith transmitted.

DONALD R. WILSON, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 25, by Representatives Chatalas and Newhouse:

Legislative session duration forty-one days.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 25 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the rules were suspended, House Concurrent Resolution No. 25 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

SPECIAL ORDER OF BUSINESS

The time having arrived, the Senate resumed consideration of Reengrossed Senate Bill No. 92 the Free Conference report having been adopted earlier in the day on motion of Senator Gardner.

The President declared the question before the Senate to be the final passage of Reengrossed Senate Bill No. 92, as amended by the Free Conference Committee.

POINT OF INQUIRY

Senator Stender: "Would Senator Greive yield? Senator Greive, if this thing they call tax reform takes any shape at all, won't the objective of this so-called tax relief be met through the tax reform thing?"

Senator Greive: "No, this is a deferrment thing. If you are going to make an improvement, an exception business, you ought to understand that, Senator. They have a lot of sales taxes in this state they do not have in other states and this gives them a chance to put those taxes off until such time as they are making money in an operation."

Senator Stender: "What then, Senator, will they be using to run this state? We are loading up more and more chargeable to the sales tax. Every one of these bonds, as I noted, chargeable to the sales tax. This proposal proposes to postpone the payment of sales tax. What are we going to use to run the business of state that comes through the general fund if we are going to defer continually and make allowances continually? What are we going to use for money?"

Senator Greive: "Well, Senator, in the first place you have a pretty good handle on anybody that builds a building. You are going to have a lien on that building and you are going to collect. This is not a forgiveness, it is a deferral. You really do not have to worry

too much if the state does not get its revenue. I can understand some debate upon whether you should have a commission to administer the lending of the state's credit. I think last time we had it up in the regular session we got a huge margin for a better deferral than this because, if you put in facilities and you get a deferral, that deferral is a lien. It is collectible. There is very little chance that you are not going to get your money back as far as the state is concerned.

"On the other hand, where a plant comes in and will locate here, frequently they are not in operation and do not make money for a few years and they would like a chance, in many instances, to get on their feet before they have to pay the tax so they can pay it out of current revenue."

Senator Stender: "I understand that part, Senator. The thing is that if we are going to defer for five years the collection of taxes, which this proposes, as I understand it. . . ."

Senator Greive: "No, three years, and then it is collected at the rate, a descending rate, so at the end of eight years you get a payment because the payments are scaled during five years."

ROLL CALL

The Secretary called the roll on the final passage of Reengrossed Senate Bill No. 92, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 28; nays, 19; absent or not voting, 2.

Voting yea: Senators Andersen, Bailey, Cooney, Day, Donohue, Dore, Elicker, Francis, Gardner, Greive, Henry, Herr, Holman, Jolly, Keefe, Knoblauch, Lewis, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Stortini, Talley, Walgren, Washington, Whetzel—28.

Voting nay: Senators Atwood, Canfield, Clarke, Durkan, Foley, Gissberg, Guess, Huntley, Mardesich, Matson, Metcalf, Newschwander, Rasmussen, Ridder, Sellar, Stender, Twigg, Wilson, Woodall—19.

Absent or not voting: Senators Connor, Fleming—2.

REENGROSSED SENATE BILL NO. 92, 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 FOR RECONSIDERATION

Having voted on the prevailing side and having given prior notice, on motion of Senator Greive, the Senate moved to reconsider the vote by which Engrossed Substitute House Joint Resolution No. 82 failed to pass the Senate.

MOTION

On motion of Senator Greive, the vote on final passage of Engrossed Substitute House Joint Resolution No. 82, on reconsideration, was ordered held.

SECOND READING

HOUSE BILL NO. 275, by Representatives Kopet, Backstrom and Bluechel:
Authorizing the transfer of funds from the state trade fair fund to the general fund.
The bill was read the second time by sections.

On motion of Senator Atwood, the rules were suspended, House Bill No. 275 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 275, and the bill passed the Senate by the following vote: Yeas, 49.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—49.

HOUSE BILL NO. 275, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 26, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 26, by Representative Morrison:

Free conference thirty-six hour requirement suspended on Substitute Senate Bill No. 355.

On motion of Senator Huntley, the rules were suspended, House Concurrent Resolution No. 26 was advanced to second reading and read the second time in full.

On motion of Senator Huntley, the rules were suspended, House Concurrent Resolution No. 26 was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 355, and has passed the bill as amended by the Free Conference Committee, and said report together with the bill are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 18, 1972.

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred Substitute Senate Bill No. 355, limiting the variances in the total allocation factor in regard to disbursement of motor vehicle revenues, have had the same under consideration, and we recommend that the bill be amended as follows:

Strike the House amendment to Substitute Senate Bill No. 355 by Representative Smythe on page 6, line 26, and section 2 on page 6, line 27, and insert on page 6, line 26, following section 1 new sections to read as follows:

“*NEW SECTION.* Sec. 2. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

Where an existing highway severs, or where the right-of-way of an existing highway accommodates or would accommodate, or where the separation of motor vehicle traffic from pedestrians, equestrians, or bicyclists will materially benefit the safety of the traveling public by the provision within the right-of-way of facilities for pedestrians, equestrians, or bicyclists which are part of a comprehensive trail plan adopted by federal, state, or local

governmental authority having jurisdiction over the trail, the state highway commission, or the county or city having jurisdiction over the highway, road, or street, or facility is authorized to expend reasonable amounts out of the funds made available to them, according to the provisions of RCW 46.68.100, as necessary for the planning, accommodation, establishment, and maintenance of such facilities.

NEW SECTION. Sec. 3. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

Before establishing paths and trails, the following factors shall be considered:

- (1) Public safety;
- (2) The cost of such paths and trails as compared to the need or probable use;
- (3) Inclusion of the trail in a plan for a comprehensive trail system adopted by a city or county in a state or federal trails plan.

NEW SECTION. Sec. 4. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

The amount expended by the highway department or by a city, town, or county as authorized by section 2 of this 1972 amendatory act shall never in any one fiscal year be less than one-half percent of the total amount of the funds received from the motor vehicle fund according to the provisions of RCW 46.68.100: PROVIDED, That this section does not apply to a city or town in any year in which the one-half percent equals five hundred dollars or less, or to a county in any year in which the one-half percent equals three thousand dollars or less: PROVIDED FURTHER, That a city, town or county in lieu of expending the funds each year may credit the funds to a financial reserve or special fund, to be held for not more than ten years, and to be expended for the purposes required or permitted by section 2 of this 1972 amendatory act.

NEW SECTION. Sec. 5. There is added to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30 RCW a new section to read as follows:

For the purposes of this chapter, the establishment of paths and trails and the expenditure of funds as authorized by section 2 of this 1972 amendatory act shall be deemed to be for highway, road and street purposes. The department of highways shall, when requested, and subject to reimbursement of costs, provide technical assistance and advice to cities, towns, and counties in carrying out the purposes of section 2 of this 1972 amendatory act. The department shall recommend construction standards for paths and trails. The department shall provide a uniform system of signing paths and trails which shall apply to paths and trails under the jurisdiction of the department and of cities, towns, and counties. The department and cities, towns, and counties may restrict the use of paths and trails under their respective jurisdictions to pedestrians, equestrians, and nonmotorized vehicles.

Sec. 6. Section 46.68.070, chapter 12, Laws of 1961 and RCW 46.68.070 are each amended to read as follows:

There is created in the state treasury a permanent fund to be known as the motor vehicle fund 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 state, and through state agencies, for the use of counties, cities, and towns for: proper road, street, and highway purposes, *including the purposes of section 2 of this 1972 amendatory act.*

Sec. 7. Section 46.68.130, chapter 12, Laws of 1961 as last amended by section 6, chapter 91, Laws of 1971 1st ex. sess. and RCW 46.68.130 are each amended to read as follows:

The net tax amount distributed to the state in the manner provided by RCW 46.68.100, and all moneys accruing to the motor vehicle fund from any other source, less such sums as are properly appropriated and reappropriated for expenditure for costs of collection and administration thereof, shall be expended by the department of highways, subject to proper appropriation and reappropriation, for state highways and other proper department of highways purposes, *including the purposes of section 2 of this 1972 amendatory act.*

NEW SECTION. Sec. 8. If any provision of this 1972 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. Section 1 of this 1972 amendatory 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.

In line 3 of the title, after "RCW 46.68.120;" insert "amending section 46.68.070, chapter 12, Laws of 1961 and RCW 46.68.070; amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 6, chapter 91, Laws of 1971 1st ex. sess. and RCW 46.68.130; adding new sections to chapter 130, Laws of 1971 ex. sess. and to chapter 47.30;"

Signed by: Senators Henry, Washington and Guess; Representatives Smythe, Berentson and Luders.

MOTION

On motion of Senator Huntley, the report of the Free Conference Committee on Substitute Senate Bill No. 355 was adopted.

POINT OF INQUIRY

Senator Peterson (Lowell): "Will Senator Huntley yield? This is rather a lengthy report and without having time to go through it, I would just like it clarified. Are we still diverting gas tax money for bicycle trails?"

Senator Huntley: "Well, Senator, I guess that that is the best definition that I can give you for it."

Senator Peterson (Lowell): "What are the limitations on the diversion?"

Senator Huntley: "Senator, I would defer to Senator Guess who was on that conference committee. I was not a member and I think perhaps he could enlighten you better than I can."

Senator Guess: "There are several limitations. The first thing is the trail has got to be established and adopted by one form of government, whether it is the state, the city or the county. Before establishing the paths and trails the following factors shall be considered: One, the public safety; two, the cost of such paths or trails as compared to the need or probable use; and three, the inclusion of the trail in a plan for a comprehensive trail system adopted by the city, county, state or federal trails plan. The amount of money, the RCW or the distribution of this money is going to come from that section of the RCW 46.68.100 which is the standard formula for distribution between the counties and the cities. The total amount of money which will be devoted to this will be approximately six hundred thousand dollars. About three hundred thousand of this will be coming from the state, the remainder from the portion of the gas tax that goes to the counties and to the cities. In the instance of the cities it will be a total over the state of about one hundred and sixty-eight thousand dollars. The rest of it will be coming from the counties. So it limits it to one-half of a percent and it makes an arrangement where if they do not have enough money they can save it up for a period of time and then make it on one particular project. We thought that this was a very good solution to the problem."

POINT OF INQUIRY

Senator Holman: "Would Senator Guess yield to a question? Senator, in new section 2 of the Free Conference report, could you tell me if that language is changed in any way from the bicycle trails bill that was added onto this bill?"

Senator Guess: "Yes, sir, it is changed a considerable degree, Senator Holman. We had severe constitutional problems with the original language and the two attorneys, Senator Whetzel and another attorney who worked this out, did their very best to remove the constitutional problems that were in the original language."

Senator Holman: "Senator, I have very great difficulty in making any sense out of the sentence because I see no object of the word 'severs'. It says, 'where an existing highway severs' and the only way I can read this and make any sense out of it and that is the reason for the question, to get it into the record, is to read it as though there were a comma after the word 'of' in line 5 of that?"

Senator Guess: "Yes."

Senator Holman: "Thank you."

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 355, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 46; nays, 2; absent or not voting, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Woodall—46.

Voting nay: Senators Odegaard, Wilson—2.

Absent or not voting: Senator Matson—1.

SUBSTITUTE SENATE BILL NO. 355, 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

At 6:10 p.m., on motion of Senator Greive, the Senate adjourned until 10:00 a.m., Saturday, February 19, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FORTY-FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Saturday, February 19, 1972.

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 Gardner, Gissberg and Lewis. On motion of Senator Matson, Senator Lewis was excused.

The Color Guard, consisting of Pages Mike Wing, Color Bearer, and Lori Alley, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

"Not by might, not by power, but by My Spirit, says the Lord of Hosts. Lord, You have admonished us never to tire of doing good, for if we do not slacken our efforts, we shall in due time reap our harvest. Yet, time is running out, tiredness is coming in and we seem drained of resources to accomplish what needs to be done. Like Your disciples of old, we, too, seem to be laboring at the oar against a head wind, pressed down by a force as strong as the sea. Lord of all power and might, Your way was through the sea, Your path through great waters. Calm our jaded nerves, take control and bring in a harvest of good legislation. Through Jesus Christ, our Lord. Amen."

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

REPORTS OF STANDING COMMITTEES

GUBERNATORIAL APPOINTMENTS

February 10, 1972.

A. H. "IKE" PARKER, to the position of member of the Washington State Highway Commission, appointed by the Governor on October 15, 1971 for the term ending July 1, 1977, succeeding Robert L. Mikalson (reported by the Committee on Transportation):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Elicker, Foley, Guess, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Murray, Peterson (Lowell), Sandison, Scott, Sellar, Stender, Talley, Walgren, Whetzel.

Passed to Committee on Rules and Joint Rules.

February 11, 1972.

LORNA REAM, to the position of member of the Washington State Highway Commission, appointed by the Governor on October 15, 1971 for the term ending July 1, 1972, succeeding George W. Zahn (reported by the Committee on Transportation):

MAJORITY recommends that said appointment be confirmed.

Signed by: Senators Washington, Chairman; Henry, Vice Chairman; Bailey, Connor, Donohue, Elicker, Guess, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Murray, Peterson (Lowell), Sandison, Scott, Sellar, Stender, Talley, Walgren, Whetzel.

Passed to Committee on Rules and Joint Rules.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 261, by Committee on Financial Institutions and Insurance (Originally sponsored by: Representatives Morrison, Chatalas and Bagnariol (by Departmental request)):

Making certain substantive, procedural, and housekeeping amendments to the law enforcement and fire fighters' retirement system.

The bill was read the second time by sections.

On motion of Senator Bailey, the rules were suspended, Substitute House Bill No. 261 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 261 and the bill passed the Senate by the following vote: Yeas, 44; absent or not voting, 4; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—44.

Absent or not voting: Senators Francis, Gardner, Gissberg, Peterson (Ted)—4.

Excused: Senator Lewis—1.

SUBSTITUTE HOUSE 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.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 206 with the following amendments:

On page 5, section 4, line 21 after "less than" strike "twenty-five" and insert "one hundred"

On page 5, strike all of section 5

Renumber the remaining sections consecutively.

On page 6, section 5, line 1 after "and for" strike "three hundred sixty-four" and insert "ninety"

On page 6, section 5, line 3 after "eligible for" insert "retirement under RCW 41.32.480 and who is eligible for"

On page 6, section 5, line 7 of the printed bill and of the engrossed bill, after "law" strike ";" and insert ": PROVIDED, That such transferees who elect to retire shall be eligible for a retirement allowance as provided by chapter 41.32 RCW as now or hereafter amended through June 30, 1973 and thereafter shall be eligible for a retirement allowance as provided by chapter 41.40 RCW as now or hereafter amended;"

On page 7, section 5, line 2 after "system (a)" strike "a record of service credited" and insert "creditable service"

On page 7, section 5, line 10 after "actuarial reserve" strike everything down to and including "retirement system" on line 14

On page 7, line 27 of the printed bill and of the engrossed bill add a new section following section 5 as follows:

"NEW SECTION. Sec. 6. A publicly elected official who having served twelve consecutive years in office and who, retiring from office on or before January 10, 1973 and who is currently a member of the Washington State Teachers' Retirement System, may transfer to the Washington Public Employees' Retirement System provided such transfer is made by February 1, 1973."

Renumber the remaining sections consecutively.

On page 7, section 6, lines 29 and 30 strike "seven hundred eighty-one" and insert "twenty-five" and on line 30 after "thousand" strike "three hundred seventy-four"

On page 8, line 5 insert a new section 8 as follows:

"NEW SECTION. Sec. 8. Notwithstanding any other provision of law, any funds appropriated to the Washington state teachers' retirement system from the general fund for the biennium ending June 30, 1973, shall be reduced by the appropriations contained in this act."

Renumber the remaining sections consecutively, and the same is herewith transmitted.
MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Durkan moved that the Senate do concur in the House amendments to Engrossed Second Substitute Senate Bill No. 206.

POINT OF INQUIRY

Senator Bailey: "Would Senator Durkan yield? Senator Durkan, what was done as relates to the retired teacher?"

Senator Durkan: "That was stricken. The escalator, the cost of living was taken out but the 45, there is a provision in there that takes care of that group of teachers that we do not provide for. They did not touch that, Senator."

Senator Bailey: "Will Senator Durkan yield again? Then did we improve the lot of the retired teachers?"

Senator Durkan: "I think this bill has. Yes."

Senator Bailey: "Senator Durkan, does this in any way stop the movement that the legislature has said it intended and that was the consolidation in the future of the teachers' pension?"

Senator Durkan: "No, we have in the supplemental budget when it left the Senate, an appropriation which will permit the Legislative Budget Committee in liaison with the Retirement Committee, Public Pension Committee, to hire an independent actuary to begin the study which will permit the legislature to make the determination in the next session on bringing these two systems together. By striking the amendment which permitted the transfer, it negates that amount. But what I think the rationale behind the House's reasons for striking was that there was no cost analysis as to what it would take if they did transfer it so I think probably in reflection it is not such a bad amendment."

POINT OF INQUIRY

Senator Canfield: "Will Senator Durkan yield? Senator, you made a remark about the escalator clause and my question to you is this; is this consistent with the other retirement programs? Are there any escalator clauses in any of them?"

Senator Durkan: "There is not any escalator clause as such, except in the LEFF System. There is a provision which gives them an advantage if you want to take over the other systems in the program."

Senator Canfield: "I do not know as I understand that. You said there is none as such."

Senator Durkan: "It is not written as such, Senator, but if you were to say, on cost of living and increases, the LEFF System has a better provision in it than do the PERS and Teachers' Retirement program."

Senator Canfield: "Is it your thinking that these systems ought to be brought into a little closer harmony?"

Senator Durkan: "I have always felt that there should be one system to cover these people and the legislature then would not be whipsawed by always having a system coming in trying to catch up and moving ahead. That is the problem that we have had since we have been in the legislature."

Senator Canfield: "If you have the opportunity in the future, you would try to bring them closer together? Is that correct?"

Senator Durkan: "I want to bring us all closer together, Senator."

The motion by Senator Durkan carried and the Senate concurred in the House amendments to Engrossed Second Substitute Senate Bill No. 206.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 206, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; absent or not voting, 3.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall-46.

Absent or not voting: Senators Gardner, Gissberg, Talley-3.

ENGROSSED SECOND SUBSTITUTE 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.

SECOND READING

ENGROSSED HOUSE BILL NO. 139, by Representatives Flanagan, Wolf, Bottiger, Julin, Moon, Williams, Newhouse, Haussler, Sawyer, Perry, McDermott, Amen, Bledsoe, Bozarth, Conway, Curtis, Eikenberry, Gallagher, Hoggins, Litchman, Schumaker, Wojahn and Zimmerman (by Property Tax Committee request):

Providing for notification to property owners of changes in assessed valuation.

REPORT OF STANDING COMMITTEE

February 15, 1972.

ENGROSSED HOUSE BILL NO. 139, providing for notification to property owners of changes in assessed valuation (reported by Committee on Ways and Means):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 6, after "section." and before "Failure" insert "Willful"

On page 4, strike all of section 3, and renumber the remaining section consecutively.

Signed by: Senators Durkan, Chairman; Andersen, Atwood, Bailey, Canfield, Connor, Dore, Elicker, Fleming, Gissberg, Herr, Holman, Huntley, Jolly, Newschwander, Odegaard, Peterson (Ted), Scott, Stortini, Twigg, Walgren, Wilson.

The bill was read the second time by sections.

On motion of Senator Rasmussen, the committee amendment to page 2, section 1, line 6 was adopted.

On motion of Senator Rasmussen, the committee amendment to page 4, striking all of section 3 was not adopted.

On motion of Senator Matson, the following amendment was adopted:

On page 1, section 1, line 20 of the engrossed bill after "based," insert "*stating separately land and improvement values,*"

On motion of Senator Lewis, the following amendment was adopted:

On page 4, section 3, line 13, after "improvement" insert "to single family dwellings"

Senator Donohue moved adoption of the following amendment:

On page 4, section 3, line 14, after "the" and before "assessment" strike "five." and insert "three"

POINT OF INQUIRY

Senator Washington: "Senator Donohue, would you yield? I believe that type of explanation should be in the form of a question and answer so it should be in the record.

Would you please explain, for the record, how the change from five to three will work so that in reality there will be a five year exemption."

Senator Donohue: "Yes, Senator, the present language says that the property shall be exempt from taxation for the five assessment years subsequent to the completion of the improvement, which would mean that the assessor would not assess this property until January of the sixth year. Consequently, he would not pay until the seventh year. When you insert the word 'three' as my amendment does, then the payment would be due in the fifth year."

The motion by Senator Donohue carried and the amendment was adopted.

On motion of Senator Mardesich, the rules were suspended, Engrossed House Bill No. 139, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 139, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Wellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Woodall-46.

Voting nay: Senator Wilson-1.

Absent or not voting: Senators Dore, Gardner-2.

ENGROSSED HOUSE BILL NO. 139, 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 Rasmussen, Engrossed House Bill No. 139, as amended by the Senate, was ordered immediately transmitted to the House.

ENGROSSED HOUSE BILL NO. 9, by Representatives Bottiger, Julin, Sawyer, Kilbury, Marzano and Shinpoch:

Providing wife may become manager of community property when husband missing in action or prisoner of war.

The bill was read the second time by sections.

On motion of Senator Holman, the following amendment by Senators Holman and Gardner was adopted:

On page 1, section 1, line 4, after "Section 1." strike the balance of the engrossed bill and insert:

"Section 11.80.010, chapter 145, Laws of 1965 and RCW 11.80.010 are each amended to read as follows:

Whenever it shall be made to appear by petition to any judge of the superior court of any county that there is property in such county, either real or personal, that requires care and attention, or is in such a condition that it is a menace to the public health, safety or welfare, or that the custodian of such property appointed by the owner thereof is either unable or unwilling to continue longer in the care and custody thereof, and that the owner of such property has absented himself from the county and that his whereabouts is unknown and cannot with reasonable diligence be ascertained, *or that the absentee owner is a person defined in section 2 of this 1972 amendatory act*, which petition shall state the name of the absent owner, his approximate age, his last known place of residence, the

ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 4, and the memorial passed the Senate by the following vote: Yeas, 46; absent or not voting, 2; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—46.

Absent or not voting: Senators Gardner, Mardesich—2.

Excused: Senator Matson—1.

HOUSE JOINT MEMORIAL NO. 4, having received the constitutional majority, was declared passed.

MOTIONS

On motion of Senator Greive, Engrossed House Bill No. 44 on third reading was made a special order of business at 2:00 p.m. today.

On motion of Senator Greive, Engrossed Substitute House Joint Resolution No. 82, on reconsideration, was made a special order of business immediately following consideration of Engrossed House Bill No. 44.

On motion of Senator Greive, Engrossed House Bill No. 140 was made a special order of business immediately following consideration of Engrossed Substitute House Joint Resolution No. 82.

SECOND READING

ENGROSSED HOUSE BILL NO. 142, by Representatives Newhouse, Williams, Moon, Perry, Bledsoe and North (by Legislative Council request):

Providing for payments in lieu of property taxes upon the university tract properties. The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 142 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 142, and the bill passed the Senate by the following vote: Yeas, 42; nays, 1; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Voting nay: Senator Fleming—1.

Absent or not voting: Senators Gardner, Guess, Mardesich, Newschwander, Peterson (Lowell)—5.

Excused: Senator Matson—1.

ENGROSSED HOUSE 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.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 414, by Committee on Revenue and Taxation (Originally sponsored by Representative Flanagan):

Relating to revenue and taxation.

The bill was read the second time by sections.

On motion of Senator Durkan, the rules were suspended and the following amendments were adopted in toto:

On page 1, section 2, line 25, after "Sec. 2." strike the remainder of the paragraph being through "follows:" on line 27.

On page 2, section 2, line 13, strike "sevice" and insert "service"

On page 2, section 3, line 16, after "Sec. 3." strike the remainder of the paragraph down through "follows:" on line 18.

On page 3, section 5, line 13, after "Sec. 5." strike the remainder of the paragraph down through "follows:" on line 15.

Senator Durkan moved adoption of the following amendments:

On page 3, section 6, line 20, after "effect" strike "October 1, 1972." and insert "July 1, 1972."

On page 3, after line 20, insert the following:

"NEW SECTION. Sec. 9. Sections 2, 3, and 5 are added to and shall constitute a new chapter in Title 82 RCW to be know as chapter 82.14A."

POINT OF INQUIRY

Senator Rasmussen: "Will Senator Durkan yield to a question? Senator, this will permit the cities to impose their own B&O tax at whatever rate they establish for that class?"

Senator Durkan: "Will permit."

Senator Rasmussen: "It will permit it. Thank you very much."

The motion by Senator Durkan carried and the amendments were adopted.

Senator Andersen moved adoption of the following amendment by Senators Andersen and Walgren:

On page 3, line 19 insert as sections 6 and 7 the following:

"NEW SECTION. Sec. 6. There is added to chapter 35.21 RCW a new section to read as follows:

Any city or town which levies and collects a tax for the act or privilege of engaging in the business activity of making sales at retail shall measure such tax by the application of a single uniform rate against the value of the gross proceeds of such retail sales.

NEW SECTION. Sec. 7. There is added to chapter 35A.82 RCW a new section to read as follows:

Any code city or town which levies and collects a tax for the act or privilege of engaging in the business activity of making sales at retail shall measure such tax by the application of a single uniform rate against the value of the gross proceeds of such retail sales."

Re-number section 6 of the printed bill as section 8.

POINT OF INQUIRY

Senator Rasmussen: "Would Senator Andersen yield to a question? Senator Andersen, could you give us an illustration of what you are talking about in regards to the difference in rates?"

Senator Andersen: "Yes. There are nine cities in the state of Washington which currently impose a fuel oil tax on heating oil dealers. A fuel oil tax takes the form of a special rated B and O on heating oil dealers. For example, in Toppenish dealers must pay two percent of their gross to the city, in Wenatchee dealers pay the highest fuel oil tax in the state, five percent. And heating oil dealers are, unlike utilities, they are forbidden by law from directly passing the tax on to the customer. There are nine Washington cities which currently have a fuel oil tax of this type, that is Sunnyside, Toppenish, Wenatchee, Colfax, Walla Walla, Pullman, College Place, Orting and Mukilteo. Does this answer your question or would you like me to go further, Senator Rasmussen?"

Senator Rasmussen: "Yes, this affects apparently Senator Woodall and some of the other Senators, not my city. That is what I was concerned with. Thank you."

The motion by Senator Andersen carried and the amendment by Senators Andersen and Walgren was adopted.

On motion of Senator Durkan, the following amendment to the title was adopted:

On line 5 of the title, after "sections to" strike "chapter 94, Laws of 1970 ex. sess. and to chapter 82.14 RCW" and insert "Title 82 RCW"

On motion of Senator Andersen, the following amendment to the title was adopted:

On line 6 of the title, after "chapter 82.14 RCW;" insert "adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.82 RCW;"

On motion of Senator Durkan, the rules were suspended, Engrossed Substitute House Bill No. 414, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 414, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Metcalf, Murray, Newschwander, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Absent or not voting: Senators Fleming, Gardner, Mardesich, Odegaard, Talley—5.

Excused: Senator Matson—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 414, 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 SUBSTITUTE HOUSE BILL NO. 324, by Committee on State Government (Originally sponsored by Representative Bluechel):

Relating to state government.

REPORT OF STANDING COMMITTEE

February 16, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 324, relating to state government (reported by Committee on State Government):

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 5, beginning on line 27 of the printed bill, being page 2, section 5, beginning on line 29 of the engrossed bill, strike "which, by law, may not be funded by moneys in the motor vehicle fund of the state treasury, including, but not" and insert "which, except for property, facilities and equipment used for water transportation, by law may not be funded by moneys in the motor vehicle fund of the state treasury. The term "public transportation systems" shall include but shall not be"

On page 4, section 12, line 32 of the printed bill, being page 5, section 12, line 1 of the engrossed bill, after "sum of" and before "million" strike "twenty" and insert "five"

Signed by: Senators Walgren, Chairman; Elicker, Gardner, Henry, Jolly, Lewis.

The bill was read the second time by sections.

On motion of Senator Walgren, the committee amendments were adopted.

On motion of Senator Henry, the rules were suspended, Engrossed Substitute House Bill No. 324, 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 Francis: "Will Senator Atwood yield? Senator Atwood, is part of what you are

saying that you feel that if we pass this that there will be greatly reduced pressure and perhaps it will never occur that we would be able to finance rapid transit out of gasoline tax funds?"

Senator Atwood: "Oh, I do not think there is any question about it. The people in Seattle had the votes here on the floor to pass an amendment, in fact it was SJR 123 which would provide financing of mass transit and related transportation activities from gas tax. I wish that had been pulled and run out of here and should be put on the ballot long before anything like this should go on the ballot. And I think you put your finger exactly on what has happened. They will now look to the general fund for all these activities and in my opinion we are starting down a road where we are further depleting the general fund. That is just my opinion and I think you put your finger right on it."

POINT OF INQUIRY

Senator Rasmussen: "Senator Henry, would you answer some questions, please? Will you yield? Senator Henry, how did King County vote on mass transit when they had it on the ballot?"

Senator Henry: "Well, I am not quite sure."

Senator Rasmussen: "I think they were proposing three-tenths of the sales tax. I thought they voted mass transit down once."

Senator Henry: "That was on a particular project, Senator, that was mainly underground rail transit and so forth, as I recall, and they were a little disenchanted with it."

Senator Rasmussen: "Thank you, Senator. The question I have to ask you on Substitute House Bill No. 324, the fifty million dollars worth of bonds to finance the planning and acquisition intrigues me. I work for a railroad. Are you planning on buying the Burlington Northern?"

Senator Henry: "Well, I had not planned on it. I think the Penn Central could be bought much cheaper."

Senator Rasmussen: "Are you planning on buying Greyhound?"

Senator Henry: "No."

Senator Rasmussen: "Transcontinental?"

Senator Henry: "No, nothing like that."

Senator Rasmussen: "Trailways?"

Senator Henry: "I am not sure."

Senator Rasmussen: "This is what I am serious about."

Senator Henry: "Oh, you want to find out what we are going to do? Well actually Senator Atwood did prevail in committee. He cut the appropriation to five million dollars. But what I am trying to put across here is that this is for innovative projects such as the air-tract vehicle which a hundred million dollars has been allocated, which hopefully I can get in the state, and personal rapid transit, which is the so-called mini-car approach. It is now being built in Morgantown, West Virginia, and as I said yesterday, White Salmon is not particularly enchanted with this I do not suppose. Our personal rapid transit down there consists of an object known as horses. And we have a little trouble with the environmentalists there too, I might add. You certainly after a parade cannot call it a one-horse town.

"But anyway, Senator, we are trying to show the federal Department of Transportation that this state is willing to go ahead. Now we are talking about the general fund. I do not think there is anybody on this floor that does not realize that under the terms of the Eighteenth Amendment there is a constitutional question as to whether or not we can use these funds from the motor vehicle fund for this particular type of a project. But I would also remind Senator Atwood, who is a little new around here, that a number of years ago that the welfare department took thirty million dollars out of the motor vehicle fund to fund the welfare department and they still have not paid that back."

Further debate ensued.

Senators Talley, Henry and Lewis demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the roll call on final passage of Engrossed Substitute House Bill No. 324, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 324, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 25; nays, 22; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Bailey, Clarke, Connor, Dore, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Murray, Peterson (Lowell), Peterson (Ted), Ridder, Stender, Talley, Walgren, Washington, Whetzel—25.

Voting nay: Senators Atwood, Canfield, Cooney, Day, Donohue, Durkan, Gissberg, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Newschwander, Odegaard, Rasmussen, Sandison, Scott, Sellar, Stortini, Twigg, Wilson, Woodall—22.

Absent or not voting: Senator Gardner—1.

Excused: Senator Matson—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 324, 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 Henry, Engrossed Substitute House Bill No. 324, as amended by the Senate, was ordered immediately transmitted to the House.

HOUSE BILL NO. 158, by Representatives Bluechel, Randall, Zimmerman, Williams and Jones:

Providing allowances for citizen members of the state land planning commission.

The bill was read the second time by sections.

On motion of Senator Foley, 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.

Debate ensued.

ROLL CALL

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, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Absent or not voting: Senator Gardner—1.

Excused: Senator Matson—1.

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.

There being no objection, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

February 19, 1972.

Mr. President: The Speaker has signed:
 SUBSTITUTE HOUSE BILL NO. 14,
 HOUSE BILL NO. 186,
 HOUSE BILL NO. 221,
 HOUSE BILL NO. 275,
 SUBSTITUTE HOUSE BILL NO. 313,
 SUBSTITUTE HOUSE BILL NO. 381,

HOUSE CONCURRENT RESOLUTION NO. 22,
HOUSE CONCURRENT RESOLUTION NO. 26, and the same are herewith
transmitted.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The Speaker has signed:
SUBSTITUTE HOUSE BILL NO. 29,
HOUSE BILL NO. 86,
HOUSE BILL NO. 143,
HOUSE BILL NO. 187,
HOUSE BILL NO. 189,
HOUSE BILL NO. 190,
HOUSE CONCURRENT RESOLUTION NO. 21,
HOUSE CONCURRENT RESOLUTION NO. 23,
HOUSE CONCURRENT RESOLUTION NO. 24,
HOUSE CONCURRENT RESOLUTION NO. 25, and the same are herewith
transmitted.

MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 17, by Senators Knoblauch, Francis and
Woodall:

Suspending certain provision of Joint Rule No. 9 regarding Engrossed House Bill No.
177.

On motion of Senator Francis, the rules were suspended, Senate Concurrent
Resolution No. 17 was advanced to second reading and read the second time in full.

On motion of Senator Francis, the rules were suspended, Senate Concurrent
Resolution No. 17 was advanced to third reading, the second reading considered the third
and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO.
13, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MESSAGE FROM THE HOUSE

February 18, 1972.

Mr. President: The House has adopted the Conference Committee report on
ENGROSSED HOUSE BILL NO. 177 and has granted said committee the powers of Free
Conference.

MALCOLM McBEATH, Chief Clerk.

REPORT OF FREE CONFERENCE COMMITTEE

February 18, 1972.

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred ENGROSSED HOUSE
BILL NO. 177, have had the same under consideration, and we recommend that the Senate
amendments be concurred in and the following amendments adopted:

On page 2, section 1, line 6 after "determined" and before "to be" insert "to have a
constitutional right to a free transcript and"

On page 2, section 2, line 20 after "determined" and before "to be" insert "to have a constitutional right to obtain a review and"

Signed by: Senators Knoblauch, Francis and Woodall; Representatives Eikenberry, Knowles and Ross.

MOTION

On motion of Senator Woodall, the report of the Free Conference Committee on Engrossed House Bill No. 177 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 177, as amended by the Free Conference Committee, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Absent or not voting: Senator Gardner—1.

Excused: Senator Matson—1.

ENGROSSED HOUSE BILL NO. 177, 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

February 18, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 221 and has passed the bill as amended by the Free Conference Committee.

MALCOLM McBEATH, Chief Clerk.

MOTION

At 12:15 p.m., on motion of Senator Greive, the Senate recessed until 2:15 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:15 p.m.

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 14,

HOUSE BILL NO. 186,

HOUSE BILL NO. 221,

HOUSE BILL NO. 275,

SUBSTITUTE HOUSE BILL NO. 313,

SUBSTITUTE HOUSE BILL NO. 381,

HOUSE CONCURRENT RESOLUTION NO. 22,

HOUSE CONCURRENT RESOLUTION NO. 26.

There being no objection, the Senate was declared to be at ease subject to the Call of the President.

The President called the Senate to order at 2:50 p.m.

MOTION

At 2:50 p.m., on motion of Senator Bailey, the Senate recessed until 5:00 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 5:00 p.m.

MOTION FOR RECONSIDERATION

Having voted on the prevailing side, on motion of Senator Atwood, the rules were suspended and the Senate moved to reconsider the vote by which Engrossed Substitute House Bill No. 414 passed the Senate.

MOTIONS

On motion of Senator Atwood, the rules were suspended and Engrossed Substitute House Bill No. 414 was returned to second reading.

On motion of Senator Atwood, Engrossed Substitute House Bill No. 414 was ordered held for consideration on second reading immediately following Engrossed House Bill No. 140.

SIGNED BY THE PRESIDENT

The President signed:

SECOND SUBSTITUTE SENATE BILL NO. 206.

There being no objection, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

February 19, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 9 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has failed to pass ENGROSSED SENATE JOINT RESOLUTION NO. 109, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 19, 1972.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 17, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 19, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED HOUSE BILL NO. 139 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 177 and has passed the bill as amended by the Free Conference Committee.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has concurred in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 324 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on ENGROSSED HOUSE BILL NO. 143 and has passed the bill as amended by the Free Conference Committee.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on HOUSE BILL NO. 289 and has passed the bill as amended by the Free Conference Committee.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 411, and has passed the bill as amended by the Free Conference Committee.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 413 and has passed the bill as amended by the Free Conference Committee.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has adopted:
SENATE CONCURRENT RESOLUTION NO. 12,
SENATE CONCURRENT RESOLUTION NO. 14, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has adopted:
SENATE CONCURRENT RESOLUTION NO. 15,
SENATE CONCURRENT RESOLUTION NO. 16, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 11, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

February 19, 1972.

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED HOUSE BILL NO. 46, permitting premiums on poultry products, have had the same under consideration, and we recommend that the Senate recede from its amendments.

Signed by: Senators Jolly and Canfield; Representatives Wolf, Hansey and Van Dyk.

MOTION

On motion of Senator Jolly, the report of the Conference Committee on Engrossed House Bill No. 46 was adopted.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 46, as amended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 47; absent or not voting, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—47.

Absent or not voting: Senators Durkan, Gardner—2.

ENGROSSED HOUSE BILL NO. 46, as amended by the 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 Fleming, Senator Gardner was excused.

SPECIAL ORDER OF BUSINESS

THIRD READING

ENGROSSED HOUSE BILL NO. 44, by Representatives Newhouse, Flanagan, North and Haussler (by Legislative Council request):

Pertaining to the taxation of cigarettes.

The time having arrived, the Senate resumed consideration of Engrossed House Bill No. 44.

Debate ensued.

Senators Andersen, Greive and Clarke 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 Gardner who had previously been excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

The bill was read the third time and placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 44, and the bill passed the Senate by the following vote: Yeas, 25; nays, 23; excused, 1.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Connor, Elicker, Foley, Greive, Holman, Huntley, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Whetzel, Wilson, Woodall—25.

Voting nay: Senators Bailey, Cooney, Day, Donohue, Dore, Durkan, Fleming, Francis, Gissberg, Guess, Henry, Herr, Jolly, Keefe, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Walgren, Washington—23.

Excused: Senator Gardner—1.

ENGROSSED HOUSE 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.

MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

NOTICE OF RECONSIDERATION

Having voted on the prevailing side, Senator Mardesich served notice that he would, on the next succeeding day, move to reconsider the vote by which Engrossed House Bill No. 44 passed the Senate.

MOTION

At 6:10 p.m., on motion of Senator Greive, the Senate recessed until 8:00 p.m.

EVENING SESSION

The President called the Senate to order at 8:00 p.m.
There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 19, 1972.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 142,

HOUSE BILL NO. 158,

SUBSTITUTE HOUSE BILL NO. 261,

HOUSE BILL NO. 289,

SUBSTITUTE HOUSE BILL NO. 411,

SUBSTITUTE HOUSE BILL NO. 413,

HOUSE JOINT MEMORIAL NO. 4, and the same are herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MESSAGE FROM THE HOUSE

February 19, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 207 with the following amendment:

On page 1, beginning on line 20 of the Senate Committee amendment, being page 2, section 1, beginning on line 13 of the engrossed bill with "[determined]" strike the balance of the paragraph and insert "determined and fixed by the first session of the legislature commencing on or after January 1, [1972] 1973, whether regular or extraordinary, in accordance with the purposes and intent of RCW 84.33.180.", and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Durkan moved that the Senate concur in the House amendment to Engrossed Senate Bill No. 207.

POINT OF INQUIRY

Senator Talley: "Would Senator Durkan yield? Senator, you know the rate set by the tax commissioner is completely unrealistic."

Senator Durkan: "There are those who feel that the land values set by the tax

commission were much higher than the actual land value of the timber land should be. But nevertheless the testimony before the Timber Tax Committee and later before the Ways and Means Committee was such that the legislature did not know that the rate, the timber and land value would be lowered and I think accordingly that we should have an opportunity to review it and make such decisions as we should in 1973."

Senator Talley: "Do you think then it would be all right in 1973 to set these values?"

Senator Durkan: "Yes, it is a series of rates and the final rate was five and one-half percent so between now and 1973 there will not be any loss of revenue as a result of the House's action in striking the five and one-half percent rate."

Senator Talley: "Thank you, Senator."

The motion by Senator Durkan carried and the Senate concurred in the House amendment to Engrossed Senate Bill No. 207.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 207, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 37; nays, 1; absent or not voting, 10; excused, 1.

Voting yea: Senators Atwood, Bailey, Canfield, Clarke, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Greive, Cuess, Henry, Huntley, Jolly, Knoblauch, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—37.

Voting nay: Senator Holman—1.

Absent or not voting: Senators Andersen, Connor, Dore, Francis, Gissberg, Herr, Keefe, Lewis, Mardesich, Sandison—10.

Excused: Senator Gardner—1.

ENGROSSED SENATE BILL NO. 207, 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:

HOUSE BILL NO. 142,

HOUSE BILL NO. 158,

SUBSTITUTE HOUSE BILL NO. 261,

HOUSE BILL NO. 289,

SUBSTITUTE HOUSE BILL NO. 411,

SUBSTITUTE HOUSE BILL NO. 413,

HOUSE JOINT MEMORIAL NO. 4.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 414, by Committee on Revenue and Taxation (Originally sponsored by Representative Flanagan):

Relating to revenue and taxation.

The Senate resumed consideration of Engrossed Substitute House Bill No. 414, on reconsideration, and under suspension of the rules had been returned to second reading by Senator Atwood.

On motion of Senator Atwood, the amendment by Senators Andersen and Walgren adopted previously was reconsidered and not adopted.

On motion of Senator Walgren, the following amendment by Senators Walgren and Andersen was adopted:

On page 3, section 6, line 19 insert as sections 6 and 7 the following:

"NEW SECTION. Sec. 6. There is added to chapter 35.21 RCW a new section to read as follows:

Any city which imposes a license fee or tax upon business activities consisting of the

making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW.

NEW SECTION. Sec. 7. There is added to chapter 35A.82 RCW a new section to read as follows:

Any code city which imposes a license fee or tax upon business activities consisting of the making of retail sales of tangible personal property which are measured by gross receipts or gross income from such sales, shall impose such tax at a single uniform rate upon all such business activities. This section shall not apply to any business activities subject to the tax imposed by chapter 82.16 RCW."

Re-number section 6 of the printed bill as section 8.

On motion of Senator Durkan, the following amendment to the title was adopted previously:

On line 5 of the title, after "sections to" strike "chapter 94, Laws of 1970 ex. sess. and to chapter 82.14 RCW" and insert "Title 82 RCW"

On motion of Senator Andersen, the following amendment to the title was adopted previously:

On line 6 of the title, after "chapter 82.14 RCW;" insert "adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.82 RCW;"

On motion of Senator Atwood, the rules were suspended, Engrossed Substitute House Bill No. 414, 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.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 414, as amended by the Senate, on reconsideration, and the bill passed the Senate by the following vote: Yeas, 43; absent or not voting, 5; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Durkan, Elicker, Fleming, Foley, Gissberg, Greive, Guess, Henry, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—43.

Absent or not voting: Senators Dore, Francis, Herr, Keefe, Sandison—5.

Excused: Senator Gardner—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 414, as amended by the Senate, on reconsideration, having received the 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 Walgren, Engrossed Substitute House Bill No. 414, as amended by the Senate, was ordered immediately transmitted to the House.

SPECIAL ORDER OF BUSINESS

SECOND READING

ENGROSSED HOUSE BILL NO. 140, by Representatives Bottiger, Wolf, Williams, Moon, Perry, Sawyer, Flanagan, Haussler, McDermott, Adams, Bauer, Bledsoe, Bozarth, Ceccarelli, Charnley, Eikenberry, Gallagher, Hoggins, McCormick, Schumaker, Wojahn and Zimmerman (by Property Tax Committee request):

Amending certain provisions of the senior citizens' property tax exemption statute.

The time having arrived, the Senate commenced consideration of Engrossed House Bill No. 140.

The bill was read the second time by sections.

Senator Mardesich moved adoption of the following amendment:

On page 5, beginning on line 27 add the following new sections:

“Sec. 4. Section 84.36.079, chapter 15, Laws of 1961 and RCW 84.36.079 are each amended to read as follows:

All rights, title or interest in or to any vessel of more than one thousand ton burden, and the materials and parts held by the builder of the vessel at the site of construction for the specific purpose of incorporation therein, shall be exempt from taxation while the vessel is under construction within this state. *All rights, title or interest in or to any airplane equipment or parts (but not airplane engines or major structural components) owned by a purchaser of an airplane under construction, and held at the site of construction for the specific purpose of incorporation therein, shall be exempt from taxation while the airplane is under construction within this state.*

NEW SECTION. Sec. 5. If any provision of this 1972 amendatory 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. 6. This 1972 amendatory 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.”

MOTION

At 8:30 p.m., on motion of Senator Bailey, the Senate recessed until 9:20 p.m.

SECOND EVENING SESSION

The President called the Senate to order at 9:20 p.m.

The Senate resumed consideration of Engrossed House Bill No. 140 on second reading and the pending amendment by Senator Mardesich.

POINT OF ORDER

Senator Knoblauch: “Mr. President, I raise the point of order that this amendment enlarges the scope and object of the bill and request a ruling of the Chair. House Bill No. 140 deals with senior citizens’ property tax exemption whereby the Mardesich amendment deals with airplane equipment and parts tax exemptions.”

RULING BY THE PRESIDENT

The President: “In ruling upon the point of order presented by Senator Knoblauch, the President finds Engrossed House Bill No. 140 is a measure modifying the senior citizens’ tax exemption law. The amendment proposed by Senator Mardesich pertains to a tax exemption for airplane equipment and parts while the plane is under construction.

“For this reason, the President believes that the amendment does increase the scope and object of the bill and the point presented by Senator Knoblauch is well taken.”

The amendment proposed by Senator Mardesich was ruled out of order.

On motion of Senator Durkan, the rules were suspended, Engrossed House Bill No. 140 was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

Debate ensued.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 140, and the bill passed the Senate by the following vote: Yeas, 48; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—48.

Excused: Senator Gardner—1.

ENGROSSED HOUSE BILL NO. 140, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 19, 1972.

Mr. President: The House has adopted the report of the Conference Committee on ENGROSSED HOUSE BILL NO. 46 and has passed the bill as amended by the Conference Committee.

MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SENATE BILL NO. 4,
 SENATE BILL NO. 27,
 SENATE BILL NO. 45,
 SENATE BILL NO. 92,
 SENATE BILL NO. 146,
 SENATE BILL NO. 173,
 SENATE BILL NO. 207,
 SUBSTITUTE SENATE BILL NO. 355,
 SENATE CONCURRENT RESOLUTION NO. 13,
 SENATE CONCURRENT RESOLUTION NO. 17.

SIGNED BY THE PRESIDENT

The President signed:

SENATE CONCURRENT RESOLUTION NO. 12,
 SENATE CONCURRENT RESOLUTION NO. 14,
 SENATE CONCURRENT RESOLUTION NO. 15,
 SENATE CONCURRENT RESOLUTION NO. 16.

MESSAGE FROM THE HOUSE

February 19, 1972.

Mr. President: The Speaker has signed:

SENATE BILL NO. 4,
 SENATE BILL NO. 27,
 SENATE BILL NO. 45,
 SENATE BILL NO. 92,
 SENATE BILL NO. 146,
 SENATE BILL NO. 173,
 SECOND SUBSTITUTE SENATE BILL NO. 206,
 SUBSTITUTE SENATE BILL NO. 355,
 SENATE CONCURRENT RESOLUTION NO. 12,
 SENATE CONCURRENT RESOLUTION NO. 13,
 SENATE CONCURRENT RESOLUTION NO. 14,
 SENATE CONCURRENT RESOLUTION NO. 15,
 SENATE CONCURRENT RESOLUTION NO. 16,
 SENATE CONCURRENT RESOLUTION NO. 17, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Sandison, the following resolution was adopted:

SENATE RESOLUTION: 1972-41

By Senators Sandison and Fleming:

WHEREAS, Manpower needs of the health sciences areas, as projected within the "Report of Occupational Trends" by the Department of Employment Security, indicates significant shortages by 1975; and

WHEREAS, The Report notes that "demand for dentists will rise due to an expanding population, a growing awareness of the importance of dental care, and the extension of dental service to the poor;" and

WHEREAS, By 1975 an estimated three hundred thirty new jobs are anticipated along with a need for three hundred ten replacements, for a total of six hundred forty openings; and

WHEREAS, One source of additional dentists could be doctors of dental surgery graduated by foreign dental schools which are approved by the world health organization; and

WHEREAS, It is very costly to extend the state's health science facilities and programs to meet the demands in all the health science fields;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Joint Committee on Higher Education conduct a study to determine if doctors of dental surgery graduated by a foreign dental school meet the necessary state requirements to be granted eligibility to take the approved board of dental examiners' examination in the theory and practice of the science of dentistry, and report its conclusions to the Forty-third Legislative Session.

MOTION

On motion of Senator Walgren, the following resolution was adopted:

SENATE RESOLUTION: 1972-42

By Senators Walgren, Peterson (Lowell), Henry, Wilson, Huntley, Sellar and Washington:

WHEREAS, Increasing trade and commerce between the State of Washington and the Province of British Columbia is forecast; and

WHEREAS, Highway routes serving the border crossing points in such communities as Blaine, Sumas, Alderwood, Nighthawk, Oroville, Molson, Ferry, Danville, Laurier, Boundary, Frontier and Metaline Falls serve a vital purpose in this international traffic; and

WHEREAS, Improvements in traffic capacity and safety features should be scheduled at all ports of entry with British Columbia, in order to meet the commercial and private vehicle use forecasts at these points;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Legislative Transportation Committee and the State Highway Commission institute such joint studies as may be necessary to bring the above named highway routes and roadways up to suitable traffic and safety standards to meet the expected commercial, tourist and private vehicle use of these routes.

BE IT FURTHER RESOLVED, That the results of these investigations be presented, with any legislative recommendations, to the 1973 session of the Legislature.

MOTION

On motion of Senator Woodall, the following resolution was adopted:

SENATE RESOLUTION: 1972-43

By Senator Woodall:

WHEREAS, Chapter 180, Laws of 1967, was passed by the 1967 Legislature to regulate small loan agencies and credit unions; and

WHEREAS, The Legislative Council did the research and prepared this legislation for submission to the legislature; and

WHEREAS, Now there appears to be a problem arising for Washington Small Loan Agencies from the transferring of accounts legally made to non-Washington residents which were negotiated out-of-state when these borrowers move into the State of Washington; and

WHEREAS, This problem has created inconvenience to the customers of small loan agencies; and

WHEREAS, There are some questions as to the constitutionality of the provision regarding balances in excess of \$1,000.00 and the law which prohibits such activity; and

WHEREAS, The Division of Banking has been in communication with small loan agencies regarding these prohibitions;

NOW, THEREFORE, BE IT RESOLVED, That the Legislative Council review Chapter 180, Laws of 1967, to determine if the existing statute does prohibit the transferring of loans lawfully made out-of-state to non-Washington residents who move into the State of Washington, and if such action is a hardship placed upon small loan companies or their customers;

BE IT FURTHER RESOLVED, That the findings and recommendations be submitted to the next session of the legislature.

MOTION

On motion of Senator Scott, the following resolution was adopted:

SENATE RESOLUTION: 1972-44

By Senators Scott, Francis, Talley, Elicker, Clarke, Fleming, Durkan and Whetzel:

WHEREAS, The Arboretum is a priceless open space devoted to many uses and providing a showcase for the region, the management of which is divided among diverse groups; and

WHEREAS, The Arboretum suffered a seventy-three percent budget cut in the current budget which severely restricts the maintenance and operation of the asset; and

WHEREAS, Ways and means of funding and managing for this beauty spot must be found; and

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Legislative Council study funding and management of the Arboretum, obtaining input from the University of Washington, City of Seattle, King County and other interested groups and individuals to develop a funding proposal for the Arboretum which takes into account the public policy issues surrounding the variety of uses of the Arboretum for submission to the Legislative Budget Committee and Office of Program Planning and Fiscal Management prior to December 1, 1972.

MOTION

On motion of Senator Francis, the following resolution was adopted:

SENATE RESOLUTION: 1972-45

By Senators Francis, Scott, Murray and Gardner:

WHEREAS, The State of Washington faces continuing financial pressure to properly educate its elementary and secondary school children; and

WHEREAS, Recent court decisions in several states question the validity of existing methods of school financing; and

WHEREAS, The federal government is seriously exploring the possibility of assuming a larger share of the financial burden of educating elementary and secondary students throughout the United States; and

WHEREAS, The citizens of the State of Washington clearly deserve the best education that can be provided; and

WHEREAS, Nonpublic schools have served a valuable role in educating many of Washington's citizens at no cost to the State; and

WHEREAS, The Seattle school board is presently studying the possibility of undertaking a pilot project designed to test a new form of educational financing, namely, the "voucher" project; and

WHEREAS, The United States Office of Economic Opportunity has indicated that it is willing and able to bear the financial cost of such a voucher pilot project; and

WHEREAS, Education vouchers have been the subject of nationwide debate and discussion, and a voucher demonstration project in Washington State would focus national and international attention on the State of Washington;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That a comprehensive study of education vouchers be undertaken in the interim following the adjournment of the Forty-second Legislature, by the Joint Committee on Governmental Cooperation.

BE IT FURTHER RESOLVED, That this study and its recommendations be submitted to the Forty-third Legislature.

AND BE IT FURTHER RESOLVED, That the Secretary of the Senate present a copy of this Senate Resolution upon the passage hereof to the Chairman of the Joint Committee on Governmental Cooperation.

MOTION

Senator Woodall moved adoption of the following resolution:

SENATE RESOLUTION: 1972-46

By Senators Woodall, Odegaard, Durkan and Gissberg:

WHEREAS, The success or failure of programs within correctional institutions of this state affect each of us as citizens; and

WHEREAS, The death of State Trooper C. Frank Noble has directed attention to the furlough program in the state's penal institutions; and

WHEREAS, Legislators were assured on passage of the authorizing executive request legislation that furloughs were designed to aid inmates in their rehabilitation; and

WHEREAS, Contrary to this assurance, furloughs have been granted to inmates almost upon their imprisonment, and inadequate screening policies were followed; and

WHEREAS, Officials of the Department of Social and Health Services report that two thousand forty-nine furloughs have been granted since August, 1971, of which forty-two are listed as escapees and seventeen prisoners from Walla Walla have been charged with new felonies while away from the institution; and

WHEREAS, The inmates, themselves, through the Resident Council at Walla Walla, have criticized the looseness of the program's operation; and

WHEREAS, Law enforcement organizations, sheriffs and chiefs of police and the chief of the State Patrol have asked for either a discontinuation or critical review of the furlough program;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Committee on State Institutions and Youth Development of the Legislative Council be, and hereby is, requested to conduct an immediate study into this state's correctional institution programs, more particularly with reference to problems already brought to the public's attention, including but not limited to furloughs, work release, community-based centers for minimum security inmates, and inmate participation in program administration; included in such study shall be those rules and regulations relating to discipline and institutional labor, or the lack thereof, at the particular institutions, as well as drug trafficking within the particular institutions.

BE IT FURTHER RESOLVED, That the Committee on State Institutions and Youth Development of the Legislative Council will report its recommendations resulting from such a study and investigation, to the Forty-third Session of the Legislature.

Debate ensued.

POINT OF INQUIRY

Senator Peterson (Ted): "Mr. President, I rise to ask Senator Odegaard if he would yield to a question. Senator, I was going to pose this question to Senator Woodall because of his reference to Sidney all the time. Now I sat in on these hearings and before the trooper was murdered, this Bobby Rhay was a national figure. He had done things in the way of prison reform that were outstanding. He was listed as a national figure and was a leader in reform and I thought here is an outstanding individual. Now because of this happening we seem to be throwing the blame onto Sidney and the Social and Health Services and I am wondering if that is quite fair in view of what statements were made up to the time of this incident. Will you answer this, Senator? You had something there that you read and up to that point the warden was the top boy and took credit for all this and now we are referring to Sidney. I will go along with you and agree that we should have an investigation in the interim. But I do not think that it should be switched over and the blame given to the wrong person."

Senator Woodall: "Well, in answer to that I can only quote the warden when he testified over here. 'There was a lack of lead time before Olympia thrust the changes on us,' Rhay told the AP. 'I was not really in favor of the reform and it was a gut-wringing experience trying it on for size. It has been a traumatic year. It is the longest year I have ever put in.' So that is all I know about it."

The motion carried and the resolution was adopted.

MOTION

On motion of Senator Francis, the following resolution was adopted:

SENATE RESOLUTION: 1972-47

By Senator Francis:

WHEREAS, There exists a definite need for increased communications of a continuous nature between the Legislature and the federal government; and

WHEREAS, The establishment of a legislative liaison office in Washington, D.C. has been proposed as a means of meeting such need; and

WHEREAS, Several other states have established such offices in Washington, D.C. with favorable results;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Joint Committee on Governmental Cooperation is authorized and requested to undertake a full study of all factors relating to the establishment of such a legislative liaison office; and

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the 1973 session of the Legislature for its consideration.

MOTION

On motion of Senator Whetzel, the following resolution was adopted:

SENATE RESOLUTION: 1972-48

By Senators Whetzel and Elicker:

WHEREAS, There is a need for the State of Washington to preserve natural areas for the purposes of education, recreation, and research; and

WHEREAS, Private nonprofit organizations have demonstrated the ability to acquire such areas with private funds, thus saving the state and local governments the cost of acquisition of such areas; and

WHEREAS, Property taxes impose a high maintenance cost on such areas in private hands and have restricted the acquisition of additional areas;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Legislative Council undertake a study of the tax exemption heretofore granted

private nonprofit organizations in RCW 84.36.260 and laws enacted in other states such as California encouraging private acquisition and maintenance of such private reserves.

BE IT FURTHER RESOLVED, That this study and recommendations thereon be submitted to the Forty-third Legislature.

BE IT FURTHER RESOLVED, That the Secretary of the Senate transmit copies of this resolution to the chairman of the Legislative Council.

MOTION

Senator Day moved adoption of the following resolution:

SENATE RESOLUTION: 1972-49

By Senators Day, Elicker, Jolly, Newschwander and Francis:

WHEREAS, There is a public concern and disagreement on the best way to dispose of solid waste; and

WHEREAS, The technology for efficient and economical disposal of various kinds of trash have not kept up with the administrative regulations; and

WHEREAS, The public is much more concerned about air pollution than ever before; and

WHEREAS, There are concerns about the public nuisance of burning outdoors; and

WHEREAS, There is concern for fire safety and forest fire prevention; and

WHEREAS, There are overlapping jurisdictions and conflicting regulations involved in the subject of air pollution and burning;

NOW, THEREFORE, BE IT RESOLVED, That the Senate authorizes and requests the Legislative Council to undertake a study which would focus on the interrelated problems of waste disposal, air pollution, and water pollution, and the ways in which there could be adequate controls, while at the same time protecting individual freedoms and the utilization of intergovernmental cooperation of various governmental agencies, including local fire departments, to deal with the growing problems in this area.

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the next regular session of the legislature for its consideration.

POINT OF INQUIRY

Senator Stender: "Would Senator Day yield? I recall we passed a bill to. . ."

Senator Day: "Yes, sir, we did. However, there were still some questions. In fact, you will recall Senator Odegaard put an amendment on the bill relative to burning to control pests and disease in certain types of plants and then the department came up and said that they felt the amendment had actually tightened the law instead of broadened it. We cannot agree, reading it the way we do. However, all we are asking is that we continue to study the problem."

Senator Stender: "We pass the bill and then study what we did."

Senator Day: "There were other bills relative to this same subject, Senator, that did not pass and we want to be sure that our position is the best position."

The motion carried and the resolution was adopted.

MOTION

On motion of Senator Peterson (Lowell), the following resolution was adopted:

SENATE RESOLUTION: 1972-50

By Senators Peterson (Lowell) and Canfield:

WHEREAS, The interest of our residents in daily use fees for state parks is reflected by increasing public opinion on the subject; and

WHEREAS, The entire concept of user fees should be the subject of a detailed study; and

WHEREAS, The Parks and Recreation Commission has jurisdiction over our state parks; and

WHEREAS, Said commission has both the expertise and staff to conduct such study;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Parks and Recreation Commission is authorized and requested to undertake a further study of the concept of user fees for our state parks and recommend principles and procedures whereby a system of user fees could be implemented;

BE IT FURTHER RESOLVED, That the results of the study and the recommendations be presented to the next regular session of the legislature for its consideration.

MOTION

On motion of Senator Francis, the following resolution was adopted:

SENATE RESOLUTION: 1972-51

By Senators Francis, Metcalf and Durkan:

WHEREAS, The tenuring of an instructor virtually guarantees him a permanent position with a college; and

WHEREAS, Students have just concern with the tenure of instructors; and

WHEREAS, There are presently no direct channels for student involvement in tenure review committees;

NOW, THEREFORE, BE IT RESOLVED, That the Senate authorizes and requests the Joint Committee on Higher Education to conduct a study on the feasibility of including students as full participants in tenure review processes; and

BE IT FURTHER RESOLVED, That the Joint Committee on Higher Education is requested to conduct its study during the interim period prior to the convening of the 1973 Regular Session of the Legislature, and make its final report, together with its findings and recommendations to the Governor and the Legislature before said convening.

MOTION

On motion of Senator Francis, the following resolution was adopted:

SENATE RESOLUTION: 1972-52

By Senators Francis and Cooney:

WHEREAS, The provisions of the Washington Constitution and statutes relating to voters' requirements place undue and burdensome barriers to registration for the privilege of voting; and

WHEREAS, Some provisions of Title 29 RCW have been rendered inapplicable due to the lowering of the voting age by federal enactment;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington request the Legislative Council to undertake a complete review of this state's voting requirements, particularly the requirements of residency and those provisions relating to naturalized citizenship, and formulate proposals to the 1973 Session of the Legislature designed to simplify voting registration and eliminate or decrease arbitrary time periods of prior residency as prerequisites to the right to vote; and

BE IT FURTHER RESOLVED, That the Senate hereby requests the Legislative Council to ascertain those provisions of the state constitution and Title 29 RCW which are no longer appropriate in light of federal legislation, judicial determinations, and sound public policy regarding voting rights, and to make specific proposals to the 1973 Session of the Legislature.

MOTION

Senator Francis moved adoption of the following resolution:

SENATE RESOLUTION: 1972-53

By Senators Francis, Gardner and Dore:

WHEREAS, The physical, mental, and emotional health of minor child citizens while under adult supervision other than that of the parents or legal guardian is greatly affected by the presence of such adult supervisors in primary and secondary schools of Washington state; and

WHEREAS, Additional study is needed to measure the need for improvement of treatment of minors in primary and secondary schools as well as to determine potential solutions to such problems;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Joint Committee on Education is requested and authorized to undertake a study of the treatment of children in the Washington state primary and secondary schools, and the effect of such treatment on their physical, mental, and emotional health, and;

BE IT FURTHER RESOLVED, That the Joint Committee on Education be requested to present the results of its study and any recommendations to the 1973 Session of the Legislature.

POINT OF INQUIRY

Senator Stender: "Mr. President and members, I am a little bit at a loss here as to what is going on. 'Whereas the physical, mental and emotional health of minor child citizens while under adult supervision other than that of parent or legal guardian is greatly affected by the presence of such adult supervisors in primary and secondary schools.' Are they talking about the teacher?"

Senator Francis: "Senator, it may also include the principal, it may include an athletic coach. If I may respond to that, the article indicated a teacher stuffed a child's mouth with paper towels, ostensibly to keep her quiet. Now the article alleged that some children are ridiculed verbally, some to the point of tears, in elementary grades. I have been told that some children are made to play outdoors during recess regardless of the weather and that this is bad for their physical health. I do not know if this is true or not. I have been told the toilet facilities are locked during lunch time, recess, and so forth in one school. These are the kinds of things I do not think we can shut our eyes to. All I am asking is that the joint committee be requested to look into it and consider whether or not the testimony convinces them. It has nothing to do with the student bill of rights or student discipline procedures bill which we passed last session. It has to do with their physical and mental welfare."

Senator Stender: "I only asked one question, if this included the teacher, and now you are making a speech."

Senator Francis: "It does include the teachers and any other adult supervisors that may be making decisions about the children's welfare in the school program."

The motion by Senator Francis failed and the resolution was not adopted on a rising vote.

MOTION

On motion of Senator Gissberg, the following resolution was adopted:

SENATE RESOLUTION: 1972-54

By Senators Gissberg, Francis and Rasmussen:

WHEREAS, The Legislature has passed and referred to the people of the State of Washington HJR 61, which recognizes the full equality of all individuals regardless of sex; and

WHEREAS, If passed, the Equal Rights Amendment, may have a significant impact on a large variety of the state's economic, social and political institutions and on existing laws; and

WHEREAS, It would be beneficial to the welfare of the State of Washington that a full study of the impact of HJR 61 be conducted if the Equal Rights Amendment should be adopted by the people;

NOW, THEREFORE, BE IT RESOLVED, That the Senate authorizes and requests the Legislative Council in cooperation with the Statute Law Committee, to make a complete study of the impact of the Equal Rights Amendment on existing laws.

BE IT FURTHER RESOLVED, That the Legislative Council is requested to present its findings and any recommendations to the members of the Legislature prior to October 1, 1972.

MOTION

Senator Francis moved adoption of the following resolution:

SENATE RESOLUTION: 1972-55

By Senators Francis and Sandison:

WHEREAS, The State of Washington is rich in fossils and other paleontological resources, which, if properly managed, may provide the basis for educational, research, and recreational programs, and might significantly augment the important and growing field of paleontology; and

WHEREAS, While many areas of the State of Washington are well known paleontologically, vast areas remain totally unexplored and their fossil resources remain unknown, and if any worthwhile vestige of the prehistoric and fossil heritage of this state is to survive, some form of long range planning and management of the paleontological resources of this state is essential;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That it should be the policy of the State of Washington to preserve for the inspiration and benefit of its people the fossils, structures, and other paleontological objects located within this state; and

BE IT FURTHER RESOLVED, That the Legislative Council is requested to study the entire matter of conservation, protection, and management of paleontological sites and other such resources in the State of Washington, and in the conduct of each such study to consult with and obtain the views of the following groups:

- (1) Washington Department of Natural Resources;
- (2) Department of Ecology;
- (3) State Parks and Recreation Commission;
- (4) Washington State Historical Society; and
- (5) Department of biological sciences of various institutions of higher education in the state.

BE IT FURTHER RESOLVED, That the Legislative Council is requested to submit the results of such study if completed, and the council's recommendations for appropriate legislative action to a regular session of the legislature.

POINT OF INQUIRY

Senator Talley: "Would Senator Francis yield? What does the word 'paleontology' mean?"

Senator Francis: "Senator Talley, I do not know if I am glad you asked that or not but I have a little piece of paper here in front of me and it says, 'What is paleontology? The term "paleontology" is derived from the Greek language meaning the study of ancient life.' We are talking about fossil life and fossil organisms."

The motion by Senator Francis carried and the resolution was adopted.

MOTION

Senator Francis moved adoption of the following resolution:

SENATE RESOLUTION: 1972-56

By Senators Francis and Scott:

WHEREAS, The Washington State Legislature is assigned in Article II, Section 3 of the Washington State Constitution the task of reapportionment and redistricting of the Legislature; and

WHEREAS, The Washington State Legislature in attempting to redistrict and reapportion itself finds it inherently difficult to accomplish the task with impartiality and an absence of conflict of interest; and

WHEREAS, A nonlegislative agency, body, or commission may be able to redistrict and reapportion the legislature without the inefficiency, the great costs, and the attendant conflicts between the interests of incumbents and the interests of the people associated with redistricting by the Legislature;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, That the Legislative Council be authorized and directed to make a full study of the alternative types of commissions capable of accomplishing reapportionment and redistricting; and

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented prior to the 1975 Session of the Legislature for its consideration and discussion.

POINT OF INQUIRY

Senator Canfield: "Will Senator Francis yield? Senator, I agree with the thrust of the resolution but why do you sort of render judgment already on lines 8 to 12 and say a nonlegislative body should probably get the call to do this? Should not we leave this open to the recommendation of the study?"

Senator Francis: "Senator Canfield, I certainly did not mean to reach any conclusions. It says, 'Whereas a nonlegislative agency, body or commission may be able to redistrict' in effect better I think would summarize it, I did not mean to give the impression we had reached the conclusion that it would but that might be, and maybe we ought to look at whether or not that would be true."

Senator Canfield: "I would think that a study of the proper committee would consider that possibility but it seems to me that the suggestion is pretty strong that this should not be in the hands of the legislature and I wonder if that is what you mean to convey in this resolution."

Senator Francis: "I did not, Senator. That would be my personal feeling but it is my intent that resolutions be written in such a way that they do not prejudice the question but only ask that it be studied, and my feeling is that is the way it is written. If there is any implication contrary to that I would say here on the record that it is certainly not my intention that any prejudgments be made but that the Legislative Council go into it completely open on the question."

MOTION

Senator Greive moved that the resolution be laid upon the table.

Senator Francis demanded a roll call and the demand was sustained by Senators Elicker, Sellar, Metcalf, Holman, Washington, Talley, Ridder, Matson and Huntley.

ROLL CALL

The Secretary called the roll and the resolution was laid upon the table by the following vote: Yeas, 27; nays, 18; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Fleming, Gissberg, Greive, Guess, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Sandison, Stender, Twigg, Woodall—27.

Voting nay: Senators Clarke, Elicker, Francis, Holman, Lewis, Matson, Metcalf, Murray, Rasmussen, Ridder, Scott, Sellar, Stortini, Talley, Walgren, Washington, Whetzel, Wilson—18.

Absent or not voting: Senators Durkan, Foley, Mardesich—3.

Excused: Senator Gardner-1.

The motion by Senator Greive carried and the resolution was laid upon the table.

MOTION

Senator Rasmussen moved adoption of the following resolution:

SENATE RESOLUTION: 1972-57

By Senators Rasmussen, Matson, Stortini, Knoblauch, Guess and Stender:

WHEREAS, The increase in automobile travel across the Cascades will require the construction of a Naches Pass highway and tunnel toll project; and

WHEREAS, The importance of Puget Sound as a major port on the Pacific coast will require a more direct connection to the agricultural centers east of the Cascades; and

WHEREAS, The legislature needs to bring up to date the materials and data already gathered for this project to report to the 1973 Legislature;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That the Legislative Transportation Committee, in consultation with the Department of Highways, shall review the studies already completed, and shall make recommendations to the 1973 Legislature as to the feasibility of the project; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the Chairman of the Legislative Transportation Committee and the Director of the Department of Highways.

POINT OF INQUIRY

Senator Canfield: "Thank you, Mr. President. Senator Rasmussen mentioned this is the Naches Tunnel or some other tunnel. I am just wondering how familiar you are, Senator Rasmussen, and how many studies have been made on this tunnel?"

Senator Rasmussen: "Senator Canfield, I think there have been two engineering studies made, each of them has declared it feasible and since that time we have information on the ten mile tunnel that is being bored through the Swiss Alps, with machinery that is built in Seattle."

Senator Canfield: "Mr. President, I did not ask about the Swiss Alps. I just asked about how many studies have been made on this tunnel."

Senator Rasmussen: "Senator Canfield, I was getting to the . . ."

Senator Canfield: "Well that is enough. Thank you."

POINT OF INQUIRY

Senator Canfield: "Would Senator Huntley yield to a question? Senator, you used to be chairman of the highway commission and maybe you could answer the question. How many studies have been made on the Naches Tunnel?"

Senator Huntley: "I do not know. I lost track a long time ago. There have been quite a few of them, to answer you very seriously."

The motion by Senator Rasmussen carried and the resolution was adopted.

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 29,

HOUSE BILL NO. 86,

HOUSE BILL NO. 143,

HOUSE BILL NO. 187,

HOUSE BILL NO. 189,

HOUSE BILL NO. 190,

HOUSE CONCURRENT RESOLUTION NO. 21,

HOUSE CONCURRENT RESOLUTION NO. 23,

HOUSE CONCURRENT RESOLUTION NO. 24,
HOUSE CONCURRENT RESOLUTION NO. 25.

MOTION

Senator Andersen moved that all resolutions be deferred until the Senate considers measures dealing with tax reform and the supplemental budget.

PARLIAMENTARY INQUIRY

Senator Peterson (Lowell): "Mr. President, do we have the budget before us?"

REPLY BY THE PRESIDENT

The President: "The budget is before the House of Representatives, Senator Peterson."

Senator Peterson (Lowell): "It is still in the House of Representatives?"

The President: "Yes, Senator Peterson."

There being no objection, the motion by Senator Andersen was withdrawn.

MOTION

On motion of Senator Bailey, the Senate returned to the first order of business.

REPORT OF STANDING COMMITTEE

February 19, 1972.

ENGROSSED HOUSE BILL NO. 248, relating to campaign contributions, expenditures (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Cooney, Chairman; Canfield, Donohue, Greive, Holman, Keefe, Mardesich, Matson, Metcalf, Stender, Woodall.

MOTION

On motion of Senator Woodall, the rules were suspended, Engrossed House Bill No. 248 was advanced to second reading.

REPORT OF STANDING COMMITTEE

February 19, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 341, regulating lobbyists (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass as amended.

Signed by: Senators Cooney, Chairman; Canfield, Donohue, Greive, Holman, Keefe, Mardesich, Matson, Metcalf, Stender, Woodall.

MOTION

On motion of Senator Woodall, the rules were suspended, Engrossed House Bill No. 341 was advanced to second reading.

Senators Scott, Holman and Guess 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 Gardner and

Talley. On motion of Senator Greive, the rules were suspended and Senator Talley was excused. Senator Gardner had been previously excused. On motion of Senator Bailey, the Senate proceeded under the Call of the Senate.

SECOND READING

ENGROSSED HOUSE BILL NO. 248, by Representatives Brown, Charette, Rabel, Ceccarelli, Blair, North, Kraabel, Jones, Barden, Paris, Kiskaddon, Bledsoe, Charnley, Douthwaite, Maxie, Bradley, Curtis, Gilleland and Hoggins (by executive and Secretary of State request):

Relating to campaign contributions and expenditures.

REPORT OF STANDING COMMITTEE

February 19, 1972.

ENGROSSED HOUSE BILL NO. 248, relating to campaign contributions, expenditures (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following the enacting clause, strike the remainder of the bill and insert:

"NEW SECTION. Section 1. There is added to Title 29 RCW a new chapter to read as set forth in sections 2 through 24 of this act.

NEW SECTION. Sec. 2. DECLARATION OF LEGISLATIVE PURPOSE. It is hereby declared to be the public policy of the state of Washington that:

(1) The legislature recognizes that requiring an individual contributor of a campaign contribution to be identified may very well, especially in the case of small contributors, seem to be a distasteful invasion of the right of privacy. Such a requirement would mean that each individual contributor would have to publicly declare his politics and that his personal philosophic leanings, which hitherto he may only have shared with his family and intimates, would now be subject to public scrutiny and be recorded in government offices and computers. It is the finding of the legislature that requiring disclosure of the identity of these contributors would effectively cause many small contributors to cease making contributions. For this reason and for reasons of privacy the legislature declares that the identity of minor contributors to political parties or political organizations having the interest of electing numerous candidates should not be required to be disclosed.

(2) The legislature further finds that the concept of attempting to increase financial participation of individual contributors in political campaigns is encouraged by the passage of the Revenue Act of 1971 by the Congress of the United States, and in consequence thereof, there is a need for legislation on the state level for implementing legislation.

(3) The legislature further declares that the public interest is sufficient to require that contributors in amounts in excess of one hundred dollars to the campaigns of individual candidates should be identified, notwithstanding the loss of privacy involved. It is the feeling of the legislature that to require the disclosure of contributors to ideological political parties and like organizations would constitute an extreme invasion of the right of privacy.

(4) Major political campaign contributions and expenditures be fully disclosed to the public and that secrecy be avoided.

(5) The people have the right to expect from their elected representatives at all levels of government, assurances of the utmost integrity, honesty and fairness in their dealings.

(6) The people further have the right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives, and of candidates for those offices, present no conflict of interest between the public trust and private interests.

(7) Public confidence in government at all levels can be sustained by assuring the people of the impartiality and honesty of the officials in all governmental transactions and decisions.

NEW SECTION. Sec. 3. APPLICABILITY. The provisions of this chapter shall apply to all election campaigns other than campaigns for:

- (1) President and vice president of the United States;
- (2) United States congress;
- (3) Offices of any municipal corporation of the fourth class;

- (4) Directors of any school district;
- (5) Offices of any district which does not encompass a whole county, and which contains less than five thousand registered voters according to the most recent general election of such district and/or officers of any district which requires ownership of property as a prerequisite to voting;
- (6) Precinct committeemen.

NEW SECTION. Sec. 4. DEFINITIONS. As used in this chapter, unless the context requires otherwise:

(1) "Campaign depository" means a bank designated by a candidate or campaign or proposition committee pursuant to section 6 of this act.

(2) "Campaign treasurer" and "deputy campaign treasurer" mean the individuals appointed by a candidate or campaign or proposition committee, pursuant to section 6 of this act to perform the duties specified in sections 7 through 12 of this act.

(3) "Candidate" means any individual who seeks nomination for, or election to, public office. For purposes of this chapter, an individual shall be deemed to seek nomination or election when he files for office.

(4) "Campaign committee" means any person, except an individual dealing with his own funds or property, receiving contributions or making expenditures solely in support of, or in opposition to, a particular candidate.

(5) "Commercial advertiser" means any person who sells or supplies the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television and radio stations, billboard companies, printing companies, or otherwise.

(6) "Contribute" or "contribution" means any monetary advance, conveyance, deposit, distribution, gift, loan, payment, pledge or subscription of money, the aggregate of which is in excess of one hundred dollars and any contract, agreement, promise or other obligation, whether or not legally enforceable, to make a monetary contribution in support of or in opposition to any candidate, campaign committee or proposition; but do not include:

(a) Services of the sort commonly performed by volunteer workers and for which no compensation is asked or given.

(b) Incidental expenses personally paid for by volunteer campaign workers.

(7) "Election" includes primary, general, and special elections for a public office to be filled by the voters and any election in which a proposition is submitted to the voters.

(8) "Election campaign" means any campaign of a candidate for nomination for, or election to, public office and any campaign in support of, or in opposition to, a proposition.

(9) "Expend" or "expenditure" means any advance, conveyance, payment or transfer of money or any other thing of value, and any contract, agreement, promise or other obligation to make an expenditure, whether or not legally enforceable, in support of or in opposition to any candidate, campaign committee or proposition.

(10) "Final report" means the report described and designated as such in section 9 of this act.

(11) "Person" includes an individual, partnership, joint venture, corporation, association, governmental entity or agency, candidate, proposition committee, campaign committee, or any other organization or group of persons, however organized: PROVIDED, HOWEVER, That political committees and political parties and their executive committees thereof are specifically excluded from the scope of this definition.

(12) "Political advertising" means any advertising displays, newspaper advertisements, billboards, signs, tabloids, radio or television presentations, used for the purpose of appealing directly or indirectly, for votes or for financial or other support in any election campaign.

(13) "Political committee" means any committee, association, or organization (whether or not incorporated) organized and operated for the purpose of influencing, or attempting to influence, the nomination or election of two or more individuals who are candidates for nomination or election to any state, or local elective public office.

(14) "Proposition committee" means any person, except an individual dealing with

his own funds or property, receiving contributions or making expenditures in support of, or in opposition to, a proposition.

(15) "Proposition" means any "measure" as defined by RCW 29.01.110, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of any specific constituency when that proposition is filed with the appropriate election officer of that constituency.

(16) Supervisory authority means:

(A) in the case of an election involving cities of the first class the city clerk thereof;

(B) in the case of an election involving cities, other than first class cities, the county auditor;

(C) in the case of an election involving any other political subdivision of the state of Washington located in one county, the county auditor;

(D) in the case of an election involving any other political subdivision of the state of Washington located in two or more counties, the secretary of state;

(E) in the case of an election involving a state-wide issue or candidate, excepting legislative positions, the secretary of state;

(F) in the case of an election involving legislative positions, the respective board of legislative ethics, created pursuant to RCW 44.60.020.

(17) When consistent with the context, words in the masculine, feminine or neuter genders shall be construed to be interchangeable with and to include such other genders; and words in the singular number shall be construed to include the plural, and in the plural to include the singular, and each shall be construed to be interchangeable with the other.

NEW SECTION. Sec. 5. OBLIGATION OF COMMITTEES TO FILE STATEMENT OF ORGANIZATION. (1) Every committee, within ten days after its organization or, within ten days after the date when it first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier, shall file with the supervisory authority a statement of organization. Each committee in existence on the effective date of this act shall file a statement of organization with the supervisory authority within ninety days after such effective date.

(2) The statement of organization shall include but not be limited to:

(a) The name and address of the committee;

(b) The names and addresses of all related or affiliated committees;

(c) The names, addresses, and titles of its officers; or if it has no officers, the names, addresses and titles of its responsible leaders, and the persons that will have custody of its book of accounts;

(e) The name and address of its campaign treasurer and campaign depository, if any;

(f) A statement whether the committee is a continuing one;

(g) The name, office sought, and party affiliation of each candidate whom the committee is supporting, and, if the committee is supporting the entire ticket of any party, the name of the party; and

(h) The ballot proposition concerned, if any, and whether the committee is in favor of or opposed to such proposition.

(3) Any material change in information previously submitted in a statement of organization shall be reported to the supervisory authority within the ten days following the change.

NEW SECTION. Sec. 6. CAMPAIGN TREASURER AND DEPOSITORIES. (1) Each candidate, at or before the time he announces publicly or files for office, whichever occurs later and each campaign or proposition committee, at or before the time it files a statement of organization, shall designate and file with the supervisory authority the names and addresses of:

(a) One elector, who may be the candidate, to serve as a campaign treasurer; and

(b) One bank doing business in this state to serve as campaign depository.

(2) A candidate, campaign or proposition committee or a campaign treasurer may appoint as many deputy treasurers as is considered necessary and may designate not more than one additional campaign depository in each county in which the campaign is conducted. The candidate or campaign or proposition committee shall file the names and addresses of the deputy campaign treasurers and additional campaign depositories with the supervisory authority.

(3) (a) A candidate, or campaign or proposition committee may at any time remove a campaign treasurer or deputy treasurer or change a designated campaign depository.

(b) In the event of the death, resignation or removal of a campaign treasurer, deputy campaign treasurer or depository, the candidate or campaign or proposition committee shall designate and file with the supervisory authority the name and address of any successor.

(4) No campaign treasurer, deputy campaign treasurer, or campaign depository shall be qualified until his name and address is filed with the supervisory authority.

NEW SECTION. Sec. 7. DEPOSIT OF CONTRIBUTIONS—STATEMENT OF CAMPAIGN TREASURER—ANONYMOUS CONTRIBUTIONS. (1) All monetary contributions received by a candidate or campaign or proposition committee shall be deposited by the campaign treasurer or deputy treasurer in a campaign depository in an account designated, "Campaign Fund of" (name of candidate or committee) no later than the fifth regular day of business of such depository after the day of receipt.

(2) Each deposit made by a campaign treasurer or deputy campaign treasurer shall be documented by a statement containing the amount of the deposit and the name of each person contributing the funds so deposited and the amount contributed by each person, in excess of one hundred dollars which statement shall be retained by the campaign treasurer. The statement shall be upon a form prescribed by the supervisory authority and shall be sworn to as correct by the campaign treasurer or deputy campaign treasurer making the deposit.

(3) Anonymous contributions by a single contributor in excess of an aggregate amount of ten dollars received by a candidate or campaign or proposition committee shall not be deposited, used, or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor's identity cannot be ascertained, the contribution shall escheat to the state, and shall be paid to the state treasurer for deposit in the state general fund.

NEW SECTION. Sec. 8. AUTHORIZATION OF EXPENDITURES AND RESTRICTIONS THEREON. From the time the campaign treasurer is appointed, until a final report is filed, no expenditures shall be made or incurred by any candidate or campaign or proposition committee except on the authority of the campaign treasurer or the candidate, and a record of all such expenditures shall be maintained by the campaign treasurer.

NEW SECTION. Sec. 9. REPORTS OF CONTRIBUTIONS AND EXPENDITURES BY CANDIDATES AND COMMITTEES. (1) Within seven days after the day the campaign treasurer is designated each candidate or campaign or proposition committee shall file with the supervisory authority a report of contributions and expenditures made in the election campaign: **PROVIDED**, That the initial report of a campaign or proposition committee in existence on the effective date of this act and not established in anticipation of any specific election campaign shall be filed with the supervisory authority within ten days after such effective date and shall include:

(a) A statement of the funds on hand at the time of such report;

(b) Such other information as the supervisory authority may by regulation prescribe in furtherance of and consistent with the policy and purpose of this act.

(2) Reports of contributions and expenditures shall also be filed by each candidate and campaign or proposition committee with the supervisory authority:

(a) As to contributions and expenditures made in or on account of the election campaign of a candidate for nomination for, or election to, public office:

(i) On or before twenty days prior to the primary election; and

(ii) Within ten days after the primary election; and

(iii) Within ten days after the general election.

(3) As to contributions and expenditures made in or on account of an election campaign in support of, or in opposition to, a proposition:

(a) On or before the last day of each month prior to the date of the election; and

(b) Within ten days after the date of the election.

If after filing the last report as provided in this section, the candidate or committee has any outstanding debts or obligations for expenditures incurred in or on account of the election campaign, or if the committee continues in existence, supplemental reports of all contributions and expenditures made since the date of the last report shall be filed quarterly until the obligation or indebtedness is entirely satisfied or the committee dissolved as the

case may be, and the last such report shall be the final report: PROVIDED, That when the campaign fund has been closed, the campaign has been concluded in all respects, there are no outstanding debts or obligations incurred in or on account of the election campaign, and in the case of a committee, such committee has ceased to function and has dissolved, a report filed at any time thereafter shall be the final report and the duties of the campaign treasurer shall cease and there shall be no obligation to make any further reports.

NEW SECTION. Sec. 10. CONTENTS OF REPORTS. All reports filed pursuant to section 9 of this act shall be duly sworn to as to correctness by the candidate or by the campaign treasurer of a committee and shall disclose for the period covered:

- (1) The funds on hand at the beginning of the period;
- (2) The name and address of each person who has made one or more contributions during the period for which the report is filed, together with the amount of such contributions;
- (3) The sum of contributions not reported under subsection (2) above;
- (4) Each loan, promissory note or security instrument to be used by or for the benefit of the candidate or committee made by any person in furtherance of the election campaign together with the names and addresses of the maker of such loan, note or instrument, the date and amount thereof, and the names and addresses of any endorsers;
- (5) The name and address of any political committee from which the reporting committee or candidate received, or to which the reporting committee or candidate transferred any funds, together with the amounts, dates and purpose of all such transfers;
- (6) The name and address of each person to whom an expenditure in excess of twenty-five dollars was made and the amount, date and purpose of each such expenditure;
- (7) The sum of expenditures required to be reported above.

NEW SECTION. Sec. 11. Every candidate for an elective office in this state including state, county, city, town and district offices whether such election is partisan or nonpartisan, except a candidate for precinct committeeman, shall simultaneously with filing a declaration of candidacy file with the same officer at the same time a signed copy of the following code of fair campaign practices.

“CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty and fair play which every candidate for public office in the United States and the State of Washington has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues before the country and this state.

Therefore:

I shall conduct my campaign in the best American tradition, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponent and his party which merit such criticism.

I shall defend and uphold the right of every qualified American voter to full and equal participation in the electoral process.

I shall condemn the use of personal vilification, character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his personal or family life.

I shall condemn the use of campaign material of any sort which misrepresents, distorts, or otherwise falsifies the facts regarding any candidate, as well as the use of malicious or unfounded accusations against any candidate which aim at creating or exploiting doubts, without justification, as to his loyalty and patriotism.

I shall condemn any appeal to prejudice based on race or national origin.

I shall condemn any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections or which hampers or prevents the full and free expression of the will of the voters.

I, the undersigned, candidate for election to public office in the United States of

America and the State of Washington, hereby endorse, subscribe to, and solemnly pledge myself to conduct my campaigns in accordance with the above principles and practices, so help me God.

.....
Date Signature"

NEW SECTION. Sec. 12. CAMPAIGN EXPENDITURE LIMITATIONS. From the time the campaign treasurer is appointed, until a final report is filed.

The total of expenditures made by, for, or on behalf of any candidate in relation to any campaign for political advertising shall not exceed the larger of the following amounts:

- (a) Ten cents multiplied by the number of voters registered; or
- (b) Five thousand dollars; or
- (c) A sum equal to the public salary which will be paid to the occupant of the office which the candidate seeks, during the term for which the successful candidate will be elected; or
- (d) With respect to candidates for the office of governor and lieutenant governor of the state of Washington only, a sum equal to the public salary which will be paid the governor during the term sought, multiplied by two.

Any candidate who knowingly, intentionally and wilfully violates the provisions of this section, and any person who aids or abets such a violation, shall be subject to the provisions and penalties of section 18 of this act.

The total of expenditures made by, for or on behalf of any ballot proposition shall not exceed one hundred thousand dollars.

NEW SECTION. Sec. 13. COMMERCIAL ADVERTISERS' DUTY TO REPORT. (1) Within fifteen days after an election each commercial advertiser who has accepted and displayed or communicated political advertising to the public during the election campaign shall file a report with the supervisory authority which shall be certified as correct and shall specify:

- (a) The names and addresses of persons from whom it accepted political advertising;
 - (b) The exact nature and extent of the advertising services rendered;
 - (c) The consideration and the manner of paying that consideration for such services;
- and
- (d) Such other facts as the supervisory authority may by regulation prescribe, in keeping with the purposes of this act.

(2) No report shall be required from any printing company as to any single candidate or campaign or proposition committee when the total consideration received therefrom does not exceed fifty dollars.

NEW SECTION. Sec. 14. DUTY TO PRESERVE STATEMENTS AND REPORTS. Persons with whom statements or reports or copies of statements or reports are required to be filed under this act shall preserve them for two years. The supervisory authority, however, shall preserve such statements or reports for a period of five years.

NEW SECTION. Sec. 15. IDENTIFICATION OF CONTRIBUTIONS AND COMMUNICATIONS. No contribution in excess of one hundred dollars shall be made and no expenditure shall be incurred, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative or other person in such a manner as to conceal the identity of the source of the contribution, in any election campaign.

NEW SECTION. Sec. 16. POLITICAL ADVERTISING—IDENTIFICATION OF SPONSORS. All political advertising, whether relating to candidates or propositions, however proposed, promulgated or disseminated, shall identify the sponsors thereof by listing the name and address of the sponsor or sponsors on the material or in connection with its presentation. If a candidate or candidates run for partisan political office, they and their sponsors shall also designate on all such political advertising clearly in connection with each such candidate the party to which each such candidate belongs: PROVIDED, That licensees of the federal communications commission shall identify political advertisers in compliance with FCC regulations.

NEW SECTION. Sec. 17. SUPERVISORY AUTHORITY DUTIES. The supervisory authority shall:

(1) Develop and distribute prescribed forms for the filing of the reports and statements required by this chapter;

(2) Prepare and publish a manual setting forth recommended uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter;

(3) Make each report and statement filed with it available during regular office hours for public inspection and for copying at cost to any person requesting copies of the same;

(4) Preserve such reports and statements as required by section 14 hereof;

(5) Compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(6) Determine whether the required reports and statements have been filed and, if so, whether they conform with the requirements of this chapter; and

(7) Report apparent criminal acts in violation of law, as provided in section 18 of this act, to the appropriate law enforcement authorities.

NEW SECTION. Sec. 18. CRIMINAL PENALTIES; LIMITATIONS ON ACTIONS. (1) Any person who knowingly and wilfully violates a provision of this chapter shall be guilty of a misdemeanor and shall be punishable by a fine of not more than five hundred dollars. Violations include, but are not limited to:

(a) Filing a statement or report containing any intentionally false or misleading information;

(b) Making or receiving a contribution in contravention of this chapter;

(c) Making or receiving an expenditure in contravention of this chapter;

(d) Failing to return a contribution in excess of ten dollars allegedly made anonymously to the known donor or failing to send any contribution whose donor is actually unknown to the state treasurer;

(e) Paying funds from a campaign fund contrary to the provisions of this chapter;

(f) Failing to preserve statements or reports for the required period of time;

(g) Failing to maintain accounts of political advertising as required by this chapter.

(2) Any action for the enforcement of the provisions of this chapter must be commenced within one year after the date of the election to which the violation is reasonably related.

(3) In addition, any office holder, not subject to impeachment, who, after exhausting his rights of appeal, is convicted of violating any provisions of this chapter shall forfeit his office and its rights and privileges, and the office shall be vacant and shall be filled in the manner prescribed by law; or, if subject to impeachment, such violation shall constitute a ground for impeachment of such office holder in the manner provided by law.

(4) The prosecuting attorneys of political subdivisions of this state shall enforce this section by filing criminal complaints in courts of appropriate jurisdiction.

NEW SECTION. Sec. 19. DATE OF MAILING DEEMED DATE OF RECEIPT. When any application, report, notice, or payment required to be made to any person or supervisory authority under the provisions of this chapter has been deposited postpaid in the United States mail addressed to such person or supervisory authority, it shall be deemed to have been received by him on the date of mailing. It shall be presumed that a date shown by the post office cancellation mark on the envelope is the date of mailing.

NEW SECTION. Sec. 20. REPEALS. The following acts or parts of acts are each hereby repealed:

(1) Section 29.18.140, chapter 9, Laws of 1965, section 9, chapter 150, Laws of 1965 ex. sess. and RCW 29.18.140; and

(2) Section 29.85.270, chapter 9, Laws of 1965 and RCW 29.85.270.

NEW SECTION. Sec. 21. TITLE. This act shall be known and cited as the "Campaign Reporting Act of 1972."

NEW SECTION. Sec. 22. SECTION HEADINGS ARE NOT PART OF LAW. Section captions or headings, used in this act, do not constitute any part of the law.

NEW SECTION. Sec. 23. 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.

NEW SECTION. Sec. 24. EFFECTIVE DATE. The effective date of sections 9 through 25 of this act shall be January 30, 1973 if passed by a vote of the people.

NEW SECTION. Sec. 25. REFERENDUM. This act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1972, in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and laws adopted to facilitate the operation thereof: PROVIDED, That this 1972 amendatory act shall not take effect, and shall be of no force or effect, unless at that same election referendum no. . . . (Engrossed Substitute House Bill No. 341) is adopted and ratified by a vote of the people."

On page 1, strike all of the title and insert the following:

"An Act relating to the regulation and reporting of campaign contributions and expenditures; establishing an elections commission; adding a new chapter to Title 29 RCW; creating new sections; repealing section 29.18.140, chapter 9, Laws of 1965, section 9, chapter 150, Laws of 1965 ex. sess. and RCW 29.18.140; repealing section 29.85.270, chapter 9, Laws of 1965 and RCW 29.85.270; prescribing penalties; and providing for submission of this act to a vote by the people."

Signed by: Senators Cooney, Chairman; Canfield, Donohue, Greive, Holman, Keefe, Mardesich, Matson, Metcalf, Stender, Woodall.

The bill was read the second time by sections.

Senator Woodall moved adoption of the committee amendments.

POINT OF INQUIRY

Senator Holman: "Will Senator Woodall yield to a question? On page 12, section 12, line 11, it states that—this is in the campaign expenditure limitation section—it says 'The total of expenditures made by, for or on behalf of any candidate in relation to any campaign for political advertising shall not exceed.' I take it then that this means that the expenditure limitations only relate to political advertising as defined in the act. Is that right?"

Senator Woodall: "Yes. There is no attempt to make you report your volunteer workers or you do not count—they are excluded. A circular that you might have mailed like a mailing is not included in this, no."

Senator Holman: "Postage and mailing and office expenses and that sort of thing are excluded from this limitation?"

Senator Woodall: "Yes, that would be."

Senator Holman: "Thank you."

POINT OF INQUIRY

Senator Elicker: "Would Senator Woodall yield? Senator, on page 8, section 7, is about anonymous contributions by a single contributor in excess and so on in the amount of ten dollars shall not be used or expended but shall be returned to the donor in the event he can be ascertained. My question to you is, if I had a party where the tickets were say seven dollars and fifty cents apiece and a man and wife came and bought two tickets at the door, the man bought the tickets in an aggregate total of say fifteen dollars, would it be necessary for me to get their names before I could accept that kind of a contribution?"

Senator Woodall: "No, it says anonymous contributions by a single contributor in excess of ten dollars. Under that, you have this type of situation where occasionally there is a situation where maybe a bill, a five dollar bill or something might be enclosed in a letter to you. That is an anonymous contribution. Now if you get a larger one, if you do know who it belongs to you should endeavor to return it and not accept it. And then it provides that you should turn it in to the state if it is larger than that."

Senator Elicker: "I understand that, Senator, but what I am saying is that, you know a lot of us give receptions or parties as fund raising activities. If you came to me and said, 'How much did you take in at your party Wednesday night?' and I said 'three hundred and eighty-five dollars', then would I be required to say these are the following people who were there and contributed in excess of ten dollars?"

Senator Woodall: "If you knew them, yes."

Senator Elicker: "And if I did not know them I would accede the money to the state or return it?"

Senator Woodall: "Yes, that is what this says. The idea was not to encourage violating the spirit of the act by saying, 'It came to me unknown. I just did not know who gave it.' And the idea was not to make it an easy thing to hide behind."

POINT OF INQUIRY

Senator Washington: "Could you please point out where the amount of the campaign contribution relating, I believe it was one hundred dollars. Where is that found in the. . .?"

Senator Woodall: "Page 3, line 31; page 2, line 8; page 8, line 6."

Senator Washington: "Thank you."

POINT OF INQUIRY

Senator Washington: "Can anyone answer if we are going to have a bill that can be enacted? We have either got to work tonight without knowing too much about it or if we wait until tomorrow it would seem that we are not going to have too much time for a conference committee. Can anyone respond to that observation?"

Senator Woodall: "I can only say I do not know what the plans of convening tomorrow are but certainly in the interests of time we should attempt to act on it. We will give all the explanation we can. I think you attended about every meeting, Senator, as I recall and heard all the testimony and these points were all discussed that culminated in the bill here."

Senator Washington: "This is true. I was at the meeting where all of the matters were discussed but I have not been at a meeting to know what is in this particular version. I really do not know what is in it other than what I have heard from you."

Senator Woodall: "That is good enough."

MOTION

At 11:00 p.m. on motion of Senator Bailey, the Senate recessed until 11:30 p.m.

THIRD EVENING SESSION

The President called the Senate to order at 11:30 p.m.

The Senate resumed consideration of Engrossed House Bill No. 248 and the motion by Senator Woodall that the committee amendment be adopted.

Senator Scott moved adoption of the following amendment to the committee amendment:

On page 2, section 2 (3), page 3, section 2, lines 31 and 32, line 8 and page 8, section 7 (2), line 6, and page 13, section 15, line 20, strike "one hundred" and insert "twenty-five".

Senators Guess, Sandison and Dore demanded the previous question and the demand was sustained.

The President declared the question before the Senate to be the motion by Senator Scott that the amendment to the committee amendment be adopted.

Senator Sellar demanded a roll call and the demand was sustained by Senators Washington, Dore, Sellar, Canfield, Newschwander, Holman, Donohue, Jolly and Odegaard.

ROLL CALL

The Secretary called the roll and the amendment by Senator Scott to the committee amendment was not adopted by the following vote: Yeas, 23; nays, 24; excused, 2.

Voting yea: Senators Andersen, Atwood, Clarke, Connor, Dore, Durkan, Elicker, Fleming, Foley, Francis, Holman, Huntley, Murray, Odegaard, Peterson (Ted), Rasmussen, Ridder, Scott, Sellar, Stortini, Washington, Whetzel, Wilson—23.

Voting nay: Senators Bailey, Canfield, Cooney, Day, Donohue, Gissberg, Greive,

Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Peterson (Lowell), Sandison, Stender, Twigg, Walgren, Woodall—24.

Excused: Senators Gardner, Talley—2.

The motion by Senator Scott failed and the amendment to the committee amendment was not adopted.

Senator Holman moved adoption of the following amendment to the committee amendment:

On page 2, section 3, line 32, after “any” and before “school” insert “second or third class”

Debate ensued.

POINT OF INQUIRY

Senator Day: “Would Senator Holman yield to a question? How much is the salary or the remuneration of school directors in first class districts?”

Senator Holman: “Senator Day, they do not get anything, but neither does a fire district commissioner or water district or sewer district commissioner. But they all have to report and they come from smaller constituencies.”

Senator Day: “Not according to this bill they do not have to report.”

Senator Holman: “They certainly do, Senator, if you will look in section. . . .”

Senator Day: “If they are over five thousand.”

Senator Holman: “Well they all are. There must be a dozen fire districts, water districts, and sewer districts. . . .”

Senator Day: “Senator, is not there per diem involved?”

Senator Holman: “No, there is not, sir.”

Senator Day: “Not, in those other jobs?”

Senator Holman: “No, they are purely altruistic.”

Senator Day: “I was thinking of a committee anyway that when the job, there was no remuneration for the job. . . .”

Senator Holman: “Port district. What do they get? One dollar a year? But the amount of money they get is really irrelevant to the question.”

POINT OF INQUIRY

Senator Peterson (Ted): “Would Senator Holman yield? Senator, I would go along with you on that school board if you would put the port commissioners in there too.”

Senator Holman: “Senator, I believe the port commissioners are under it because our port district encompasses a whole county and also has far more than five thousand registered voters, so the Seattle Port District is under it.”

The motion by Senator Holman failed and the amendment to the committee amendment was not adopted on a rising vote.

Senator Elicker moved adoption of the following amendment by Senators Elicker and Wilson to the committee amendment:

On page 4, section 4 (12), line 29, after “presentations,” insert “handbills, letters, envelopes and postage,”

Senator Murray demanded a roll call and the demand was sustained by Senators Canfield, Sandison, Stender, Peterson (Ted), Sellar, Fleming, Atwood, Odegaard and Stortini.

ROLL CALL

The Secretary called the roll and the amendment to the committee amendment was adopted by the following vote: Yeas, 29; nays, 18; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Dore, Durkan, Elicker, Fleming, Foley, Francis, Holman, Huntley, Lewis, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson—29.

Voting nay: Senators Bailey, Connor, Cooney, Day, Donohue, Gissberg, Greive, Guess,

Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Peterson (Lowell), Ridder, Sandison, Woodall—18.

Excused: Senators Gardner, Talley—2.

Senator Metcalf moved adoption of the following amendment to the committee amendment:

On page 8, section 7, line 2, strike subsection (2) and insert:

“On the first day of each month following the filing period and until the final report is made no later than the second reporting date following his election or defeat, the campaign depository shall report, for that period (1) the total amount deposited, (2) a photographic copy of each check of more than \$100.00, (3) a photographic copy of each check drawn on the account and (4) the name and address of each contributor of cash in excess of \$100.00, as reported to it by the campaign treasurer”

Debate ensued.

On motion of Senator Walgren, the amendment by Senator Metcalf to the committee amendment was laid upon the table.

Senator Francis moved adoption of the following amendment to the committee amendment:

On page 12, section 12, line 8, strike all of section 12 and renumber the remaining sections accordingly.

Debate ensued.

The motion lost and the amendment to the committee amendment was not adopted.

On motion of Senator Holman, the following amendment to the committee amendment was adopted:

On page 12, section 12, line 12, strike “for political advertising”

Senator Durkan moved adoption of the following amendment to the committee amendment:

On page 16, line 6, add a new section 21 as follows:

“*NEW SECTION.* Sec. 21. PENALTY. Any person, partnership, association or corporation that knowingly divides a campaign contribution so as to avoid the necessity of reporting under this act, or any candidate who knowingly accepts a contribution which has been divided so as to avoid reporting under this act, shall be guilty of a misdemeanor.”

POINT OF INQUIRY

Senator Atwood: “Mr. President, would Senator Durkan yield? Does this cover labor unions? The word ‘association,’ is that broad enough?”

Senator Durkan: “The definition of person or association, I would say ‘yes’ and I think we should look into the definition. If it does not then I am for it.”

The motion by Senator Durkan carried and the amendment to the committee amendment was adopted on a rising vote.

Senator Holman moved adoption of the following amendment to the committee amendment:

On page 16, section 24, line 16, strike all of lines 16 and 17 and insert “this act shall be January 1, 1973.”

Debate ensued.

Senator Walgren moved that the amendment by Senator Holman to the committee amendment be laid upon the table.

PERSONAL PRIVILEGE

Senator Durkan: “I was not, as I understand the rules, could not speak because a motion had been put but Senator Holman has and so I would like to speak under a point of personal privilege on it.

“I am opposed to Senator Holman’s amendment for the very reason that he has spoken, that he wants to eliminate the referendum and I frankly am for the referendum for one very obvious reason. And that simply is that I do not want this bill rewritten on the second floor. And we have been already told by the chief executive that should this bill reach the second floor that his views on campaign limitations, and on that one thing alone I

disagree with him very strongly. I think there should be limitations on campaign expenditures. And if the only way that I can get campaign limitations is by a referendum then I am going to support the referendum. And therefore, Senator Holman, that is why I cannot support your amendment. I appreciate the chance to speak on it because I think it is very important.”

Senator Scott demanded a roll call and the demand was sustained by Senators Peterson (Ted), Metcalf, Murray, Matson, Holman, Whetzel, Stender, Stortini and Odegaard.

ROLL CALL

The Secretary called the roll and the motion by Senator Walgren to lay upon the table the amendment by Senator Holman to the committee amendment carried by the following vote: Yeas, 36; nays, 11; excused, 2.

Voting yea: Senators Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Newschwander, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stender, Stortini, Twigg, Walgren, Washington, Wilson, Woodall—36.

Voting nay: Senators Andersen, Atwood, Clarke, Elicker, Holman, Huntley, Murray, Peterson (Ted), Scott, Sellar, Whetzel—11.

Excused: Senators Gardner, Talley—2.

On motion of Senator Washington, the following amendment to the committee amendment was adopted:

On page 16, section 25, line 24, after “thereof” strike the remainder of the section and insert a period.

The motion by Senator Woodall carried and the committee amendment, as amended, was adopted.

On motion of Senator Woodall, the committee amendment to the title was adopted.

On motion of Senator Woodall, the rules were suspended, Engrossed House Bill No. 248, 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.

ROLL CALL

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, 46; nays, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Wilson, Woodall—46.

Voting nay: Senator Whetzel—1.

Excused: Senators Gardner, Talley—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.

MOTION

On motion of Senator Woodall, Engrossed House Bill No. 248, as amended by the Senate, was ordered immediately transmitted to the House.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 341, by Committee on State

Government (Originally sponsored by: Representatives Perry, Paris, Hurley, Farr, Ceccarelli, Hoggins, Kraabel and Litchman by Joint Committee on Legislative Ethics request):
Regulating lobbyists.

REPORT OF STANDING COMMITTEE

February 19, 1972.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 341, regulating lobbyists (reported by Committee on Constitution, Elections and Legislative Processes):

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following the enacting clause strike the remainder of the bill and insert the following:

"Section 1. Section 1, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.010 are each amended to read as follows:

When used in this chapter:

(1) [The term "contribution" includes a gift, subscription, loan, advance or deposit of money or anything of value and includes a contract, promise or agreement, whether or not legally enforceable, to make a contribution, given with the intent of influencing the passage or defeat of any pending or proposed legislation;

(2) The term "expenditure" includes a payment, *contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise or agreement, whether or not legally enforceable, to make an expenditure* [.] ;

[3] (2) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons. The term does not include a member or member-elect of either house of the state legislature[.]; *an elected state officer nor a gubernatorial appointee to a position requiring confirmation by the senate;*

[4] (3) The term "legislation" means bills, resolutions, amendments, *motions, nominations, and other matters pending or proposed in either house or any committee of the legislature;*

(4) *The terms "lobby" and "lobbying" each mean attempting to influence, through direct contact with any legislator or legislators, the passage or defeat of any legislation by the legislature;*

(5) *The term "lobbyist" means any person, including any public employee, who shall lobby either on his own or another's behalf;*

(6) *The term "lobbyist's employer" means the person or persons by whom or on whose behalf the lobbyist is employed, and all persons by whom he is compensated for acting as a lobbyist;*

(7) , *The term "code reviser" means the person so designated under the provisions of chapter 1.08 RCW;*

(8) *The terms "senate board of ethics" and "house board of ethics" mean the boards designated and defined in RCW 44.60.010;*

(9) *The term "prescribed form" means a form prescribed by the joint board of ethics.*

Sec. 2. Section 2, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.020 are each amended to read as follows:

(1) [Any person who shall be engaged for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington or the approval or veto of any legislation by the governor of the state of Washington shall register with the president of the senate and the speaker of the house before doing anything in furtherance of such object and shall give to such officers in writing and under oath a statement] *Before doing any lobbying a lobbyist shall register by filing with the code reviser a lobbyist registration statement executed under oath on a prescribed form, for each of his employers, showing:*

(a) Name [and], *permanent business address, and business address during the legislative session;*

(b) Name and address of the [person or persons by whom he is employed and in whose interest he appears or works and by whom he is compensated] *lobbyist's employer;*

(c) The duration of such employment;

(d) *If employed as a lobbyist*, whether he is paid on a permanent basis with a lobbying assignment as a partial, temporary or incidental part of his duties, or whether his compensated employment is solely for lobbying purposes;

(e) A written authorization from [each person by whom he is so employed] *the lobbyist's employer confirming such employment*;

(f) *Name and address of the person, if other than the lobbyist or his employer, who will have custody of the accounts, bills, receipts, books, papers, and documents required to be kept by section 7 of this 1972 amendatory act*;

(g) The general area or areas of his legislative interest.

(2) [In addition, any person as described in subsection (1) above shall similarly file not later than sixty days after the adjournment of each regular and extraordinary session of the legislature a statement which shall contain the total of all contributions and expenditures made, incurred, or expended for the purposes described in this section exclusive of personal living and travel expenses: PROVIDED, HOWEVER, That when an extraordinary session follows immediately after a regular session such statement shall be filed not later than sixty days after the adjournment of the extraordinary session.

(3) Each statement required by this section shall be made on forms agreed upon by the president of the senate and the speaker of the house, a duplicate copy of which shall be filed with and preserved by the secretary of state for a period of three years as a public record open to public inspection.] *On each Friday that the legislature is in session, the code reviser shall publish a list of the names of all lobbyists whose registration is then in effect and the names and addresses of the lobbyists' employers, and shall deliver a copy of this list to the governor, the president of the senate, the speaker of the house, the attorney general, the secretary of state, and the president of the capitol correspondents' association.*

(3) *Whenever a change, modification, or termination to the lobbyist's employment occurs, the lobbyist shall within one week of such change, modification, or termination furnish full information regarding the same by filing with the code reviser an amended registration statement.*

(4) *The registration of all lobbyists shall terminate with the adjournment of the legislative session for which the lobbyist has registered: PROVIDED, HOWEVER, That the registration of all lobbyists shall continue in effect through the duration of any regular or extraordinary session convened not more than ten days following the adjournment of any regular or extraordinary session of the legislature.*

Sec. 3. Section 3, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.030 are each amended to read as follows:

The following activities shall not be deemed to require compliance with [RCW 44.64.020] *sections 2, or 7(1) of this 1972 amendatory act*:

(1) [The activities or appearance of a person promoting or opposing the passage of any legislation or its approval or veto by the governor, in his own behalf and not as a representative, agent or employee of another person] *Lobbying without compensation or other consideration by a person in his own personal behalf, or as a member of a business, profession, occupation, or other group where no different benefit or detriment will accrue to that person because of his membership than will accrue to any other member of such business, profession, occupation, or group*;

(2) Providing professional services in the drafting of legislative measures or in advising [clients] and rendering opinions *to clients* as to the construction and effect of proposed or pending legislation [, or in communicating with members of the legislature or the governor in connection therewith];

(3) Appearing or testifying [before a] *at a meeting of any committee of the legislature in support of or in opposition to any legislation*;

(4) [Giving testimony at committee hearings upon the request of the legislature or a committee or a member thereof;

(5) Giving testimony or contacting legislators by government employees as a part of their official duties; or

(6) News or feature reporting activities by working members of the press, radio, or television: *PROVIDED, HOWEVER, That any member of the press, radio, or television who shall lobby shall register and be subject to all provisions of this chapter; or*

(5) Communication, orally or in writing, to a legislator in response to an inquiry received from such legislator.

Sec. 4. Section 4, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.040 are each amended to read as follows:

No agreement to [accomplish any purpose set forth in RCW 44.64.020] *lobby* shall be enforceable and no action shall be brought thereon where payment of all or any part of the compensation under said agreement depends in any manner upon the passage or defeat or executive approval or veto of any legislation, or upon any other contingency in connection with legislation: PROVIDED, That this section shall not apply to those agreements made between attorney and client in connection with claims against the state of Washington.

Sec. 5. Section 6, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.060 are each amended to read as follows:

The [attorney general] *senate board of ethics and house board of ethics* shall enforce the provisions of this chapter [and shall prosecute, or may delegate to the appropriate prosecuting attorney the prosecution of all violations of this chapter: PROVIDED, That this section shall not preclude actions for the recovery of damages]. *Each board shall have the following powers, duties, and functions:*

(1) The boards jointly, shall adopt procedural rules and guidelines for processing complaints and notifications of violations including, but not limited to, rules for the preservation of confidentiality when necessary and in the public interest.

(2) Upon the written complaint of any person who has reason to believe that there is or has been a violation of this 1972 amendatory act, or whenever in the board's judgment the public interest requires, either board may cause the attorney general to investigate the activities of any lobbyist or other person when there is reason to believe he is or has been acting in violation of this 1972 amendatory act.

(3) When the attorney general investigates any lobbyist or other person as directed by either the senate board of ethics or house board of ethics he may require any such person or any other person reasonably believed to have information concerning the activities of such person to appear at a time and place designated by the attorney general in the county in which such person resides or is found, to give such information under oath and to produce all accounts, bills, receipts, books, papers, and documents related to the expenditures statement required by section 7 of this 1972 amendatory act. When the attorney general requires the attendance of any person to obtain such lobbying information or the production of the lobbyist's accounts, bills, receipts, books, papers, and documents required to be preserved by section 7 of this 1972 amendatory act, he shall issue an order setting forth the time when and the place where attendance is required and shall cause the same to be delivered to or sent by registered mail to the person at least fourteen days before the date fixed for attendance. Such order shall have the same force and effect as a subpoena, shall be effective state-wide, and, upon application of the attorney general, obedience to the order may be enforced by any superior court judge in the county where the person receiving it resides or is found, in the same manner as though the notice were a subpoena. The court, after hearing, for good cause, and upon application of any person aggrieved by the order, shall have the right to alter, amend, revise, suspend, or postpone all or any part of its provisions. In any case where the order is not enforced by the court according to its terms, the reasons for the court's actions shall be clearly stated in the record, and shall be subject to review by the appellate courts by certiorari or other appropriate proceeding.

(4) As soon as practical, the attorney general shall submit his report and recommendations to the joint board of ethics as to whether in his opinion the preponderance of evidence is that a lobbyist has violated or is violating any provisions of this 1972 amendatory act.

(5) The joint board of ethics may revoke or suspend the registration of any lobbyist who, it finds has violated or is violating any provision of this 1972 amendatory act. Before revoking or suspending any registration under this subsection, the joint board shall give the lobbyist reasonable notice of its intention regarding his registration, and shall, if requested by him, conduct a hearing on the issue of the revocation or suspension of his registration.

(6) When the joint board of ethics has reason to believe that a lobbyist has violated or is violating any provision of this 1972 amendatory act, it may direct the attorney general to bring a civil action to revoke such lobbyist's registration and enjoin his lobbying activities. A

lobbyist whose registration is revoked shall be enjoined from all lobbying activities for a period of not less than two years: PROVIDED, HOWEVER, That revocation of a lobbyist's registration does not excuse said lobbyist from filing the statements required under section 7 of this 1972 amendatory act.

(7) When the joint board of ethics has reason to believe that a lobbyist, without good cause, has failed to file any statement required by section 7 of this 1972 amendatory act, or has filed any such statement reporting less than the amount required to be reported, it may direct the attorney general to bring an action in the name of the state to require the filing of the required statement or information. If the state prevails in such action and the court finds that the lobbyist wilfully and knowingly violated the provisions of said section 7 then there may be awarded as a judgment to the state for its general fund an amount not more than treble the amount the lobbyist failed to report in violation of this 1972 amendatory act. In the event the lobbyist reported less than the amount required under the provisions of this 1972 amendatory act, then the amount he "failed to report", for purposes of computing damages, shall be the difference between the amount required to be reported and the actual amount reported. The court may, in addition, award to the state all costs of investigating and trial, including a reasonable attorney's fee to be fixed by the court. The registration of any lobbyist may be revoked under subsection (6) of this section if his violation of section 7 is found to have been intentional. If damages are awarded in such action, the judgment may be awarded against the lobbyist, the lobbyist's employer or employers joined as defendants, jointly, severally, or both.

(8) The senate board of ethics or house board of ethics may by general rule authorize the attorney general to serve written notice upon any person whenever the attorney general has reason to believe that person is or has been violating section 2 of this 1972 amendatory act by carrying on lobbying activities without having registered, which notice shall direct such person to respond within twenty-four hours of receipt of such notice and show cause why he should not register or be enjoined from all lobbying activities. An action to enjoin such person's lobbying activities may be brought by the attorney general at the direction of the joint board of ethics if the person does not register or the attorney general does not receive a satisfactory response as directed.

(9) The senate board of ethics, the house board of ethics, and the joint board of ethics may employ attorneys who are neither the attorney general nor an assistant attorney general to carry out any function of the attorney general prescribed in this section.

NEW SECTION. Sec. 6. There is added to chapter 131, Laws of 1967 ex. sess. and to chapter 44.64 RCW a new section to read as follows:

The powers and duties of the attorney general pursuant to this 1972 amendatory act shall not be construed to limit or restrict the exercise of his power or the performance of his duties under any other provision of law.

NEW SECTION. Sec. 7. There is added to chapter 131, Laws of 1967 ex. sess. and to chapter 44.64 RCW a new section to read as follows:

(1) Each lobbyist registered according to section 2 of this 1972 amendatory act shall file with the code reviser not later than sixty days after the expiration of his lobbyist registration, whether by termination of employment or adjournment of any session of the legislature, a complete and detailed statement upon a prescribed form showing:

The totals of all expenditures made or incurred by or on behalf of such lobbyist during the legislative session, which totals shall be segregated according to financial category, including but not limited to the following: (a) Entertainment, including food and refreshments; (b) advertising; (c) contributions; and (d) other expenses or services: PROVIDED, HOWEVER, That a lobbyist's personal living and travel expenses and the expenses incidental to establishing and maintaining an office in connection with lobbying activities need not be reported, and no expenditure which is properly reported as a campaign contribution under any other law of this state enacted after January 1, 1972, shall be reported under this 1972 amendatory act: PROVIDED, FURTHER, That all contributions made to, or for the benefit of, any legislator shall be identified by date, amount, and the name of the legislator receiving, or to be benefited by, each such contribution. Each individual expenditure of more than twenty-five dollars for entertainment shall be identified by date, place, amount, and the names of all persons in the group partaking in or of such entertainment including any portion thereof attributable to

the lobbyist's participation therein but without allocating any portion of such expenditure to individual participants.

The reporting period of the statement required by this subsection shall be the duration of each legislative session: PROVIDED, HOWEVER, That when a regular or extraordinary session convenes not more than ten days following the adjournment of any regular or extraordinary session, the reporting period of the statement required by this subsection shall be the combined duration of such sessions.

(2) Within ninety days after the termination of all lobbyist registrations by the adjournment of the legislature, the code reviser shall publish a report showing each person who has registered as a lobbyist since the last such report, and shall deliver a copy of such report to the governor, the president of the senate, the speaker of the house, the president of the capitol correspondents' association, the attorney general and the secretary of state. The report shall contain:

- (a) The lobbyist's name and permanent address;
- (b) The name and address of all employers listed by such lobbyist;
- (c) The total of all expenditures by category reported by such lobbyist.

The secretary of state shall file and preserve such report for a period of three years as a public record open to public inspection.

NEW SECTION. Sec. 8. There is added to chapter 131, Laws of 1967 ex. sess. and to chapter 44.64 RCW a new section to read as follows:

Any employee of the governor's office or of any other state funded activity, agency, or department engaged in lobbying activities shall be registered with the code reviser's office.

A list of such people shall be provided each legislator showing the name, age, address, salary, agency represented, education, previous employment, and areas they claim expertise in.

NEW SECTION. Sec. 9. There is added to chapter 131, Laws of 1967 ex. sess. and to chapter 44.64 RCW a new section to read as follows:

Each lobbyist's registration form, following the first publication thereof as required in section 2(2) of this 1972 amendatory act, and each lobbyist's statement of expenditures, following publication as required in section 7(2) of this 1972 amendatory act, shall be delivered by the code reviser to the secretary of state who shall file and preserve such documents for a period of three years as a public record open to public inspection.

NEW SECTION. Sec. 10. There is added to chapter 131, Laws of 1967 ex. sess. and to chapter 44.64 RCW a new section to read as follows:

A lobbyist has the following obligations, the violation of which shall constitute cause for revocation of his registration, and may subject the lobbyist, and the lobbyist's employer if such employer aids, abets, ratifies, or confirms any such act of the lobbyist, to other civil liabilities, as provided by this 1972 amendatory act.

A lobbyist shall obtain and preserve all accounts, bills, receipts, books, papers, and documents necessary to substantiate the financial reports required to be made under this 1972 amendatory act for a period of at least two years from the date of the filing of the statement containing such items: PROVIDED, That if the lobbyist is required under the terms of his employment contract to turn any records over to his employer, responsibility for the preservation of such records under this subsection shall rest with such employer.

In addition, a lobbyist shall not:

- (1) Engage in any activity as a lobbyist in any session before registering as such;
- (2) Knowingly deceive or attempt to deceive any legislator as to any fact pertaining to any pending or proposed legislation;
- (3) Cause or influence the introduction of any bill or amendment thereto for the purpose of thereafter being employed to secure its defeat;
- (4) Knowingly represent an interest adverse to any of his employers without first obtaining such employer's written consent thereto after full disclosure to such employer of such adverse interest.

(5) Exercise any undue influence, extortion, or unlawful retaliation upon any legislator by reason of such legislator's position with respect to, or his vote upon, any pending or proposed legislation.

Sec. 11. Section 3, chapter 150, Laws of 1967 ex. sess. and RCW 44.60.030 are each amended to read as follows:

The jurisdiction of the respective boards of ethics created by this chapter shall be strictly limited to the consideration of the conduct of the members of its own house [and], the conduct of employees of its own house, *and the activities of legislative lobbying regulated under chapter 44.64 RCW.*

NEW SECTION. Sec. 12. Section 5, chapter 131, Laws of 1967 ex. sess. and RCW 44.64.050 are each repealed.

NEW SECTION. Sec. 13. Any person damaged by reason of any violation of the provisions of this 1972 amendatory act by any person may maintain an action against such person. If damages are awarded in such action a reasonable attorney's fee may also be allowed by the court.

NEW SECTION. Sec. 14. The enactment of this 1972 amendatory act shall not have the effect of terminating, or in any way modifying, any liability, civil or criminal, which shall already be in existence at the date this act becomes effective. Nothing in this 1972 amendatory act shall be construed to in any way limit the power of the senate and house of representatives, or either of them, to adopt additional or supplementary rules regarding lobbying activities nor limit the right of any person to recover damages from any other person on account of any violation of this 1972 amendatory act.

NEW SECTION. Sec. 15. If any provision of this 1972 amendatory 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. The rule of strict construction shall not be applied to the operation of this act, and this act shall be liberally construed to carry out the purposes hereof.

NEW SECTION. Sec. 17. This 1972 amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1972, in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and laws adopted to facilitate the operation thereof: PROVIDED, That this 1972 amendatory act shall not take effect, and shall be of no force or effect, unless at that same election referendum no. . . . (Engrossed House Bill No. 248 of the 1972 Extraordinary Session) is adopted and ratified by a vote of the people."

On page 1, beginning in line 12 of the title, after "44.64.050" delete "civil remedies" and insert "for a referendum"

Signed by: Senators Cooney, Chairman; Canfield, Donohue, Greive, Holman, Keefe, Mardesich, Matson, Metcalf, Stender, Woodall.

The bill was read the second time by sections.

Senator Woodall moved adoption of the committee amendment.

Senator Holman moved adoption of the following amendment to the committee amendment:

On page 12, section 14, line 27 after "effective" strike the period, insert a semicolon and add the following: "PROVIDED, HOWEVER, That the provisions of this 1972 amendatory act are declared to be remedial and its provisions shall be liberally construed to effect the purposes of this 1972 amendatory act, and"

Debate ensued.

The motion by Senator Holman failed and the amendment to the committee amendment was not adopted on a rising vote.

On motion of Senator Washington, the following amendment was adopted:

On page 13, section 17, line 13, after "thereof" strike the colon, insert a period, and strike the balance of the section.

The motion by Senator Woodall carried and the committee amendment, as amended, was adopted.

On motion of Senator Woodall, the committee amendment to the title was adopted.

On motion of Senator Woodall, the rules were suspended, Engrossed Substitute House Bill No. 341, as amended by the Senate, was advanced to third reading, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill

No. 341, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; nays, 1; excused, 2.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Wilson, Woodall—46.

Voting nay: Senator Whetzel—1.

Excused: Senators Gardner, Talley—2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 341, 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.

POINT OF INFORMATION

Senator Bailey: "Senator Andersen and Senator Dore and Senator Huntley and I were on the Board of Ethics that wrote the lobbyists regulation act that was more or less passed by the House. Now the way this came out tonight it looks all right. We have not had a chance to study it thoroughly but would it be possible for us to put our statement in the record a little later if we wanted to make such a statement?"

REPLY BY THE PRESIDENT

The President: "Yes, Senator."

Senator Bailey: "The point is that we think this is a step forward. We are not opposing it at all but we still would like to account for any changes that we might find that we thought might be better, but we are very happy it passed this way."

MOTION

On motion of Senator Woodall, Engrossed Substitute House Bill No. 341, as amended by the Senate, was ordered immediately transmitted to the House.

MOTION FOR RECONSIDERATION TO TIME CERTAIN

Having voted on the prevailing side, and having given prior notice, Senator Lewis moved that the Senate reconsider the vote on Sunday, February 20, 1972 by which Substitute House Bill No. 514 failed to pass the Senate.

The motion for reconsideration on Sunday, February 20, 1972 carried.

There being no objection, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

February 19, 1972.

Mr. President: The Speaker has signed HOUSE BILL NO. 140, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 46,

HOUSE BILL NO. 177,

SUBSTITUTE HOUSE BILL NO. 324, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The Speaker has signed SENATE BILL NO. 207, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 19, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 27, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 27, by Representatives Chatalas and Newhouse:

Legislative session, duration, forty-two days.

MOTIONS

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 27 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. 27 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

At 1:05 a.m., on motion of Senator Greive, the Senate adjourned until 1:00 p.m., Sunday, February 20, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FORTY-SECOND DAY

AFTERNOON SESSION

Senate Chamber, Olympia, Wash., Sunday, February 20, 1972.

The Senate was called to order at 1:00 p.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senators Gardner, Mardesich, Newschwander and Odegaard. On motion of Senator Donohue, Senators Mardesich and Odegaard were excused. On motion of Senator Knoblauch, Senator Gardner was excused. On motion of Senator Matson, Senator Newschwander was excused.

The Color Guard, consisting of Pages Kelly White, Color Bearer, and Tamara Hill, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

“Send out Your light and Your truth; let them lead us. Our Father God, on this Lord’s Day we thank You that Your Kingdom is yet in our midst and that You do still speak to us: In Your Word, in our churches, in our daily associations and in our work. O Divine Redeemer, on this first Sunday in Lent, as we survey Your wonderous cross, challenge us to so give ourselves back to You that You can give Yourself again through us. O Holy Spirit, may we sense Your presence to equip us for every task, to grant wisdom for every decision and to bless us with that peace which the world cannot give. Help us now to be masters of ourselves, that we may become the servants of others and thus follow in the steps of the Master of all good workmen, Jesus Christ our Lord. Amen.”

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

MESSAGE FROM THE HOUSE

February 20, 1972.

Mr. President: The Speaker has signed:

HOUSE BILL NO. 9,

HOUSE BILL NO. 139, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Matson, the following resolution was adopted:

SENATE RESOLUTION: 1972-58

By Senators Matson and Donohue:

WHEREAS, The Commission Merchants Act of the state of Washington is out of phase with the federal act on the same subject matter and should, to facilitate the administration of the subjects covered by the act be reviewed and updated;

NOW THEREFORE, BE IT RESOLVED, By the Senate in legislative session assembled, That the Senate request the Legislative Council direct its Subcommittee on Agriculture to review the Commission Merchants Act and make recommendation to the next session of the legislature to coordinate it with the federal statutes and make it more responsive to the needs of the times.

MOTION

On motion of Senator Rasmussen, the following resolution was adopted:

SENATE RESOLUTION: 1972-59

By Senators Rasmussen and Odegaard:

WHEREAS, The proper administration of public mental health programs are matters of vital concern to the legislature and to all residents of this state; and

WHEREAS, The matter of inmate furloughs has drawn the attention and concern of many residents; and

WHEREAS, Complete and accurate information is a necessary prerequisite for legislative action;

NOW, THEREFORE, BE IT RESOLVED, That the Senate requests the Legislative Council to make an investigation of the furlough program at the Western State Hospital at Fort Steilacoom and report its findings and recommendations to the next session of the legislature; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to the Legislative Council and to the Superintendent of the Western State Hospital.

PERSONAL PRIVILEGE

Senator Andersen: "Senator Bailey, I just wanted to say that I was very pleased to see my friend the majority caucus chairman, Senator Bailey, at church this morning and I can only hope this spiritual experience will make him a little less obstreperous on what is hopefully the last day of the session than he has been in the preceding forty-one days."

Senator Henry: "I can only say from the tenor of Senator Andersen's remarks he did not learn a darn thing in church this morning."

Senator Bailey: "I saw him smile today and I thought that might be something that he acquired in there. I almost used a one dollar word."

MOTION

On motion of Senator Ridder, the following resolution was adopted:

SENATE RESOLUTION: 1972-60

By Senators Ridder and Dore:

WHEREAS, The Legislature established in 1970 the State Employees' Insurance Board with representation from both management and employee organizations to develop and contract for health insurance programs for most state employees; and

WHEREAS, The health insurance plans designed by that board have now been in effect for one year and represent a benefit structure and premium schedule that has received wide and favorable acceptance by those state employees covered; and

WHEREAS, The existing health insurance plans for classified civil service employees in institutions of higher education under the jurisdiction of 28B.16 RCW are not now developed by a board or system having representation from both management and employee organizations nor are contracts for such plans awarded upon basis of competitive bidding; and

WHEREAS, The employees in classified service in institutions of higher education are under various health care programs which may not represent the best possible premium rates and benefit structure for their particular needs;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Legislative Budget Committee be requested to conduct a study to determine the feasibility of transferring classified civil service employees working for institutions of higher education to the jurisdiction of the State Employees Insurance Board.

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the 1973 session of the Legislature for its consideration.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the Legislative Budget Committee.

MOTION

On motion of Senator Knoblauch, the following resolution was adopted:

SENATE RESOLUTION: 1972-61

By Senators Knoblauch and Gardner:

WHEREAS, The Y.M.C.A. Youth Legislature will convene in Olympia in April, 1972, in its twenty-fifth consecutive annual session; and

WHEREAS, The program, under the guiding principle that "Democracy Must Be Learned By Each Generation," is designed to develop a knowledge of the governmental processes and to motivate the youth to participate when they become adults; and

WHEREAS, Many thousands of high school boys and girls from throughout the state, and from all walks of life, have benefited from this learning experience; and

WHEREAS, The youth, themselves, have demonstrated their seriousness of purpose through the quality of their conduct during the sessions;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Y.M.C.A., the laymen and state officials who assist in the program, and the Olympia families who open their homes to the youth, be commended for making possible this lesson in responsible citizenship to the high school youth of the State of Washington.

MOTION

Senator Fleming moved adoption of the following resolution:

SENATE RESOLUTION: 1972-62

By Senators Fleming, Guess and Rasmussen:

WHEREAS, The bonding requirements for contractors often impose undue hardship upon the smaller contractors of this State; and

WHEREAS, Various proposals for easing such hardship have been put before this special session of the Legislature; and

WHEREAS, The problem of amending bonding requirements serves to bring out the need for a major revision of the entire system of contractor bonding in this State; and

WHEREAS, A revision of such scope and magnitude requires a great deal of consideration and investigation;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Legislative Council be authorized and requested to undertake a study of the contractor's bonding system in the State of Washington, and especially as related to the problems of the small contractor; and

BE IT FURTHER RESOLVED, That the Legislative Council shall seek the advice and views of contractors, bonding companies, and public agencies as to this matter, and prepare proposed legislation to deal with the problems thus illuminated; and

BE IT FURTHER RESOLVED, That the Legislative Council shall present its findings and recommendations thereon, along with its proposed legislation, to the next regular session of the Legislature.

On motion of Senator Andersen, the following amendments were adopted:

On line 17, before "to deal" insert "as may be needed"

On line 20, after "legislation" insert "as may be needed"

The motion by Senator Fleming carried and the resolution, as amended, was adopted.

MOTION

At 1:30 p.m., on motion of Senator Day, the Senate recessed until 2:30 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 1:30 p.m.

MOTION

On motion of Senator Stortini, the following resolution was adopted:

SENATE RESOLUTION: 1972-63

By Senators Huntley, Foley, Stortini and Sandison:

WHEREAS, Most state employees, including those classified civil service employees working for institutions of higher education, are under the jurisdiction of the public employees' retirement system; and

WHEREAS, At present the classified civil service employees at Washington State University have their retirement program under the Teachers' Insurance and Annuity Association (TIAA); and

WHEREAS, The Joint Committee on Higher Education was directed, by Senate Resolution 71-111, to study pension systems for institutions of higher education, and the Committee is gathering comparison data on retirement systems for higher education;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Legislative Budget Committee in conjunction with the Joint Committee on Higher Education and the Public Employees' Retirement System Board be authorized and directed to conduct a study to determine the feasibility and method by which the classified civil service employees at Washington State University, at their option, could transfer from membership in the TIAA to the public employees' retirement system, and the method by which accrued credits and contributions could be transferred to the public employees' retirement system. Such study shall be in liaison with the Public Pension Commission; and

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the 1973 session of the Legislature for its consideration; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the Legislative Budget Committee, the Joint Committee on Higher Education and the Public Employees' Retirement System Board.

MOTION

On motion of Senator Day, the following resolution was adopted:

SENATE RESOLUTION: 1972-64

By Senators Day, Ridder and Elicker:

WHEREAS, Under federal regulations, nursing homes of Washington State will be required to meet new criteria for skilled nursing home care by July 1, 1972; and

WHEREAS, The Washington State Health Facilities Association, with two hundred eighty members representing 20,000 long-term health care beds in the state, has indicated that it would be impossible to comply with U.S. Title XIX requirements; and

WHEREAS, The position of the association is that this failure to comply is based on an inadequate reimbursement rate paid for care in this state; and

WHEREAS, The association specifically states that the rates for payment to cover the cost of providing Title XIX skilled nursing home care for state public assistance patients is a principal factor in its members being unable to comply with the federal standards;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Legislative Council investigate all aspects of this compliance problem, and the relationship that state public assistance patient payments may have to this matter.

BE IT FURTHER RESOLVED, That the Legislative Council report its findings and recommendations to the next regular session of the Legislature.

MOTION

On motion of Senator Walgren, the following resolution was adopted:

SENATE RESOLUTION: 1972-65

By Senator Walgren:

WHEREAS, Several bills relating to state or regional housing agencies have been introduced before this legislature; and

WHEREAS, Several agencies of local government have engaged in extensive studies of housing problems within their areas; and

WHEREAS, The Federal Government is currently undertaking, and considering, even further changes in their housing programs;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Interim Municipal Committee is authorized and requested to undertake a study in the field of housing in this state and examine the various proposals for state and regional housing agencies.

BE IT FURTHER RESOLVED, That the results of the study and recommendations be presented to the next regular session of the legislature for its consideration.

MOTION

On motion of Senator Dore, the following resolution was adopted:

SENATE RESOLUTION: 1972-66

By Senators Dore and Connor:

WHEREAS, The State of Washington will be authorized by the Federal Communications Commission to grant franchises for the operation of Cable TV systems throughout the state; and

WHEREAS, There are potentially scores of Cable TV stations which can be operated within the state; and

WHEREAS, The Cable TV industry is a relatively new medium and there is need to study its potential use by and for the citizens of this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Joint Committee on Governmental Cooperation shall conduct a study to determine the full potential of Cable TV systems in the State of Washington and the ways in which all sectors of the public will have access to these systems.

MOTION

Senator Dore moved adoption of the following resolution:

SENATE RESOLUTION: 1972-67

By Senators Dore, Peterson (Ted), Durkan and Sandison:

WHEREAS, All people of the State of Washington are shocked and grieved by the senseless killing of Washington State Trooper C. Frank Noble; and

WHEREAS, It is only fitting that due recognition be given to state law enforcement officers like Trooper C. Frank Noble, who unselfishly give their lives in the service of their fellow man;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington hereby directs the Joint Committee on Higher Education to prepare a proposal for the 1973 session of the legislature providing for tuition-free education at any state institution of higher education for the surviving children of any state law enforcement officer who should die in the line of duty, and especially for the surviving children of State Trooper C. Frank Noble.

POINT OF INQUIRY

Senator Stender: "I am not against the resolution but I am wondering, Senator, if the first resolve that is covered under the previous resolution, I do not quite understand, you are going to . . ."

Senator Dore: "The draft was merely recited, that is true, but the last part of the resolve is the important part referring the subject matter to the Joint Committee on . . ."

Senator Stender: "This is a direct order to do it again from the Senate and it seems to me that it would be improper to do that in this body twice for the same purpose."

Senator Dore: "I think it is a new subject matter and recites some of the old language, yet the resolution is not the same thing."

Senator Stender: "I am speaking to the first resolve which has to do with sending of sympathy to the widow of Trooper Frank Noble, which we have done as you know. Do you suggest to do it again?"

Senator Dore: "Mr. President, what we would like to do is send them the second part of the resolution. I think the Secretary can wisely adjust the letter accordingly."

The motion by Senator Dore carried and the resolution was adopted.

MOTION

Senator Ridder moved adoption of the following resolution:

SENATE RESOLUTION: 1972-68

By Senators Ridder, Metcalf and Odegaard:

WHEREAS, It is the paramount duty of the state to make ample provision for the education of all children residing within its borders; and

WHEREAS, It is possible that the Pierce County Committee on school district organization may order transfer of lands on the Fort Lewis military reservation to a school district other than the DuPont-Fort Lewis district; and

WHEREAS, Many Fort Lewis military and civilian personnel wish to have their children attend the DuPont-Fort Lewis School District high school programs; and

WHEREAS, It is essential that these children attend fully accredited schools because of the likelihood or frequent transfers and to assure these children of the highest quality education and whereas accreditation is also necessary to offer the Pierce County Committee on school district organization a valid alternative in making land transfer decisions; and

WHEREAS, the legislative intent of the law resulting in lack of accreditation for the DuPont-Fort Lewis High School programs was that it should not pertain to the DuPont-Fort Lewis high school programs;

NOW, THEREFORE, BE IT RESOLVED, That the Senate declares that it is necessary to provide fully accredited high school programs for all children attending the DuPont-Fort Lewis School District high school programs;

BE IT FURTHER RESOLVED, That the Senate requests the state superintendent of public instruction and the state board of education to fully review a duly submitted application for the accreditation of the high school programs of the DuPont-Fort Lewis School District and that such application be approved if appropriate academic standards and other standards relating to the quality of education will be met.

BE IT FURTHER RESOLVED, That the Secretary of the Senate transmit copies of this resolution to the state superintendent of public instruction, the members of the state school board, the commanding officer of Fort Lewis, and the superintendent of the DuPont-Fort Lewis School District.

Debate ensued.

MOTION

On motion of Senator Lewis, Senate Resolution 1972-68 was made a special order of business for 4:00 p.m. today.

MOTION

Senator Ridder moved adoption of the following resolution:

SENATE RESOLUTION: 1972-69

By Senators Ridder and Dore:

WHEREAS, During several hearings held during the present extraordinary legislative session the legislature has heard testimony and received evidence indicative of the pressing economic needs of the nursing homes of the state of Washington; and

WHEREAS, There is general agreement that indigent and other senior citizens of our state are entitled to the best possible nursing home care during their declining years; and

WHEREAS, We as legislators are aware that the state, through the department of social and health services, must be and remain a strong guardian and friend to see that adequate nursing home care is being provided; and

WHEREAS, The hearings held disclosed that stronger cooperation is required between the appropriate institutions of the state of Washington and nursing homes; and

WHEREAS, During this extraordinary session lack of time prevented a thorough and exhaustive study of the conditions, standards of care and other matters pertinent to a proper solution of the nursing home care to be accorded to our senior citizens; and

WHEREAS, The joint committee on governmental cooperation has adequate staff, time and expertise during the interim between this extraordinary session and the next regular session of the Washington state Legislature to hear further testimony, to make investigations and to develop adequate, factual economic data which will render it possible to ascertain a proper level of state support for indigent citizens needing nursing home care which would assure to them adequate care and which at the same time will assure to the nursing homes an adequate return of their investment;

NOW, THEREFORE, BE IT RESOLVED, That the joint committee on governmental cooperation make such studies and investigations that it deems necessary to carry out the provisions of this resolution in order that proper standards of nursing home care for indigent senior citizens be defined and in order that sufficient and adequate economic data be established to ascertain reasonable return to the owners of nursing homes on their capital investment; and

BE IT FURTHER RESOLVED, That the committee shall report its findings and recommendations to the 43rd session of the Washington state Legislature.

On motion of Senator Day, the following amendment was adopted:

On page 1, line 27, after "cooperation" and before "make" insert "in concert with the legislative council" and after "investigations" strike "that it deems" and insert "as they deem"

The motion by Senator Ridder carried and the resolution, as amended, was adopted.

MOTION

On motion of Senator Metcalf, the following resolution was adopted:

SENATE RESOLUTION: 1972-70

By Senators Metcalf, Rasmussen and Sandison:

WHEREAS, Legislative intent has been very clear that public fishing from Hood Canal Bridge be permitted; and

WHEREAS, Any cost incident thereto should be borne from General Fund and not Highway Fund money;

NOW, THEREFORE, BE IT RESOLVED, That the Legislative Transportation Committee prepare legislation, complete with an appropriation to be submitted to the 1973 Legislature, toward the end of permitting and encouraging public fishing from the Hood Canal Bridge.

MOTION

On motion of Senator Day, the following resolution was adopted:

SENATE RESOLUTION: 1972-71

By Senators Day, Peterson (Ted) and Durkan:

WHEREAS, Hospital charges have risen 85 percent in the past five years and the daily room rate will rise to nearly \$100 a day in 1973 if they continue unabated; and

WHEREAS, An independent report to the Legislative Council stated that 62 out of 104 hospitals in this state are operating at below 70 percent occupancy; a minimum level for efficient utilization of physical plant and staff; and

WHEREAS, Hospitals have yet to overcome the problems of excessive duplication of services and equipment, low productivity of employees; low occupancy; the purchase of expensive and unnecessary equipment; duplication of purchasing efforts and internal administrative costs; and

WHEREAS, Medical costs and the cost of health care services continue to rise and additional public funds are being used for the payment of premiums;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Legislative Council, through its Committee on Public Assistance and Public Health, is requested to continue its study which shall include:

- (1) A study of health care costs, including but not limited to hospital costs;
- (2) The impact of third-party insurers in the pricing of health care;
- (3) The lack of alternatives to hospitalization, such as extended care facilities and nursing homes;
- (4) The use of public monies for health care premiums;
- (5) Increased medical costs by profit and nonprofit health care contractors and medical bureaus;
- (6) Medicare and medicaid administrative management and the disbursement of funds in connection with such programs;

BE IT FURTHER RESOLVED, That for the purpose of securing necessary information, research, technical and supporting services, the Legislative Council, through its Committee on Public Assistance and Public Health, shall utilize the files, records, authority and staff of state agencies and departments that in any way regulate, administer, disburse funds, register, license, or which deal with hospitals, health care facilities and health care contractors; and

BE IT FURTHER RESOLVED, That the Legislative Council, through its Committee on Public Assistance and Public Health, shall report to the legislature the results of its study together with its recommendations and such drafts of legislation as it may determine necessary prior to the next regular session of the legislature.

MOTION

On motion of Senator Walgren, the following resolution was adopted:

SENATE RESOLUTION: 1972-72

By Senators Walgren and Twigg:

WHEREAS, The section on criminal identification is created within the Washington State Patrol by chapter . . . , (Senate Bill No. 146), Laws of 1972, 1st ex. sess.; and

WHEREAS, Several of our sister states are operating similar services; and

WHEREAS, Some such states have developed programs to make such services self-funding; and

WHEREAS, A self-funding system in Washington would be in the best interest of the state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, that the Municipal Committee is authorized and requested to undertake a study on the funding of the criminal

identification system and recommend principles and procedures whereby such system could become self-funding;

BE IT FURTHER RESOLVED, That the results of the study and the recommendations be presented to the next regular session of the legislature for its consideration.

MOTION

Senator Walgren moved adoption of the following resolution:

SENATE RESOLUTION: 1972-73

By Senators Walgren and Twigg:

WHEREAS, Natural disasters and civil disorders impose an additional burden on the resources of our public safety agencies; and

WHEREAS, There is a need for direct communication between public safety agencies during such events; and

WHEREAS, There is a need for uniformity in the training of public safety personnel; and

WHEREAS, There is a need for uniformity of equipment among the various public safety agencies; and

WHEREAS, There is a need for an organization to develop a truly workable mutual aid system;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Interim Municipal Committee is hereby authorized and directed to undertake a study of the current problems of mutual aid facing public safety agencies operating within this state. The committee is further authorized to work and cooperate with all other groups interested in the problems of mutual aid.

BE IT FURTHER RESOLVED, That the results of the study and the recommendations be presented to the next regular session of the legislature for its consideration.

POINT OF INQUIRY

Senator Stender: "I had a question, Senator Walgren. In the third one, 'Whereas there is need for uniformity in the training of public safety personnel,' are you aware that the community college system is developing now a system of training and I think coordination of training between the various colleges? Are you aware of that?"

Senator Walgren: "Yes, I am particularly aware of that. At Olympic College in Bremerton we have the very fine division and department that is going ahead with the law enforcement training."

Senator Stender: "Would this resolution then be directed in an attempt to continue that and improve it perhaps in relation to the overall problem?"

Senator Walgren: "That would be correct that we would certainly seek the advice of the community colleges in this connection."

Senator Stender: "I was just wondering whether we should in fact make specific mention of that system so that that could be included in this?"

Senator Walgren: "Well frankly, Senator Stender, I do not think that that is necessary. I feel that certainly your question has raised this and I consider that a direction to myself as chairman of that Municipal Committee."

Senator Stender: "I appreciate that but I also know that there was federal funding involved in this program and I would hope that that would continue because it would be helpful."

Senator Walgren: "This resolution was particularly drafted with a view to that in mind, Senator."

The motion by Senator Walgren carried and the resolution was adopted.

JOURNAL OF THE SENATE

MOTION

At 3:20 p.m., on motion of Senator Greive, the Senate recessed until 4:00 p.m.

THIRD AFTERNOON SESSION

The President called the Senate to order at 4:00 p.m.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 20, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 414 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

MOTION

At 4:05 p.m., on motion of Senator Greive, the Senate recessed until 8:00 p.m.

EVENING SESSION

President Pro Tempore Henry called the Senate to order at 8:00 p.m.

MESSAGE FROM THE HOUSE

February 20, 1972.

Mr. President: The House refuses to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 248 and asks the Senate to recede therefrom, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Bailey, the Senate adhered to its position on Engrossed House Bill No. 248 and the Senate amendments thereto and once again asks the House to concur therein.

MOTION

At 8:10 p.m., on motion of Senator Greive, the Senate recessed until 12:30 a.m.

SECOND EVENING SESSION

President Pro Tempore Henry called the Senate to order at 12:30 a.m.

THIRD READING

SPECIAL ORDER OF BUSINESS

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 82, by Committee on Revenue and Taxation (Originally sponsored by: Representatives Bledsoe, King, Kiskaddon, Brouillet, Mentor, McDermott, Blair, Savage, Hoggins, Connor, Ross, Douthwaite, Rabel, Williams, Brown, Kraabel, Jones, Charnley and Litchman):

Authorizing the imposition of a tax on income.

The time having arrived, the Senate resumed consideration of Engrossed Substitute House Joint Resolution No. 82.

On motion of Senator Greive, the rules were suspended, Engrossed Substitute House Joint Resolution No. 82 was returned to second reading.

On motion of Senator Gissberg, the following Senate amendment was adopted:

Strike all of the Senate Amendment to the resolution by Senators Donohue, Gissberg, Mardesich and Dore (including the amendments to the amendment by Senators Day and Metcalf) and insert in lieu thereof the following amendment:

On page 1, after line 7, strike the remainder of the resolution and insert the following:

“Article VII, section 14 (1) Income shall not be deemed property within the meaning of this Article, and a tax imposed upon or measured by income shall not be deemed a tax on property.

(2) The legislature shall have no power to impose a tax upon or to measure a tax by net income except in accordance with the following conditions:

(a) Seven percent shall be the highest rate of any net income tax imposed by the state upon individuals.

(b) Thirteen percent shall be the highest rate of any net income tax imposed by the state upon corporations, as that term is defined by the legislature.

(c) The aggregate rate of any sales or use tax shall not exceed five percent: PROVIDED, HOWEVER, That this aggregate rate limitation shall not prohibit the legislature from authorizing counties, cities, towns, and metropolitan municipal corporations to impose, subject to approval of the voters therein, a retail sales or use tax at an aggregate rate not to exceed an additional one-half of one percent.

(d) The rate schedule for a net income tax imposed upon individuals shall be graduated and shall contain no less than six different rates, the difference between each of which shall be equal and shall be no less than one-half of one percent.

(3) (a) The rate limitations provided for in (2) above may not be exceeded unless those sections of an act which impose or authorize imposition of rates in excess of such limitations shall be directly referred to the people by the legislature.

(b) From and after the initial adoption of a net income tax act by the legislature, no amendment to such act which either changes the definition of taxable income or, in the case of individuals, changes the dollar amounts of taxable income in the rate schedule shall be valid unless such amendment is subject to referendum petition initiated by the people, or unless such amendment has been initiated and approved by the people.

(4) During the time that a state net income tax is in effect:

(a) The state shall fully fund a basic program of education for all school districts in accordance with an apportionment formula which, to the extent provided by amendment XIV of the Constitution of the United States, will provide equality of educational opportunity within and between such districts.

(b) No sales or use tax shall be collected or imposed with respect to food products for off-premises human consumption and with respect to prescription drugs at the point of sale. The legislature shall have the power to define food products for off-premises human consumption.

(c) No business and occupation tax shall be imposed by the state that exceeds one-quarter of one percent: PROVIDED, That this rate limitation shall not be applicable to a corporation or other organization expressly exempt from the state net income tax by reason of its nonprofit nature.

(d) The amount of a business and occupation tax imposed by the state upon corporations shall be allowed as a credit against the amount of a state imposed corporate net income tax, with respect to the same taxable year: PROVIDED HOWEVER, That such credit shall also be allowed to an individual electing to be taxed as a corporation.

(e) No net income tax rate may be changed unless every net income tax rate, individual and corporate, is changed in such a manner that the ratio of change in every such rate is the same, rounded to the nearest single decimal place.

(f) An aggregate amount equal to no less than eight percent of the collections of the state imposed net income tax (said collections to be computed on the basis of the rates, individual and corporate, contained in the act initially adopting a net income tax) shall be placed in a special account in the state general fund to be used exclusively for distribution, as provided by law, to municipal corporations other than school districts.

(g) In the case of property held by a taxpayer on the effective date of a state income tax act and disposed of after such effective date, such taxpayer shall be allowed to exclude from the computation of taxable income the amount of any gain attributable to a difference

in value of property occurring between the time of acquisition by the taxpayer and the effective date of such act.

(5) With respect to property taxes due and payable in the first calendar year following the effective date of the enactment of a state net income tax and in subsequent years:

(a) Personal property acquired solely for the purpose of sale, or for the purpose of consuming such property in producing for sale a new article of tangible personal property of which such property becomes an ingredient or component, shall be exempt from ad valorem taxation.

(b) No taxing district shall impose a tax upon property pursuant to the provisions of paragraph (a) of section 2, as now or hereafter amended, of this Article VII, except for capital purposes.

(6) No taxing district shall be authorized by the legislature to impose a tax upon or measured by net income.

(7) The provisions of subsections (4) (b) and (5) (a) of this section shall not be subject to the provisions of section 12 of this Article VII, as such section is proposed by HJR 1, adopted by the 1971 session of the legislature and submitted to the voters at the 1972 general state election.

(8) Notwithstanding any other provision of this Constitution, the legislature shall have the power:

(a) To provide for direct payments to an individual or corporation to the extent that (i) insufficient income tax liability exists for full application of an otherwise applicable credit, and (ii) such credit is granted for the purpose of providing direct or indirect relief from other state or local taxes.

(b) To adopt by reference any federal statutes relating to the determination of taxable income, as existing at time of adoption and as amended from time to time.

(9) Definitions:

(a) "Sales or use tax" shall mean any tax essentially of the same type as that imposed as of January 1, 1972, by sections 82.08.010, 82.08.020, and 82.08.040 through 82.08.140, chapter 15, Laws of 1961, as amended or sections 82.12.010, 82.12.020, and 82.12.040 through 82.12.080, chapter 15, Laws of 1961, as amended, or pursuant to chapter 94, Laws of 1970 ex. sess. as amended.

(b) "Business and occupation tax" shall mean any tax essentially of the same type as that imposed as of January 1, 1972 by sections 82.04.010 through 82.04.290, chapter 15, Laws of 1961, as amended.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Senator Gissberg moved adoption of the following amendment to the Senate amendment by Senators Gissberg, Bailey, Durkan, Holman and Murray:

On page 2, subsection (4) (a), line 17 of the Amendment after "shall" and before "a basic" strike "fully fund" and insert "guarantee full funding of"

POINT OF INQUIRY

Senator Guess: "Will Senator Gissberg yield? Senator Gissberg, as you explained, this permits the legislature in the future to close loopholes but does it now also at the same time give them the right to increase and to broaden the taxes on transactions not now taxed?"

Senator Gissberg: "I do not think it does."

Senator Guess: "Well it says, 'shall not be construed to prohibit the legislature from including within the sales use tax and occupational taxes,' so if they are not prohibited from putting services under the sales tax, why would not they be able to broaden it?"

Senator Gissberg: "I do not think you can broaden the exemption. You can broaden the base by including activities which are not now subject to the sales tax or you could broaden the base of the B and O tax by eliminating some of the present exemptions. But I do not think you could write further exemptions in. I thought that was what your question went to. But you would be able to broaden the base of the sales tax and broaden the base of the B and O tax but you could not grant further exemptions. Any other exemptions that are not . . ."

Senator Guess: "This means that the constitutional prohibitions or the constitutional protection that we are representing hereby really do not mean anything because the legislature can come down and manipulate it at their will."

Senator Gissberg: "No, I do not think that is true. That is not an accurate statement as to what we can do. It is true to the extent that this would now preclude the extension of the sales tax, for instance, to services not now covered by the sales tax. The constitution would not prohibit that, but it would prohibit the granting of any additional exemption. And that is the thrust of it."

Senator Guess: "It is just going to make the legislature able to take more money out of the taxpayer's pocket."

Senator Gissberg: "No, it does not change the existing posture of the law at all as far as that is concerned. We can do that right now."

The motion by Senator Gissberg carried and the amendment to the Senate amendment was adopted.

On motion of Senator Gissberg, the following amendment to the Senate amendment was adopted:

Amend the Senate amendment as follows:

On page 4, subsection (9) (b), after line 26 insert:

"(c) The definitions in (a) and (b) of this subsection (9) shall not be construed to prohibit the legislature from including within the sales, use, or business and occupation taxes taxable transactions or activities statutorily exempt from such taxes as of the effective date of this amendment."

On page 4, subsection (9) (a), line 20 after "82.12.010," and before "and" strike "81.12.020" and insert "82.12.020"

Senator Day moved adoption of the following amendment to the amendment:

On page 3, line 29, subsection (5), after "No" strike "taxing" and insert "school"

POINT OF INQUIRY

Senator Odegaard: "Mr. President, would Senator Murray yield? Senator Murray, would water and sewer districts qualify as a municipal corporation under this definition?"

Senator Murray: "Yes."

Senator Odegaard: "What guarantee would any particular water and sewer district or Senator Day's fire district have that the state would see to it that there was a certain amount set aside for those districts."

Senator Murray: "There is no guarantee. They would have to come to the legislature, present their case, but the money has been set aside so there is adequate money in the appropriation in a special fund that will be set up by the legislature to cover those portions of the initial income that have in the past been theirs under our existing tax structure. Under the new procedure, that amount of money will be replaced by eight percent of the revenue from the income tax at the state level. The mathematics come out correctly, and the allocation that we make and we are responsible for will exactly cover the loss to local government, including the special levies for maintenance and operation of the junior taxing districts."

On motion of Senator Gissberg, the amendment by Senator Day to the Senate amendment was laid upon the table on a rising vote.

MOTION

Senator Day moved adoption of the following amendment to the amendment:

On page 3, line 31, subsection (b) after "purposes" and before the period insert "": PROVIDED, That fully paid fire districts may authorize by vote an operations and maintenance levy not to exceed three mills on property"

Debate ensued.

MOTION

Senator Walgren moved that the amendment by Senator Day to the amendment be laid upon the table.

Senator Day demanded a roll call and the demand was sustained by Senators Odegaard, Guess, Ridder, Cooney, Keefe, Connor, Sellar, Canfield and Scott.

ROLL CALL

The Secretary called the roll and the amendment by Senator Day to the amendment was laid upon the table by the following vote: Yeas, 26; nays, 21; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Fleming, Foley, Francis, Gissberg, Holman, Huntley, Jolly, Knoblauch, Lewis, Mardesich, Metcalf, Murray, Peterson (Lowell), Peterson (Ted), Sandison, Scott, Sellar, Stender, Walgren, Washington, Whetzel—26.

Voting nay: Senators Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Greive, Guess, Henry, Herr, Keefe, Matson, Newschwander, Odegaard, Ridder, Stortini, Talley, Twigg, Wilson, Woodall—21.

Absent or not voting: Senator Rasmussen—1.

Excused: Senator Gardner—1.

On motion of Senator Gissberg, the rules were suspended, Engrossed Substitute House Joint Resolution No. 82, 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.

Senators Talley, Greive and Holman demanded the previous question and the demand was sustained.

PARLIAMENTARY INQUIRY

Senator Gissberg: "This matter having been reconsidered on final passage once, I am asking whether or not it can be reconsidered twice."

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "Your point is well taken, Senator. It cannot be reconsidered again."

PARLIAMENTARY INQUIRY

Senator Day: "Speaking to the point of order, is it not true that this has now been completely scalped and is a different proposition? Would that not have a bearing on the reconsideration?"

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "Page 32 reads, 132, 'The question can be reconsidered but once but if on reconsideration amendment has been made making a substantial change, a second reconsideration can be had.' That should sufficiently confuse you. The answer is yes, it can be reconsidered."

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 82, as amended by the Senate, and the resolution on reconsideration, passed the Senate by the following vote: Yeas, 34; nays, 13; absent or not voting, 1; excused, 1.

Voting yea: Senators Andersen, Bailey, Canfield, Clarke, Donohue, Elicker, Fleming, Foley, Francis, Gissberg, Greive, Henry, Herr, Holman, Huntley, Jolly, Knoblauch, Mardesich, Metcalf, Murray, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Walgren, Washington, Whetzel, Wilson,—34.

Voting nay: Senators Atwood, Connor, Cooney, Day, Dore, Durkan, Guess, Keefe, Lewis, Matson, Newschwander, Twigg, Woodall—13.

Absent or not voting: Senator Rasmussen-1.
Excused: Senator Gardner-1.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 82, as amended by the Senate, on reconsideration, having received the constitutional two-thirds majority, was declared passed.

MOTION

Senator Mardesich moved that the Senate return to the sixth order of business for the purpose of a motion.

Senator Woodall demanded a roll call on the motion by Senator Mardesich and the demand was sustained by Senators Newschwander, Stender, Clarke, Ridder, Metcalf, Andersen, Atwood, Lewis and Scott.

ROLL CALL

The Secretary called the roll and the motion by Senator Mardesich failed by the following vote: Yeas, 22; nays, 25; absent or not voting, 1; excused, 1.

Voting yea: Senators Bailey, Connor, Day, Donohue, Durkan, Fleming, Francis, Gissberg, Guess, Henry, Herr, Jolly, Keefe, Mardesich, Odegaard, Peterson (Lowell), Ridder, Sandison, Stortini, Talley, Walgren, Washington-22.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Cooney, Dore, Elicker, Foley, Greive, Holman, Huntley, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Peterson (Ted), Scott, Sellar, Stender, Twigg, Whetzel, Wilson, Woodall-25.

Absent or not voting: Senator Rasmussen-1.
Excused: Senator Gardner-1.

SPECIAL ORDER OF BUSINESS

SENATE RESOLUTION 1972-68, by Senators Ridder, Metcalf and Odegaard:
Regarding DuPont-Fort Lewis school district.

The time having arrived, the Senate resumed consideration of Senate Resolution 1972-68. Senator Ridder having previously moved the resolution for adoption.

Debate ensued.

The motion by Senator Ridder failed and the resolution was not adopted.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 20, 1972.

Mr. President: The House has passed ENGROSSED SENATE BILL NO. 293 with the following amendments:

On page 1, line 2 of the title of the engrossed bill after "RCW" and before the period on line 3 strike "and declaring an emergency"

On page 1, section 1, line 13 of the engrossed bill, being line 17 of the Senate amendment, after "84.52.050." strike the remainder of the bill and insert: "Such sharing shall be for those costs incurred during 1972 and 1973 only. For the years 1972 and 1973 during which, such state financial aid is received, the county treasurer shall compute the proportionate amount of the county-assumed portion of the costs of revaluation in direct proportion to the ratio of basic property tax as authorized by RCW 84.52.050 levied on behalf of each local taxing district each year, and he shall, on December 31 of those years, bill each local taxing district the amount so computed. The treasurer shall collect said bill by deducting said amount from the next year's tax receipts and place the deducted sums in a special fund to be used solely for the expenses and costs of the administration of the revaluation program: PROVIDED, That the sum deducted from the basic millage for common schools shall be excluded and not considered as revenue in the computation of the school equalization formula pursuant to RCW 28A.41.130. A copy of the assessor's portion

of the preliminary county budget shall be sent to each local taxing district affected by the provisions of this section at the time such budget is prepared.

This section shall expire on December 31, 1974," and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Ridder, the Senate concurred in the House amendments to Engrossed Senate Bill No. 293.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 293, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 42; nays, 3; absent or not voting, 3; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Newschwander, Odegard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Sellar, Stender, Stortini, Twigg, Walgren, Washington, Whetzel, Wilson, Woodall—42.

Voting nay: Senators Clarke, Mardesich, Talley—3.

Absent or not voting: Senators Durkan, Gissberg, Rasmussen—3.

Excused: Senator Gardner—1.

ENGROSSED SENATE BILL NO. 293, 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

February 20, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 341 and has passed the bill as amended by the Senate.

MALCOLM McBEATH, Chief Clerk.

February 20, 1972.

Mr. President: The Speaker has signed SUBSTITUTE HOUSE BILL NO. 341, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 20, 1972.

Mr. President: The House insists on its position on ENGROSSED HOUSE BILL NO. 248 and asks the Senate for a conference thereon and the Speaker has appointed as members of the conference committee: Representatives Brown, Eikenberry and Perry, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Bailey, the Senate refused to grant the request of the House for a conference on Engrossed House Bill No. 248, adheres to its position and insists that the House concur in the Senate amendments.

SIGNED BY THE PRESIDENT

The President signed:
HOUSE BILL NO. 9,
HOUSE BILL NO. 46,
HOUSE BILL NO. 139,
HOUSE BILL NO. 140,
HOUSE BILL NO. 177,

SUBSTITUTE HOUSE BILL NO. 324,
 SUBSTITUTE HOUSE BILL NO. 341.

MOTION

At 2:45 a.m., on motion of Senator Greive, the Senate adjourned until 12:00 noon, Monday, February 21, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FORTY-THIRD DAY

NOON SESSION

Senate Chamber, Olympia, Wash., Monday, February 21, 1972.

The Senate was called to order at 12:00 noon by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Gardner. On motion of Senator Knoblauch, Senator Gardner was excused.

The Color Guard, consisting of Pages Debi Burnett, Color Bearer, and Jeff McGrath, presented the Colors. Reverend George M. Mitchell, pastor of First Christian Church of Olympia, offered prayer as follows:

“Eternal God, on this day when we honor those great statesmen who created our nation and who have led us since, we remember with gratitude the wisdom and dedication of our Presidents, and those who have shared the responsibilities of leadership with them. And so, just now, we would ask a special measure of Your wisdom and understanding to be with each of these Senators today who carry a large portion of the responsibility for leadership in our State. As with our founding fathers, create within our lives a sense of our need for Thee in whom we claim to trust. May our unity in Thee overcome all our natural diversities, so that our agreements may be greater than our difference. Reconcile us to each other and to Thee, through Christ Jesus our Lord. Amen.”

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

MESSAGES FROM THE GOVERNOR

Office of the Governor, February 19, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I am returning herewith without my approval as to one item and one section, SUBSTITUTE SENATE BILL NO. 96, entitled:

“An Act relating to state institutions.”

Substitute Senate Bill No. 96 creates a Board of Trustees for the State School for the Deaf. The Board will be able to provide useful assistance to the School for the Deaf and to the Department of Social and Health Services in improving the overall program for the students at the school.

The bill provides for a board of seven members appointed by the Governor and three ex-officio members. The members appointed by the Governor must be selected from a list of nominees submitted by a nominating committee in accordance with section 9 of the bill.

The nominating committee created by section 9 includes the Superintendent of the State School for the Deaf, the Secretary of the Department of Social and Health Services and the President of the parent-teachers house organization of the Deaf School. There is no requirement that more than seven nominees be submitted for the Governor's consideration.

This mechanism for the selection of members of the Board of Trustees is excessively restrictive and does not assure that there will be an opportunity for adequate representation of those interested in the needs of the students at the School for the Deaf and the interest of the general public.

Accordingly, I have determined to veto Section 9 of the bill and that item in section 2 of the bill which makes reference to the list of nominees submitted in accordance with section 9.

With the exception of section 9 and the item in section 2, I have approved the remainder of Substitute Senate Bill 96.

Respectfully submitted,
DANIEL J. EVANS
Governor.

Office of the Governor, February 19, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I am returning herewith without my approval as to one section SENATE BILL NO. 104 entitled:

"An Act relating to county government; providing for salaries for officials thereof."

Section 2 amends RCW 36.27.060 to provide that "the Board of County Commissioners of a fourth class county may, in its discretion, require a prosecuting attorney to serve full-time at a salary of twenty thousand dollars." At the present time prosecutors in fourth class counties serve on a part-time basis.

While the use of full-time prosecutors is generally desirable, the procedure for accomplishing that result contained in section 2 of Senate Bill 104 is not. County commissioners and prosecutors are independently elected officials. Granting to the county commissioners in a fourth class county the power to determine whether the prosecutor must serve full-time or part-time, will tend to place the prosecutor under the influence of the county commissioners and as a result may tend to reduce the capacity of the prosecutor to act independently. Because of the clear constitutional separation of powers between county commissioners and prosecutors, the potential consequences of section 2 are not desirable. In addition, section 2 describes no procedure to carry out the provisions of the act. The change in status of the prosecutor apparently could be made in the middle of a term or could be applied to a prosecutor-elect.

It may be appropriate for prosecutors in fourth class counties to serve on a full-time basis. This should be an issue for consideration at the 1973 legislative session.

For the above reasons, I have vetoed section 2 of Senate Bill 104. The remainder of the bill is approved.

Respectfully submitted,
DANIEL J. EVANS
Governor.

MESSAGES FROM THE GOVERNOR

Office of the Governor, February 20, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 18, Governor Evans approved the following Senate Bill, entitled:

SENATE BILL NO. 6: Permitting board of fire commissioners to include revenue from

sources in addition to tax revenue in determining the limit of expenses that may be incurred.

Sincerely,
 CHARLES B. WIGGINS
 Legislative Counsel to the Governor.

Office of the Governor, February 20, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
 GENTLEMEN:

I have the honor to advise that on February 19, Governor Evans approved the following Senate Bills, entitled:

SENATE BILL NO. 15: Providing free tuition at certain institutions of education for children of citizens determined to be prisoners of war or missing in action in Southeast Asia.

SENATE BILL NO. 38: Increasing court reporters' salaries.

SENATE BILL NO. 109: Altering the duty of a prosecutor in a default or noncontested divorce proceeding.

SUBSTITUTE SENATE BILL NO. 128: Insuring and/or saving harmless certain persons associated with institutions of higher education and educational boards.

SENATE BILL NO. 152: Providing financial support for the Puget Sound Ferry System.

SENATE BILL NO. 189: Providing that treasurer at certain institutions of education can attest to revenue bonds issued.

SENATE BILL NO. 350: Relating to budgets of school districts.

SENATE BILL NO. 62: Providing for pension plans and tax deferred annuities for qualified public employees.

SENATE BILL NO. 90: Increasing certain filing fees charged by the clerks of the superior courts and allocating increase to payment of judicial salaries.

SENATE BILL NO. 111: Providing for special commercial zones in which motor freight carriers can operate at prescribed rates.

SENATE BILL NO. 414: Permitting school districts to provide employees with certain pension or annuity benefits.

Sincerely,
 CHARLES B. WIGGINS
 Legislative Counsel to the Governor.

MESSAGE FROM THE SECRETARY OF STATE

January 10, 1972.

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 Senate, the following bills passed by the Senate and House of Representatives at the First Extraordinary Session of the Forty-second Legislature, and partially vetoed by the Governor after the adjournment of said session, together with his veto messages attached thereto. They are Enrolled SB 52, SB 108, 2nd SSB 146, SB 179, SB 188, SB 214, SB 273, SB 408, SB 428, SSB 441, SB 465, SB 690, SB 691, SSB 849, SB 884, SSB 897, and SSB 926.

Respectfully,
 A. LUDLOW KRAMER
 Secretary of State.

(See pages 2008 through 2020, 1971 Journal for veto and partial veto messages)

MESSAGE FROM THE SECRETARY OF STATE

January 10, 1972.

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 Senate, the following bills passed by the Senate and House of Representatives of the First Extraordinary Session of the Forty-second Legislature and vetoed by the Governor after the adjournment of said session, together with his veto messages attached thereto.

They are Enrolled SB 68 relating to industrial insurance; SB 391 relating to boundaries and plats; SB 553 relating to the Department of Social and Health Services; SB 903 relating to public contracts; and SB 915 relating to the Washington State Ferry System.

Sincerely,
A. LUDLOW KRAMER
Secretary of State.

(See pages 2008 through 2020, 1971 Journal for veto and partial veto messages)

MOTION

On motion of Senator Greive, the veto messages together with the bills were referred to the Committee on Rules and Joint Rules.

MESSAGE FROM THE HOUSE

February 10, 1972.

Mr. President: The Speaker has signed:
SUBSTITUTE HOUSE BILL NO. 414,
HOUSE CONCURRENT RESOLUTION NO. 27, and the same are herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
SENATE BILL NO. 293,
SUBSTITUTE HOUSE BILL NO. 414,
HOUSE CONCURRENT RESOLUTION NO. 27.

MESSAGE FROM THE HOUSE

February 20, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 28, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 28, by Representatives Chatalas and Newhouse:

Amending Senate Concurrent Resolution No. 2 to limit the session to forty-three days.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 28 was advanced to second reading and read the second time in full.

On motion of Senator Greive, the following amendment was adopted:

On page 1, line 22, strike "congressional and legislative redistricting"

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 28, as amended by the Senate, was advanced to third reading, the second reading considered the third and the resolution was adopted.

MOTION

At 12:25 p.m., on motion of Senator Greive, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.
There being no objection, the Senate returned to the fourth order of business.

MESSAGES FROM THE HOUSE

February 21, 1972.
Mr. President: The Speaker has signed SENATE BILL NO. 293, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 21, 1972.
Mr. President: The House has passed SENATE BILL NO. 32, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 21, 1972.
Mr. President: The House has concurred in the Senate amendment to HOUSE CONCURRENT RESOLUTION NO. 28 and has adopted the resolution as amended by the Senate.

DONALD R. WILSON, Assistant Chief Clerk.

There being no objection, the President declared the Senate to be at ease.

MOTION

At 4:30 p.m., on motion of Senator Greive, the Senate recessed until 8:00 p.m.

EVENING SESSION

The President called the Senate to order at 8:00 p.m.
The President declared the Senate to be at ease.
The President called the Senate to order at 8:40 p.m.

MESSAGES FROM THE HOUSE

February 21, 1972.
Mr. President: The Speaker has signed HOUSE BILL NO. 44, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 21, 1972.
Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 28, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
SENATE BILL NO. 32,
HOUSE BILL NO. 44,
HOUSE CONCURRENT RESOLUTION NO. 28.

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 18, by Senators Bailey, Greive and Durkan:

Relates to appointment of committee to notify the Governor of the legislature's adjournment.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 18 was advanced to second reading and read the second time in full.

Debate ensued.

MOTION

At 9:03 p.m. on motion of Senator Greive, the Senate recessed until 9:55 p.m.

SECOND EVENING SESSION

The President called the Senate to order at 9:55 p.m.

The Senate resumed consideration of Senate Concurrent Resolution No. 18.

On motion of Senator Greive, the rules were suspended, Senate Concurrent Resolution No. 18 was advanced to third reading, the second reading considered the third, and the resolution was adopted.

MOTION

On motion of Senator Lewis, the Senate returned to the sixth order of business.

SPECIAL ORDER OF BUSINESS

MOTION FOR RECONSIDERATION

The time having arrived, the Senate commenced consideration of the motion for reconsideration by Senator Lewis on Substitute House Bill No. 514 which failed to pass the Senate.

On motion of Senator Lewis, the motion for reconsideration was ordered held for the next working day.

MOTION

At 10:02 p.m., on motion of Senator Greive, the Senate adjourned until 11:00 a.m., Tuesday, February 22, 1972.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

FORTY-FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wash., Tuesday, February 22, 1972.

The Senate was called to order at 11:00 a.m. by President Cherberg. The Secretary called the roll and announced to the President that all Senators were present except Senator Newschwander.

The Color Guard, consisting of Pages Robert Johnson, Color Bearer, and Lea Metcalf, presented the Colors. Reverend Arthur I. Anderson, pastor of Gloria Dei Lutheran Church of Olympia, offered prayer as follows:

“Eternal God, from You our life has come, to You it now belongs and unto You it shall return. For this reason our hearts are restless until they rest in You. Disclose, therefore, to us the eternal horizons of our world; show us the everlasting roots of each fleeting moment of life, that we may submit ourselves to Your will and wisdom and find joy and satisfaction in a task well done. Give us minds without prejudice. Give us understanding hearts. This we pray in the Name of Him who is both Alpha and Omega, the beginning and the end, even Jesus Christ our Lord. Amen.”

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

MESSAGES FROM THE GOVERNOR

Office of the Governor, February 21, 1972.

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 my report of each case of reprieve, commutation or pardon which I have granted since the adjournment of the 1971 Regular Session of the Legislature.

Aaron Johnson was sentenced May 16, 1949, from the Franklin County Superior Court to be executed for the crime of First Degree Murder. On June 19, 1949, his sentence was commuted to a term of his natural life by Governor Arthur B. Langlie. Upon the recommendation of the Warden of the Washington State Penitentiary and the Board of Prison Terms and Paroles, on September 3, 1971, I authorized the parole of Aaron Johnson subject to the complete control, supervision and authority of the Board of Prison Terms and Paroles.

Respectfully submitted,
DANIEL J. EVANS
Governor.

Office of the Governor, February 22, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.
GENTLEMEN:

I have the honor to advise that on February 21, Governor Evans approved the following Senate Bills, entitled:

SENATE BILL NO. 23: Extending certain harbor lines.

SENATE BILL NO. 42: Providing for fire prevention and Safety Code for common school buildings.

SENATE BILL NO. 63: Providing for minors, unable to take a driver's education course, to get a driver's license.

SENATE BILL NO. 71: Making the state liable for acts of a prisoner on furlough.

SENATE BILL NO. 74: Allowing for certain deductions from gross value of an estate in determining the amount of inheritance taxes due when there is no probate.

SENATE BILL NO. 89: Establishing procedures for lost unemployment checks.

SUBSTITUTE SENATE BILL NO. 100: Defining crimes pertaining to the theft of telephone services.

SENATE BILL NO. 149: Creating a commission to commemorate the U.S. Bicentennial.

SENATE BILL NO. 298: Conditioning state financial assistance to local alcoholism facilities upon specified minimum local financial support.

SENATE BILL NO. 393: Relating to industrial insurance.

SUBSTITUTE SENATE BILL NO. 403: Excluding patronage dividends from the definition of security sales.

SENATE BILL NO. 417: Providing for awards in lieu of homestead to a value as of the time of granting the award.

SENATE BILL NO. 423: Authorizing nonprofit corporations and joint operating funds under the interlocal cooperation act.

Sincerely,
CHARLES B. WIGGINS
Legislative Counsel to the Governor.

Office of the Governor, February 22, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 22, Governor Evans approved the following Senate Bills, entitled:

SENATE BILL NO. 263: Authorizing the issuance of revenue bonds by park and recreation districts for recreational facilities.

SUBSTITUTE SENATE BILL NO. 272: Providing for intergovernmental disposition of property.

Sincerely,
CHARLES B. WIGGINS
Legislative Counsel to the Governor.

Office of the Governor, February 22, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 20, Governor Evans approved the following Senate Bills, entitled:

SENATE BILL NO. 3: Including Indian tribes within the definition of public body as term is used in marine recreation land act of 1964.

SENATE BILL NO. 56: Permitting six-member juries.

SENATE BILL NO. 68: Permitting correctional institutions officers to take acknowledgements and oaths.

SENATE BILL NO. 84: Giving totally blind, disabled veterans free motor vehicle licenses.

SENATE BILL NO. 82: Amending regulations governing transfer of inmates from correctional to mental institutions.

SENATE BILL NO. 98: Providing procedures in cases of candidacy voids.

SENATE BILL NO. 102: Allowing mosquito control districts to give notice of hearings under assessment rolls by publication only.

SENATE BILL NO. 163: Providing for single school district to serve entire area of certain United States military reservations.

SENATE BILL NO. 181: Authorizing the governor with the concurrence of the building authority to transfer funds between particular capital building projects except as between institutions of higher education.

SENATE BILL NO. 246: Expanding the definition of "child" in regard to industrial insurance.

SENATE BILL NO. 253: Pertaining to board of governors of the state bar association.

SENATE BILL NO. 276: Providing for review of convicted inmates period of confinement.

SENATE BILL NO. 312: Altering requirements needed to change a convicted inmate's minimum sentence.

Sincerely,
 CHARLES B. WIGGINS
 Legislative Counsel to the Governor.

MESSAGE FROM THE HOUSE

February 21, 1972.

Mr. President: The Speaker has signed SENATE BILL NO. 32, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTION

At 11:10 a.m., on motion of Senator Bailey, the Senate was declared to be at ease until 12:00 noon.

The President called the Senate to order at 12:00 noon.

MOTION

At 12:05 p.m., on motion of Senator Greive, the Senate was declared to be in recess until 2:00 p.m.

AFTERNOON SESSION

The President called the Senate to order at 2:00 p.m.

MOTION

At 2:05 p.m., on motion of Senator Bailey, the Senate was declared to be in recess until 3:30 p.m.

SECOND AFTERNOON SESSION

The President called the Senate to order at 3:30 p.m.

MOTION

At 3:40 p.m., on motion of Senator Greive, the Senate was declared to be in recess until 6:00 p.m.

EVENING SESSION

The President called the Senate to order at 6:00 p.m.

MOTIONS

On motion of Senator Andersen, Senator Newschwander was excused.

On motion of Senator Greive, Senator Sandison was excused.

Senators Greive, Huntley and Canfield 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 Newschwander and Sandison who had previously been excused. On motion of Senator Greive, the Senate proceeded under the Call of the Senate.

MESSAGES FROM THE HOUSE

February 22, 1972.

Mr. President: The House has failed to pass ENGROSSED SUBSTITUTE SENATE BILL NO. 397, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

February 22, 1972.

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.

MALCOLM McBEATH, Chief Clerk.

MOTION

Senator Walgren moved adoption of the following resolution:

SENATE RESOLUTION: 1972-74

By Senators Walgren, Twigg, Keefe and Mardesich:

WHEREAS, Many recent newspaper articles and television broadcasts have raised serious questions concerning the conduct of the business of the Washington State Horse Racing Commission; and

WHEREAS, The horse racing industry regulated by the Commission is a vital industry to the State of Washington; and

WHEREAS, The general public is entitled to have the conduct of horse race meets within the state regulated in an efficient manner; and

WHEREAS, The Senate Standing Committee on State Government and the Senate Standing Committee on Commerce and Regulatory Agencies have conducted a joint hearing which brought to light certain matters which should be further investigated; and

WHEREAS, The allegations in the aforesaid articles and broadcasts pertaining to the activities of the members of the Washington State Horse Racing Commission are of such a serious nature that these matters should be investigated to determine if, in fact, the public interest is being properly protected;

NOW, THEREFORE, BE IT RESOLVED, That the Municipal Committee and the Interim Committee on Banking, Insurance and Utility Regulation are requested to conduct a joint investigation into the conduct and activities of the Washington State Horse Racing Commission and report their findings and recommendations, if any, to the next regular session of the Washington State Legislature.

Senator Lewis moved adoption of the following amendment to the resolution:

On page 1, line 17, after "RESOLVED" strike all language down to and including "joint" and substitute "that the Legislative Council shall conduct an"

POINT OF INQUIRY

Senator Elicker: "Will Senator Walgren yield to a question? Senator Walgren, does the Municipal Committee or Senator Mardesich's committee, whose name escapes me at the moment, have the power to do this?"

Senator Walgren: "Yes. I am sorry that I did not answer that question. The Municipal Committee does have the power of subpoena and I believe that Senator Mardesich's does too."

POINT OF INQUIRY

Senator Stender: "Would Senator Mardesich yield? In relation to your proposal, two separate and distinct committees would be responsible for this study. How would you think that two committees would ultimately reach a unified result and recommendation? How is that done under the law?"

Senator Mardesich: "The membership of the Committee on Banking and Transportation and so on exceeds the membership of Senator Walgren's committee and I think there would be no problem with respect to that."

Senator Stender: "That was not the question. How do you under our law have two committees make a recommendation in the same area of investigation and hopefully come with something that could be of some substance to the legislature?"

Senator Mardesich: "Well, that same procedure was followed with respect to the pension program and the Pension Committee and the Budget Committee both studied that and reported out a measure to us which we just passed this session."

Senator Stender: "One more question. Why didn't you include the Interim Committee on Higher Education?"

Senator Mardesich: "Gary did not talk to me."

Senator Stender: "There is a lot to learn about this and Higher Education should have been in it."

Senator Mardesich: "Do you want on, Gary?"

Senator Walgren demanded a roll call and the demand was sustained by Senators Andersen, Stender, Peterson (Lowell), Canfield, Sellar, Holman, Ridder, Francis and Connor.

ROLL CALL

The Secretary called the roll and the amendment by Senator Lewis to the resolution was not adopted by the following vote: Yeas, 20; nays, 27; excused, 2.

Voting yea: Senators Andersen, Atwood, Canfield, Clarke, Elicker, Guess, Holman, Huntley, Lewis, Matson, Metcalf, Murray, Peterson (Ted), Scott, Sellar, Stender, Twigg, Washington, Whetzel, Woodall—20.

Voting nay: Senators Bailey, Connor, Cooney, Day, Donohue, Dore, Durkan, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Stortini, Talley, Walgren, Wilson—27.

Excused: Senators Newschwander, Sandison—2.

The motion by Senator Walgren carried and the resolution was adopted.

PERSONAL PRIVILEGE

Senator Mardesich: "I regret that this vote took a purely partisan stance. I just want to remind you all that it is not an unusual thing. We just voted fifty thousand dollars for the Pension Committee and the Budget Committee to conduct this study. It is much the same, it is not a break with tradition, we have done it in the past and I understand that occasionally we get partisan and I have no argument with it but I am only making a point that it is not a personal thing to me and I do not feel hurt by it."

MOTION

Senator Talley moved adoption of the following resolution:

SENATE RESOLUTION: 1972-75

By Senators Talley and Odegaard:

WHEREAS, The natural resources of this state are of paramount importance to the people of this state; and

WHEREAS, Tacoma City Light Company operates a fish hatchery on the Cowlitz river; and

WHEREAS, Production at said hatchery could be easily increased; and

WHEREAS, Such an increase would be beneficial to the people of this state;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Interim Committee on Fisheries, Game, and Game Fish is authorized and requested to undertake a study of the fish hatchery operated on the Cowlitz river by Tacoma City Light Company for the purpose of determining whether or not production at said facility can be doubled.

BE IT FURTHER RESOLVED, That the results of the study be presented to the next regular session of the legislature for its consideration.

POINT OF INQUIRY

Senator Rasmussen: "Will Senator Talley yield to a question? Senator Talley, what do you propose?"

Senator Talley: "Senator Rasmussen, I do not know. That is why I wanted the study. We know this hatchery is capable of producing twice what it is now, if Tacoma City Light was doing what they agreed to do. I am not arguing that point, Senator. But I think we should look into it and see what we can do to bring it up to full capacity. I do not want to be critical of Tacoma City Light or anything else. I just want as many fish produced as possible at this hatchery."

The motion by Senator Talley carried and the resolution was adopted.

MOTION

On motion of Senator Donohue, the following resolution was adopted:

SENATE RESOLUTION: 1972-77

By Senators Donohue, Wilson, Jolly, Henry, Odegaard, Guess, Durkan, Lewis, Matson, Twigg and Woodall:

WHEREAS, The agricultural industry is the most basic industry in the state of Washington and the lands used in the agricultural industry constitute the primary resource of the state of Washington, it is the public policy of this state that the agricultural industry and agricultural lands be managed, protected and taxed in such a way as to assure a continuation of the present form of farm management and farm lands and that farms and farm lands provide an equitable share in the support of state and local government and other public benefits; and

WHEREAS, It is in the public interest that agricultural valuation and taxation policies encourage and permit farm owners to manage their industries and lands to sustain maximum production of farm crops in accord with other public benefits under a stable and equitable tax base; and

WHEREAS, It is becoming increasingly difficult for agricultural lands to produce income in relation to existing appraisal techniques and increased property taxes as compared to the percentage of property tax in relation to new income from farm lands; and

WHEREAS, This problem could effectively eliminate the traditional family farm as it is known today; and

WHEREAS, This problem is inter-related to the increased development of suburban areas; and

WHEREAS, A study and analysis of the present and alternative systems of taxation of farms and farm land, as well as a study of present open space legislation, including the study of an alternative tax based upon the income derived from the use of farm lands, is called for in the public interest;

NOW, THEREFORE, BE IT RESOLVED, That the Senate authorizes and requests the Forest Tax Committee to undertake an immediate study of property taxation as it relates to agricultural and agriculture lands with the objective being to recommend revisions that will lead to the imposition of taxes on agricultural and agriculture lands based on the income producing capabilities of such lands; and

BE IT FURTHER RESOLVED, That the Committee shall report the findings and the

results of its study, together with its recommendations, to the legislature prior to the convening of the 1973 regular session of the legislature.

MOTION

On motion of Senator Peterson (Ted), the following resolution was adopted:

SENATE RESOLUTION: 1972-78

By Senators Durkan and Peterson (Ted):

WHEREAS, Major efforts must be made to restore the sports fishery in Puget Sound; and

WHEREAS, A start has been made in producing an increase in "biting" salmon strains in Washington State waters; and

WHEREAS, This research has included importing brood stock from northern British Columbia streams, noted for their fighting quality; and

WHEREAS, The Legislature has appropriated an additional \$350,000 for increased hatchery production by the Department of Fisheries; and

WHEREAS, These funds have been earmarked exclusively for the purposes of fish feeding and hatchery production; and

WHEREAS, The \$350,000 appropriation precludes the need to further consider imposition of a personal use salmon license fee; and

WHEREAS, Every effort should be made to assure progress toward a greatly improved salmon sports fishery in Puget Sound;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of Washington, That such programs as the increase in "biting" fish and increased hatchery development and stream improvement be emphasized by the Department of Fisheries and the Department of Game; and

BE IT FURTHER RESOLVED, That the Interim Committee on Fisheries, Game and Game Fish investigate these programs and their operation and report any recommendations on needed legislation in these fields to the 1973 session of the Legislature.

MOTION

Senator Gissberg moved adoption of the following resolution:

SENATE RESOLUTION: 1972-79

By Senators Gissberg, Mardesich, Holman, Dore and Metcalf:

WHEREAS, Revenues from property taxes have nearly doubled in Snohomish County and in many other counties of the state; and

WHEREAS, The tax burdens cast upon the elderly with fixed incomes and upon the young homeowner with the responsibility of providing support for his family by this doubling are proving unbearable; and

WHEREAS, The legislature in its wisdom has mandated that these tax burdens be lightened by providing in section 8, chapter 288, Laws of 1971 ex. sess. (the property tax roll-back) for a more fair and equitable manner for revaluation of real property and to cure injustices caused thereby; and

WHEREAS, In a recent decision, *Snohomish County Board of Equalization v. Department of Revenue*, the State Supreme Court has expressly approved in the face of attack by the Snohomish County Board of Equalization (consisting of the Snohomish Board of County Commissioners), the efforts of this legislature to cure such injustices; and

WHEREAS, The Snohomish County Board of Equalization (consisting of the Snohomish Board of County Commissioners) has expressed its intent to continue its attack upon this legislature's efforts to correct these injustices by appealing the State Supreme Court's decision to the United States Supreme Court; and

WHEREAS, Its prior attack in State Courts and its threatened attack in the United

States Supreme Court has caused and will continue to cause uncertainty and chaos in property tax administration throughout the State of Washington, to the detriment of taxpayers and local governments therein;

NOW, THEREFORE, BE IT RESOLVED, By the Senate, That the Snohomish County Board of Equalization (consisting of the Snohomish Board of County Commissioners) be urged to cease and desist from the continuation of its attack upon section 8, chapter 288, Laws of 1971 ex. sess. (property tax roll-back) and abide by the recent decision of the State Supreme Court in *Snohomish County Board of Equalization v. Department of Revenue*.

AND BE IT FURTHER RESOLVED, That copies of this Resolution be sent to each member of the Snohomish County Board of Equalization (being the Snohomish Board of County Commissioners), the Snohomish County Prosecuting Attorney, and to the Snohomish County Assessor.

On motion of Senator Gissberg, the following amendment to the resolution was adopted:

On page 1, line 19, after "has" strike "expressed its intent to" and insert "indicated that it may"

POINT OF INQUIRY

Senator Peterson (Ted): "Mr. President, would Senator Gissberg yield? Senator, after our activities down there, it just seems logical that what you are doing will be effective. Your constituency must feel the same way or the people in Snohomish County because isn't it a fact that all the levies were turned down? That is the only county where all the levies were turned down in the recent election?"

Senator Gissberg: "Yes, it was. All the levies were turned down in Snohomish County and with good justification, of course, and that is because of the property tax situation and that is why I have been working so hard here in the last days to attempt to get a constitutional amendment out on the ballot so that we can get rid of the property tax and the special levies for schools and fund it out of an income tax. Whether we are still able to do that I do not know but I hope that we can still get to that, and do it again if necessary."

Senator Metcalf: "Since the question by Senator Peterson (Ted) was a question and did go into the record, I think we should keep the record straight and I do not know how we do this and expunge, but Mukilteo did pass their levy. Frankly, it was the district that needed it the least. It was only a four point six levy, but they did pass it."

The motion by Senator Gissberg carried and the resolution, as amended, was adopted.

MOTION

At 6:50 p.m., on motion of Senator Greive, the Senate recessed until 7:35 p.m.

SECOND EVENING SESSION

The President called the Senate to order at 7:35 p.m.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 21, 1972.

Mr. President: The House has adopted HOUSE CONCURRENT RESOLUTION NO. 29, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 29, by Representatives Chatalas and Newhouse:

Legislative session, duration, forty-four days.

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 29 was advanced to second reading and read the second time in full.

On motion of Senator Bailey, the following amendment was adopted:

On page 1, line 22, strike "congressional and legislative redistricting"

PARLIAMENTARY INQUIRY

Senator Andersen: "For the record, this resolution that we are talking about is a resolution that authorizes our being here today. This does not relate to tomorrow?"

REPLY BY THE PRESIDENT

The President: "This merely authorizes the legislature to meet on the forty-fourth day."

On motion of Senator Greive, the rules were suspended, House Concurrent Resolution No. 29, as amended by the Senate, was advanced to third reading, the second reading considered the third and the resolution was adopted.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 21, 1972.

Mr. President: The House does not concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 82 and recommends the following amendment be adopted:

On page 3, line 29 after "No" strike "taxing district" and insert "school district, city, county, or county-city", and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

POINT OF INQUIRY

Senator Greive: "Will Senator Andersen yield to a question? Senator, it is no secret I am sure to all of us that this has been discussed in both caucuses. Our caucus at this point is ready to supply at least twenty votes and maybe twenty-one votes for this amendment and to go back to second reading, then to third reading and final passage and we want to know if there are any votes from your caucus or sufficient votes from your caucus to make up the difference before we take this action."

Senator Andersen: "Senator Greive, I realize that the open meeting is very much in vogue these days but I had not realized it was quite this much in vogue. We do not have a caucus position on this. I can speak only for my own vote and I will vote with you to take it back to second. Some of the people do not think we should go back. They have got some pretty good reasons. Some of us think we should go back. I, for example, feel that if the House has made some suggestions we should go back and try and do something about it. But I assure you we do not have a caucus position and as they say in this Senate, every Senator is a Senator and I cannot speak for anybody but myself."

MOTION

Senator Greive moved that the Senate adhere to its position on Engrossed Substitute House Joint Resolution No. 82 and once again ask the House to concur in the Senate amendments.

PERSONAL PRIVILEGE

Senator Murray: "As the final negotiator for this side of the aisle on the original passage of HJR 82, I would like to point out that Senator Gissberg and I joined together and

I received a message from the House containing five major points of compromise. When I offered this to Senator Gissberg he went back to his caucus, I went back to mine. The five points were as follows: That we would provide for full funding for schools, full guaranteed funding. Number two was that we would have no special levies. Number three was that the corporate limit would be raised to thirteen percent, the maximum limit. The individual top limit, would be raised to seven percent, the additional that this move would raise would be one hundred and thirty million dollars. I would like to make it clear that Senator Gissberg did not say that he would support a supporting bill. He did not promise that he would support immediate action on an implementing bill. He did agree that we would have changes in HJR 82 that would provide those five points; full funding, no special levies, a maximum corporate limit of thirteen percent, a maximum limit; individual limit of seven percent, and a total increase in revenue of one hundred and thirty million dollars.

"I went back to my caucus and pointed out that we had this agreement, that the way of raising the additional one hundred and thirty million dollars was the increase from twelve percent to thirteen percent in the implementing bill that raised approximately thirty million dollars and we would raise each of the brackets that we had in House Bill No. 354 up one notch so the individuals would pay more and this would have the impact of raising an additional hundred million dollars. That was the condition that the Republicans voted for HJR 82. Now I want to point out those were the conditions under which the Republicans voted for HJR 82.

"In regards to the amendment offered by Senator Day, I feel that probably a majority of the Republicans now support the proposal that came from the House. This is different from either of the proposals we had at the point in time we were talking about HJR 82 and is a change in the request from the House at the time that we were talking about HJR 82. They have changed their minds. They would like to have this. I feel that this amendment is acceptable to the majority of this body. But the condition that we face now, which is the contemplated change in the rate schedule of the implementing law very very substantially goes over one hundred and thirty million dollars that was the condition under which this side of the aisle voted for the original passage of HJR 82. If we can arrive at a conclusion that is within the boundaries of what I feel was the agreement that we arrived at within this body, that the increases would be one hundred and thirty million dollars and the base I worked from at least was House Bill No. 354, then we have agreement. If, however, we are talking about an implementing bill now or later that raises three or four hundred million dollars more, I and I think the majority of this side of the aisle will vote against HJR 82 under those conditions.

"Now I feel the solution to the problem is to agree to the implementing bill that we have been talking about, then I am sure that the proposed amendment to HJR 82 itself is wholly acceptable to the majority of this body."

PERSONAL PRIVILEGE

Senator Gissberg: "Number one, the position that I carried and attempted to make very clear, the agreements that were made between Senator Murray and myself, and that is what it finally got to be, Senator Odegaard, at the very last negotiations that were going on between our caucus room and the Republican Senate caucus room was that I was advised that our position to abolish special levies for schools particularly was agreed to. We have been trying to get this for a long time. The full funding of the common school system was agreed to and the lid in the Constitution went up from six and one-half percent to seven percent for individuals and that the lid for corporations went up from twelve to thirteen. The last item on the note that Senator Murray had given to me which was apparently concurred in by former Representative McCaffrey was that there was to be one hundred and thirty million dollars of additional revenue derived by some device which was inherent in what we had spoken about. That was the first time in all of the negotiations that this figure had ever come in and I am sure you will confirm that fact, Senator Murray.

"However, those were not the conditions under which our caucus voted for the proposal. As a matter of fact I have never discussed with you or anyone else until six o'clock tonight when you approached me on the implementing legislation, notwithstanding what anyone else has said on this floor up to this point. So that I can confirm the fact that we did

discuss and agreed upon the things that you just mentioned. But there was never any condition that we would vote at this time with respect to the amount of money that we are talking about. Nor has our caucus ever taken the position that we want more money than one hundred and thirty million dollars. And we are not in any fixed position in respect to that in any way, shape or form. I doubt that too many of our people really know what the meaning of that sheet that was passed around here yesterday really is. So that we are not fixed into a position of wanting more than one hundred and thirty million. That proposal never emanated from us to begin with, that is one hundred and thirty million dollars of additional revenue. The first we heard of it was at the very last when you suggested that it was all right to come in with the increase in the lid, to which we agreed of course, because that is something that we did want in order to provide a future legislature at least with further flexibility and elasticity, if you will, to raise the funds which we think are going to be necessary to fund our common school systems.

"I do not know what good all this explanation does back and forth on the record but I have made it very clear at least to the people that I represent and I only speak for myself now, that I would not vote for any new taxes during this session of the legislature and I do not intend to. And I only speak for myself. Not only will I not vote for any three hundred million but I will not vote for one hundred and thirty million. And for you to suggest that our side of the aisle is somehow advocating something in excess of one hundred and thirty million just is not true because we have not advocated that at all and I am sure that you realize that it was not implicit in anything that you and I discussed at least. It is true that you mentioned the figure of one hundred and thirty million dollars to me and that I felt that at some time, at some time it would be implicit in the increase in the lid raise, that there would be available then at some future date that much additional revenue by the device that you mentioned. I think further it should be said that you had mentioned the increase of the bill rate to two and one-half percent on the low side, I think is a fair statement. I think you have made a fair statement of the situation. I think that my explanation, the record will fully reveal the entire understanding, at least, that you and I had."

Debate ensued.

Senators Ridder, Greive and Bailey demanded the previous question and the demand was sustained.

Senator Greive demanded a roll call and the demand was sustained by Senators Ridder, Atwood, Holman, Washington, Connor, Bailey, Scott, Odegaard and Gissberg.

The President declared the question before the Senate to be the motion by Senator Greive that the Senate adhere to its position and once again ask the House to concur in the Senate amendments.

ROLL CALL

The Secretary called the roll and the motion by Senator Greive carried by the following vote: Yeas, 32; nays, 16; excused, 1.

Voting yea: Senators Bailey, Connor, Cooney, Day, Donohue, Durkan, Fleming, Foley, Francis, Gardner, Gissberg, Greive, Guess, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stender, Stortini, Talley, Twigg, Walgren, Washington, Wilson, Woodall—32.

Voting nay: Senators Andersen, Atwood, Canfield, Clarke, Dore, Elicker, Holman, Huntley, Lewis, Matson, Metcalf, Murray, Peterson (Ted), Scott, Sellar, Whetzel—16.

Excused: Senator Newschwander—1.

MOTION

On motion of Senator Greive, the Senate message to the House was ordered immediately transmitted.

MOTION

On motion of Senator Greive, the Senate commenced consideration of the House message on Engrossed Substitute House Bill No. 112.

MESSAGE FROM THE HOUSE

February 22, 1972.

Mr. President: The House has concurred in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 112 except the following and asks the Senate to recede therefrom:

On page 3, line 1, strike "\$197,958" and insert "\$342,264"

On page 6, line 21, strike "\$7,791,165" and insert "\$6,866,165"

On page 7, following line 14 and before "Urban" on line 15 insert the following:

"General Fund Appropriation: For construction costs of two black-top play areas, approximately fifty feet by one hundred feet with roof covering to be attached to adjacent buildings on the grounds of the Washington state school for the deaf in Vancouver, Washington \$ 100,000"

On page 7, line 29, after "Appropriation" strike the remainder of the line and insert:

": PROVIDED, That \$21,500 shall be used exclusively for the State Comprehensive Health Planning Advisory Council: PROVIDED FURTHER, That neither federal nor state moneys shall be expended for the attorney general's intelligence unit \$ 192,218"

On page 7, after line 29 and before line 30, insert the following:

"NEW SECTION. Sec. ---. FOR THE STATE AUDITOR

General Fund Appropriation \$ 96,051

Motor Vehicle Fund Appropriation \$ 47,697"

On page 8, section 10, between lines 1 and 2 insert:

"Plumbing Certificate Fund Appropriation for administration of Chapter ---, Laws of 1972, 1st ex. sess. (SSB 261) \$ 7,000"

On page 8, after line 4 and before line 5 insert the following new section:

"NEW SECTION. Sec. ---. FOR THE CANAL COMMISSION

General Fund Appropriation \$ 20,000"

On page 8, beginning with ": PROVIDED" on line 7 strike all the material down to and including "activities" on line 13

On page 8, line 13, strike "\$392,275" and insert "\$192,275"

On page 10, line 14 beginning with "the" strike all the material down to and including "\$15,528,783" on page 11, line 17 and insert the following:

"it is the intent of the legislature that this appropriation is to be made available to the Superintendent of Public Instruction to be allocated for the school year 1972-73 for the purpose of providing a 3 percent salary increase to all certificated personnel including intermediate school districts and a \$21 monthly increase to all classified personnel including intermediate school districts such increases to be over and above each district's certificated and classified contracted salary level for 1971-72: PROVIDED, That subject to the availability of funds in this appropriation after salary allocations are made, the Superintendent of Public Instruction shall allocate any excess additional funds from this appropriation to school districts to pay related OASI and employee benefit costs: PROVIDED FURTHER, That the effective date of this increase shall be September 1, 1972: PROVIDED FURTHER, That no portion of this appropriation shall be distributed through the operations of the school equalization formula \$14,968,449"

On page 11, line 20, strike all the material after "Appropriation" and insert:

": PROVIDED, That \$30,000 of this appropriation shall be used exclusively for the Minority Affairs Program \$ 211,714"

On page 11, line 29, strike all the material after "year" and insert the following:

": PROVIDED, That not more than \$3,500 shall be expended for a survey and study on the impact of commercial fishing on Discovery Bay, to be conducted by the Fisheries Research Institute, in cooperation with the Interim Committee on Fisheries, Game and Game Fish \$ 226,288"

On page 13, line 19 add a new section to read as follows:

“NEW SECTION. Sec. ---. FOR THE EASTERN WASHINGTON STATE COLLEGE
 General Fund Appropriation: For constructing and equipping Turnbull

Environmental Teaching-Research Facility \$ 217,500”

On page 13, line 21, beginning with the word “For” strike all the material down to and including “\$529,571” on page 17, line 19 and insert the following:

“For a \$21 monthly per classified employee cost of living increase effective September 1, 1972, to be allocated to state agencies.

General Fund Appropriation \$3,391,059

General Fund—Special Funds Benefit Account Appropriation: PROVIDED, That allocation for salary and health insurance increases for special funded agencies shall be made from this special funds benefit account hereby created within the general fund: PROVIDED FURTHER, That amounts to be disbursed from the allocations made by the governor from the special funds benefit account to special funded agencies shall from time to time be reimbursed by transfer thereto by the state treasurer from fund balances available, on or before the day prior to the scheduled disbursement \$3,419,703

For a \$21 monthly per classified employee cost of living increase effective September 1, 1972, to be allotted to institutions of higher education, including community colleges.

General Fund Appropriation \$2,432,199

For a 3 percent cost of living increase effective September 1, 1972, to be allotted to institutions of higher education, including community colleges, for faculty and administrators.

General Fund Appropriation \$3,771,388”

On page 17, after line 22 and before line 23, insert the following new sections:

“NEW SECTION. Sec. ---. FOR THE INTERIM COMMITTEE ON FISHERIES,

GAME AND GAME FISH

General Fund Appropriation \$ 30,000

NEW SECTION. Sec. ---. FOR THE MUNICIPAL COMMITTEE

General Fund Appropriation \$ 18,593

NEW SECTION. Sec. ---. FOR THE INTERIM COMMITTEE ON BANKING, INSURANCE AND UTILITY REGULATION

General Fund Appropriation \$ 35,146

NEW SECTION. Sec. ---. FOR THE JOINT COMMITTEE ON GOVERNMENTAL COOPERATION

General Fund Appropriation \$ 20,000”

and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

MOTIONS

Senator Dore moved that the Senate recede from the Senate amendments to Engrossed Substitute House Bill No. 112 not concurred in by the House.

POINT OF INQUIRY

Senator Durkan: “Would Senator Atwood yield? Senator, I would like to preface my question by the statement that the differences of opinion between many of us in the Senate and the majority party here, the Democrats, were in favor of leaving the state salaries, particularly K-12 outside the formula. And as I understand the Governor’s position, he added additional moneys, a million fifty thousand dollars which would be made available to those school districts which would not receive that amount of money if it had been outside the budget as it would be if it was inside of it. Now what I am asking you, is that million fifty thousand, that is the intent that that money will be used in those school districts for those salaries which ordinarily otherwise would not be available?”

Senator Atwood: “Mr. President and gentlemen of the Senate, that is my understanding. I will not vouch for the computation because, Senator Durkan, there is a wrong computation in here which everyone should be aware of so that you do not get upset

when you get home. In the salary increase for the appropriation to the Governor for higher education there was an error in computation by the Budget Committee. It was not their fault because the base figure they were relying on came from OPP&FM and they are five hundred thousand dollars short. I think we have discussed this and, rather than put it into a conference, we would probably have to make up this difference next time. But just so you are aware of it, rather than tie up this whole bill again, but in regards to inside the formula funding for the three percent raise in school districts, that million fifty thousand or whatever it is to make up that difference in the school districts that do not get the full three percent when it is funded through the formula. I believe Seattle is one school district and maybe Spokane and a couple of the others."

MOTION

Senator Foley moved that the Senate adhere to its position on the Senate amendment to page 7, following line 14 and ask the House to concur thereon.

PARLIAMENTARY INQUIRY

Senator Holman: "Mr. President, is it not the posture of this bill that this is not a House amendment, this is the House asking us to recede from our amendment adding one hundred thousand dollars, so it would seem to me it is a question of adhering to our position on it rather than asking them to recede."

REPLY BY THE PRESIDENT

The President: "Senator Holman's point is well taken. Senator Foley has moved that the Senate adhere in its position relating to this particular item and to request that the House concur."

The motion by Senator Foley failed on a rising vote.

The motion by Senator Dore carried and the Senate receded from the Senate amendments to Engrossed Substitute House Bill No. 112 not concurred in by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 112, as amended by the Senate, and receding from certain amendments as requested by the House, and the bill passed the Senate by the following vote: Yeas, 34; nays, 14; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Durkan, Elicker, Fleming, Foley, Gardner, Greive, Henry, Herr, Huntley, Jolly, Keefe, Knoblauch, Matson, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Sellar, Stender, Stortini, Walgren, Washington—34.

Voting nay: Senators Francis, Gissberg, Guess, Holman, Lewis, Mardesich, Metcalf, Murray, Scott, Talley, Twigg, Whetzel, Wilson, Woodall—14.

Excused: Senator Newschwander—1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 112, 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

Senator Woodall moved that the Senate dispense with the Call of the Senate.
Debate ensued.

The motion by Senator Woodall failed on a rising vote.

MOTION

At 8:50 p.m., on motion of Senator Greive, the Senate recessed until 9:30 p.m.

THIRD EVENING SESSION

The President called the Senate to order at 9:30 p.m.

MESSAGE FROM THE HOUSE

February 22, 1972.

Mr. President: The Speaker has signed HOUSE BILL NO. 248, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:
HOUSE BILL NO. 248.

MOTION

Senator Fleming moved adoption of the following resolution:

SENATE RESOLUTION: 1972-80

By Senators Keefe, Ridder, Day, Gissberg, Connor, Donohue, Greive, Francis, Metcalf, Gardner, Fleming, Holman and Dore:

WHEREAS, The objective of the educational program in this state is to provide equal opportunities for education to all children without distinctions or preferences; and

WHEREAS, An increasing number of non-public elementary and secondary schools may fail for financial reasons, thereby placing additional burdens on the public educational system; and

WHEREAS, Existing private elementary and secondary schools are under mounting economic pressure to meet the standards of public education, but have limited sources of additional revenue; and

WHEREAS, Other states have studied these problems and developed new concepts and programs to resolve them;

NOW, THEREFORE, BE IT RESOLVED, That the Senate authorizes and requests the Legislative Council to study the feasibility of establishing a program of student financial assistance in elementary and secondary schools modeled after a similar program now in operation in the states of Pennsylvania and Ohio.

BE IT FURTHER RESOLVED, That the results of the study and any recommendations be presented to the next regular session of the legislature for its consideration.

Debate ensued.

POINT OF INQUIRY

Senator Walgren: "Will Senator Fleming yield? Senator Canfield suggested, Senator Fleming, there is some question in some of our minds as to what the similar programs in operation in the states of Pennsylvania and Ohio are. I wonder, can you briefly explain what those programs are?"

Senator Fleming: "I do not know the exact context. I do know that these states have taken part in some kind of program. I think Senator Keefe did have a copy of a bill that was passed in Pennsylvania or Nebraska. I do not know if he has it in his possession now. In further answer to your question, I do not know exactly what those programs are and I think Senator Canfield and Senator Stender gave some of the best arguments for this type study because there has been this exchange of ideas as to whether we are talking about public funds for private schools. And secondly, he read the sort of preamble talking about nonpublic elementary and secondary schools and financial reasons but he failed to look down further in the resolution and it clearly points out, establishing a program of student

financial assistance and not giving the money to the schools. And so because of the exchange of ideas on this subject in the past I think it is more than right that the Legislative Council which many of these members in this body serve on and many of them that have been on the opposite side of the issue serve on, I think that they can come up with a position that this legislative body could act on."

Senator Walgren: "Thank you, Senator Fleming. I understand though you do not know what those programs are."

POINT OF INQUIRY

Senator Walgren: "Senator Keefe, will you yield?"

Senator Keefe: "In Pennsylvania they raised the cigarette tax, Senator, and I am not familiar with Ohio. In Nebraska they help them with supplies and books. The Senate is familiar with the state of Michigan where one hundred and fifty thousand youngsters returned to the public schools and practically bankrupted the state."

Further debate ensued.

POINT OF INQUIRY

Senator Canfield: "Will Senator Ridder yield? Senator, you are a very knowledgeable man on school matters and I respect your judgment and your knowledge and I understand that you are considering running for Superintendent of Public Instruction. And if you were elected to that high office or in your campaign, would you campaign upon a policy of giving public money in any way, shape or manner to private schools?"

Senator Ridder: "I do not think I should answer that on advice of counsel. I appreciate the question. I personally have all children in the state at heart, I am a teacher myself, and I feel deeply that all children in the state of Washington should get an excellent education. And this is about as far as I could go in answering that."

PERSONAL PRIVILEGE

Senator Ridder: "I thank you very much. I appreciate the concern, Senator Canfield and Senator Peterson, but I would like to say that I do not think that I have actively done any campaigning or any of the sort here or shown any leaning towards any definite commitment in any way to secure strength in any direction. And I personally feel that ethically, the legislative session is no place to campaign for office because we have enough things to worry about here and to solve without getting such things all wrapped up in it. And I would like that to go into the record. I feel quite clean ethically that I have not done any sort of thing like that in this session."

The motion by Senator Fleming carried and the resolution was adopted.

President Pro Tempore Henry assumed the Chair.

POINT OF INQUIRY

Senator Washington: "We are proceeding somewhat informally here tonight and, as I understand, probably HJR 82 does not have too much of a chance of being submitted to the people by the House. I had an interesting discussion with Senator Holman. Senator Holman, I wonder if you would mind answering a question that if the House fails to submit HJR 82 to the people, it is my understanding that you have a possible alternate solution of submitting the matter to a vote of the people this coming November."

Senator Holman: "Mr. President and Senator Washington, yes, I did not know that it was final that the House was going to do nothing more with the matter, but if that is the case, I do have a plan to do something about this. Rather than just say it out cold, I think it needs a little explanation and that is this: I have been down here, as you know, since my first session in '67; I served in the House at that time. At that time tax reform was very high on the program of many legislators and, I believe, the Governor, and in the House of

Representatives we actually brought a bill to a vote over there and we received, I believe, sixty-one votes, not enough for two-thirds; that was a high water mark for that particular session. The next session that I spent down here was over here in the Senate, in 1969, and at that time both houses cooperated to get a measure before the people, with an implementing bill, which was HJR 42, as you all know. We did succeed in coming up with a proposal. It was not the best, but at least it passed both houses by the requisite two-thirds. Then it was submitted to the people and turned down by them by a substantial majority. Ergo, the people did not want that program.

"We came back in 1971, last year, and we tried some more, but we really did not try very hard because we had just had the experience of HJR 42 a couple of months before that, and most people were rather turned off. However, toward the end of the session we did have a brief flurry of activity. Some people introduced some joint resolutions. Senator Durkan and I introduced a comprehensive one. We had a hearing, you recall, in either the Senate or the House Chamber, which was packed. But it was too late in the session to get anywhere.

"Now what has happened since last year? Well, last year after we left here without doing anything, the people suddenly started to get interested in tax reform. The legislators were pretty much turned off and I admit myself that I was thinking of some other things, but the people started in and groups organized all over this state and especially in the metropolitan area. And large groups. People like the Jaycees got interested in it and developed plans. The League of Women Voters. All these groups became interested. The people were much further ahead of the legislators in their interest in this thing. A New Tax Policy Committee was organized consisting of representatives of just about every group you could think of, to try to come up with a consensus, first of the goals to be sought and then how to do it. What we have been working on in this session is pretty much along the lines that they investigated and decided upon to support. And we had hearing after hearing in the House and here on this measure. We really did not get down to it in time, gentlemen. We got down to it about a week ago in this body and I will say this: there has been more hard work and sincerity put in on this measure than anything I could conceive of. Every single man in this chamber I believe is genuinely interested in this subject, even though he may not presently support it. He has been willing to try to reach an accommodation with the other house, with the other side of the aisle, and enormous amounts of time and man hours have gone into this. So I do not think we can any of us point the finger at anybody else here and say, 'You killed it' or 'You did not support it.' It is not anybody's fault. It is the fault of a system and we all have to share in it. But, nevertheless, I do not think it is possible to go out of here as we are evidently going to do, without some sort of plan. I do not think that I can conscientiously go home and resign myself simply to coming back in 1973, if I get back, and work for another one of these to be put on the ballot in 1974 which is two and one-half years from now. The problems of the state will not quit next July.

"My plan is to file an initiative, an initiative to the people to be submitted this November. It will be in the form of a graduated income tax like we have been considering here, which seems to me to meet general approval. I have been giving this method of going at it considerable thought. At first blush it seems ridiculous because we do not think of amending the Constitution by initiative. It is not quite so ridiculous when you think back on what the actual legal situation is here. There is not one word in the Constitution which in itself says that the state may not levy a graduated net income tax. Any lawyer in the body will agree with that. What we do have is some language in the Constitution which the Supreme Court of this state many, many years ago undertook to interpret as denying that right. By a five to four decision, in spite of the fact that other states with identical constitutional language had it, the Supreme Court had reached the opposite result. At any rate it seems to me it is at least fifty-fifty chance that the Supreme Court would reconsider its position on this, as they have done many, many times on other important questions.

"The way this would operate, I assume, would be to file such an initiative with the Secretary of State. At that point I believe the Attorney General would prepare a ballot title and allow the petitions to be printed up. I do not believe the courts would interfere with that process. We have in the last three or four years constitutional precedent by the Supreme Court under which they voluntarily restrained themselves from interfering with this operation until after the petitions were gathered in sufficient numbers and the matter

voted on by the people. So I do not think there is any problem about getting the right to get the signatures and get it on the ballot and campaign for it, for or against it. And if it should pass, then the Supreme Court obviously will have to be called upon to make an early interpretation as to whether it is valid. If it is valid, then we have an income tax and we have the ability to support our institutions as we are trying to do here.

"You may say to me, 'Well, Senator, aren't you interested in constitutional limitations?' I certainly am, and I think the next step would be for the next session to circumscribe this new law, if it is passed, with the constitutional limitations which would permit it to only expand and be flexible enough just as we have been talking about in the last week. And I think with a statute on our books for the income tax, just about everybody would be ready to figure out the constitutional limitations which would surround it. If the Supreme Court should hold it invalid, what then? We are no worse off than we are, and in fact we will then have had a fully authorized official referendum of the people showing whether they want this new form of taxation or whether they do not. If they say no, then I would say we have fulfilled our obligation to them to provide it for them. I am confident as I read the public pulse that they do want something different and if the initiative is structured in the proper way I think it will pass. I had not intended to discuss this at all until the time when I thought HJR 82 was dead, but it appears that it is, and so therefore that is what I am presently planning."

MOTION

On motion of Senator Bailey, the following resolution was adopted:

SENATE RESOLUTION: 1972-81

By Senators Bailey, Greive, Atwood and Andersen:

WHEREAS, The Second Extraordinary Session of the Forty-second 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 and during the interim period between the close of the Second Extraordinary Session of the Forty-second Legislature and the commencement of the Forty-third Regular Session;

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 thirty 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 such per diem rate of pay therefor as the Secretary of the Senate and the Chairman of the Senate Facilities and Operations Committee 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 he hereby is, authorized and directed to have a copy of the Senate Journal of the Second Extraordinary Session of the Forty-second Legislature, together with a suitable index therefor, prepared by the State Printer, and that he, as salary for his work in compiling, editing and indexing the printed journal, be paid the sum of six hundred dollars, said amount to be paid from the Senate legislative appropriations, and the State Treasurer being hereby authorized and directed to issue a warrant 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 Second Extraordinary Session of the Forty-second Legislature 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 he hereby is, directed to see that the Senate Chamber 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 Second Extraordinary Session of the Forty-second Legislature, fifteen 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, 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 offices, together with the first floor of the legislative building at the east portion of said floor, and the fourth floor of the public lands building be placed in the custody, care and control of the Senate Facilities and Operations Committee 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 Senate Chamber shall not be granted for other than legislative purposes; and

BE IT FURTHER RESOLVED, That such use of the Senate Chamber and rooms for a Y.M.C.A. 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, per diem, in lieu payments, and reimbursements of and to the members of the Senate, the elected officers of the Senate, and the retained employees each month upon vouchers signed by the members, officers or employees and approved by the President of the Senate or the President Pro Tempore of the Senate and 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; and

BE IT FURTHER RESOLVED, That the President Pro Tempore of the Senate, the Vice President Pro Tempore of the Senate, the Senate majority floor leader and the present and past Senate minority floor leaders, the assistant Senate minority floor leaders, the majority and minority whips, and majority and minority caucus chairmen and caucus secretaries, are each authorized to attend the annual meetings of the National Conference of State Legislative Leaders, and to receive therefor their 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; and

BE IT FURTHER RESOLVED, That all accounts payable incurred up to and including this date, covering Senate expenditures made, or obligation incurred, which are payable out of the funds appropriated for the payment of expenses of the Second Extraordinary Session of the Forty-second Legislature of the state of Washington, and which are presented for payment after adjournment of the Second Extraordinary Session of the Forty-second 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; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he is hereby authorized and directed to attend the session of the National Legislative Conference of the Council of State Governments, and while in attendance upon such conference he shall be allowed 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; and

BE IT FURTHER 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 thirty 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 sixty 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, members' offices 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 thirty days following the conclusion of the Second Extraordinary Session of the Forty-second legislature and the sixty or less days preceding the opening for the Forty-third 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 four hundred dollars; and

BE IT FURTHER RESOLVED, That the Sergeant at Arms be, and he hereby is, directed to do the necessary work during the interim and in connection with the opening of the Forty-third Regular Session and that for such work he be allowed a salary of three hundred dollars per month; and

BE IT FURTHER RESOLVED, That upon 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 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 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.

MOTION

On motion of Senator Greive, the following resolution was adopted:

SENATE RESOLUTION: 1972-82

By Senators Keefe and Greive:

WHEREAS, The Right Reverend Gerald Desmond, O.S.B. has labored with distinction for forty years in the teaching of Sociology at St. Martin's College; and

WHEREAS, He has been of inestimable aid to the Department of Institutions during the course of the last several administrations;

NOW, THEREFORE, BE IT RESOLVED, By the Senate that the Right Reverend Gerald Desmond, O.S.B. be honored and congratulated on another milestone in an outstanding career as a public servant; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate transmit a copy of this resolution to the Right Reverend Gerald Desmond, O.S.B.

MOTION

On motion of Senator Greive, the following resolution was adopted:

SENATE RESOLUTION: 1972-83

By Senators Keefe and Greive:

WHEREAS, Another twenty-hour Telethon was recently concluded on KIRO-TV; and
 WHEREAS, As before, this Telethon was for the admirable purpose of raising funds to aid the Children's Orthopedic Hospital Variety Heart Clinic and the University Hospital's Birth Defects Center; and

WHEREAS, This worthwhile event was co-sponsored by KIRO-TV and the local Variety Club, Tent 46; and

WHEREAS, Lloyd Cooney, General Manager of KIRO-TV and Jack T. Hamaker, Chief Barker of the Local Tent 46 of the Variety Club, spent many hours in the organization of this stupendous effort; and

WHEREAS, KIRO-TV donated twenty hours of valuable network time so that the Telethon could become a successful reality; and

WHEREAS, As a result of this wonderful program, and as a result of the hard work and contributions of many dedicated persons who willingly volunteered their help; and

WHEREAS, The members of the Senate are proud of the way citizens of the State of Washington have so generously responded to the Telethon;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Senate do hereby extend their most sincere appreciation to KIRO-TV, its General Manager, Mr. Lloyd Cooney, to the local Variety Club, Tent 46 and Mr. Jack T. Hamaker, its Chief Barker, to all the celebrities who appeared on the Telethon, to the many individuals who donated their valuable time, and to the citizens who so generously contributed to the funds for which the Telethon was conducted;

BE IT FURTHER RESOLVED, That the Secretary of the Senate is instructed to prepare copies of this resolution and send them to KIRO-TV and Variety Club, Tent 46.

POINT OF INQUIRY

Senator Day: "Will Senator Odegaard yield to a question? Senator Odegaard, at least a week ago you joined with Governor Evans in a query and a statement to the Department of Social and Health Services making some very pointed suggestions regarding furloughs to prisoners. Have you received any reply from the Department of Social and Health Services?"

PARLIAMENTARY INQUIRY

Senator Andersen: "What is the business before us?"

REPLY BY PRESIDENT PRO TEMPORE

President Pro Tempore Henry: "There is none right at the moment except the question introduced by Senator Day to Senator Odegaard."

REMARKS BY SENATOR ANDERSEN

Senator Andersen: "I would object on the basis we have had sufficient politics for the past forty-four days that, you know, just to gratuitously up and start swapping lefts and rights here on the last evening. There is nothing before us that is not within the rules."

REMARKS BY SENATOR DAY

Senator Day: "Mr. President, I would like to point out that it was Governor Evans and Senator Odegaard that asked the questions and I certainly had no intention of it being a political answer."

REMARKS BY SENATOR ODEGAARD

Senator Odegaard: "A week ago Sunday, I happened to have the Sunday off, I spent most of the day going over all of the testimony, suggestions, recommendations, criticism and so forth, of our prison furlough program. From that I put together a report, came up

with thirteen recommendations, changes in the furlough program. On Monday I had them typed up and distributed to the press and they were sent to the Department of Social and Health Services, Mr. Smith, Mr. Pinnock, Mr. Horowitz, to each institutional superintendent in the state. Mr. Horowitz responded and said in a day or two they would call to meet with me to go over the recommendations. Very likely some of them would be adopted. I have had nothing but compliments from many legislators, many people from all over the state, on some of the recommendations. To this date I have not heard one word from the Department. I think I have been, as the Chairman of the Senate Institutions Committee, more than fair with the Department and with Mr. Smith. At any time they requested my sponsorship of a departmental request bill I have been more than fair to listen to them and have usually sponsored or cosponsored their bills. Whenever they wanted to see me about any of their legislation they were always here. Had many calls every day. It is very odd in the last few days when we have had very many lulls that I have had not one request to sit down with anybody from that department to go over any of these recommendations. I handed out to each of you the list of the recommendations. You all have them. I know some of you have had time to read them and some of you have not. Many of these I feel are worthwhile. The department people, I believe, could take a little time to sit down with the Chairman of the Senate Institutions Committee to go over them. I would just like to bring that out to you. This has not yet been done, but I hope that they will yet ask me to meet with them on it."

MOTION FOR RECONSIDERATION

Having voted on the prevailing side and having given prior notice, Senator Lewis moved that the Senate do now reconsider the vote by which Substitute House Bill No. 514 failed to pass the Senate.

Senator Lewis demanded a roll call, and the demand was sustained by Senators Stender, Scott, Metcalf, Mardesich, Fleming, Canfield, Clarke, Peterson (Ted) and Stortini.

ROLL CALL ON MOTION FOR RECONSIDERATION

The Secretary called the roll, and the motion for reconsideration of the vote by which Substitute House Bill No. 514 failed to pass the Senate carried by the following vote: Yeas, 29; nays, 19; excused, 1.

Voting yea: Senators Andersen, Atwood, Bailey, Clarke, Connor, Elicker, Fleming, Foley, Francis, Gardner, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Matson, Metcalf, Murray, Peterson (Ted), Scott, Sellar, Stortini, Talley, Washington, Whetzel, Wilson—29.

Voting nay: Senators Canfield, Cooney, Day, Donohue, Dore, Durkan, Gissberg, Greive, Guess, Mardesich, Odegaard, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stender, Twigg, Walgren, Woodall—19.

Excused: Senator Newschwander—1.

MOTION

At 10:45 p.m., on motion of Senator Greive, the Senate recessed until 11:08 p.m.

FOURTH EVENING SESSION

The President called the Senate to order at 11:08 p.m.

MOTION

On motion of Senator Greive, the Senate dispensed with the Call of the Senate.

The President declared the question before the Senate to be the roll call on final passage of Substitute House Bill No. 514 on reconsideration.

POINT OF INQUIRY

Senator Gissberg: "Will Senator Lewis yield? I read the bill as we were discussing it in caucus, Senator, and I see that there was an indication in the bill that there would be for the construction of a new office building something in excess of five million dollars for phase one and then there was a direction in the bill for the remainder to be paid out of the building authority fund if HJR 52 passed and that if HJR 52 did not pass, that then the legislature would appropriate directly, presumably to fund the balance of the state building. Now my question is twofold. One, what is the total cost of the building including phase two or phase three or how many phases there are? Secondly, projecting the life of the retirement of the bonds, what would be the total dollar impact including the principal and the interest costs?"

Senator Lewis: "Mr. President, Senator Gissberg, in answer to your question, I distributed a chart twice during this session that you might remember. If you can locate that chart you can see the figures directly in front of you, but in the event that you do not have one, the total cost of the building would be seventeen million dollars. If we were to proceed immediately and build this building the total cost including the interest would be thirty million dollars. Thirty million dollars would be the total cost of the building including interest.

"Now, there is one additional answer that you should be aware of. In the event that we do not use this device and continue leasing, the total cost would equal ninety million dollars. In addition to that, you should understand that the federal government will pick up half of this lease payment during this period of time. Half of the cost of the building."

POINT OF INQUIRY

Senator Mardesich: "Would Senator Lewis yield to another question? There was a letter over the Governor's signature with respect to this matter. Do you have any recollection as to the contents of that letter, Senator Lewis?"

Senator Lewis: "Yes, I have it right in front of me."

Senator Mardesich: "What does it indicate with respect to this matter? It indicates that the cost on the yearly basis under this program to be one point one million dollars per year as against nine hundred thousand dollars per year."

Senator Lewis: "Senator Mardesich, that is an interpretation of the letter. I interpret it differently in relating it to the chart. Now the building cost is based over a thirty-year period of time. If you look at the lease payments you can see the total cost of current leases over a thirty-year period as it builds up to millions of dollars. You will also see the total cost of the new building on the lease as the straight line at the bottom. With the permission of the Senate if you can see this, what we are talking about is the straight line at the bottom including interest, including principal, and the difference at the end is the difference between the straight lines and the upper line. And this is the reason that I am urging you to support me in this because of this—there is about twenty-five million dollars savings during the thirty-year period by building the building today."

Debate ensued.

POINT OF INQUIRY

Senator Durkan: "Will Senator Lewis yield? Senator, the concept of the building aside, the mechanics of it, will the entire thirty million dollars be let, or the cost of whatever this building—what is the total cost?"

Senator Lewis: "Seventeen million."

Senator Durkan: "Seventeen million. Will that all be let immediately?"

Senator Lewis: "Senator, the project will be let and started but under the provisions of the act they shall not exceed the sum of five million two hundred and sixty-seven thousand nine hundred dollars for this biennium."

Senator Durkan: "For this biennium. And then the contracts, once you let the contracts to the prime contractor he is there for the entire seventeen million I take it?"

Senator Lewis: "That is correct. That is my understanding. However, to answer your question, the remainder of the building would of course have to come before this legislature and be recommended by the Governor's office in the ensuing biennium. Is that incorrect, Senator Gissberg? It is my understanding there is a possibility it could be before us next session."

Senator Gissberg: "I do not claim to be an expert here now, Harry, because I just read this, but section 1, in addition to directing the state building authority to make all necessary plans and surveys to construct this building, the authority shall delegate responsibility for all necessary plans, surveys and construction to the Department of General Administration. Now that to me means that the Department of General Administration can contract for the entire project, but all we are doing at this point in addition to that is saying that for the 1971-73 biennium these ones shall not exceed a certain amount. But nonetheless the entire contract can have been entered into so that subject to the funding of it, which would then be of course up to the 1973 legislature if the HJR 52 did not pass. But I would say that once that happens the legislature will have no way to turn around and will be forced to appropriate the money just as a formal gesture rather than to have any discussion in that connection."

Senator Lewis: "Senator Gissberg, may I yield to Senator Andersen? I think he can clarify the details."

Senator Andersen: "Well I do not know if my answer is any different particularly from what Senator Gissberg was saying, but the initial contract is let based upon the amount of money that is appropriated. A contract cannot be let, obviously, in excess of the amount appropriated and the first phase would be the first phase, foundations, this, that and the other thing. And then you are right, then you do have a second phase which has to be financed at that time. But they are different stages and you simply cannot sign a contract to spend money that has not yet been appropriated under the other provisions in substantive law relating to building authority and particularly to the state doing business."

President Pro Tempore Henry assumed the Chair.

ROLL CALL

The Secretary called the roll, and Substitute House Bill No. 514, on reconsideration, failed to pass the Senate by the following vote: Yeas, 13; nays, 29; absent or not voting, 6; excused, 1.

Voting yea: Senators Andersen, Elicker, Foley, Henry, Holman, Lewis, Matson, Metcalf, Murray, Peterson (Ted), Scott, Talley, Washington—13.

Voting nay: Senators Atwood, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Fleming, Gardner, Gissberg, Greive, Guess, Huntley, Jolly, Keefe, Knoblauch, Mardesich, Odegaard, Peterson (Lowell), Ridder, Sandison, Sellar, Stender, Stortini, Twigg, Walgren, Whetzel, Wilson—29.

Absent or not voting: Senators Bailey, Durkan, Francis, Herr, Rasmussen, Woodall—6.

Excused: Senator Newschwander—1.

SUBSTITUTE HOUSE BILL NO. 514, on reconsideration, having failed to receive the constitutional majority, was declared lost.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 22, 1972.

Mr. President: The House has concurred in the Senate amendment to HOUSE CONCURRENT RESOLUTION NO. 29 and has adopted the resolution as amended.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

At 11:35 p.m., on motion of Senator Greive, the Senate was declared to be at ease until 12:35 a.m.

The President called the Senate to order at 12:35 a.m.

MESSAGE FROM THE HOUSE

February 22, 1972.

Mr. President: The House has adopted SENATE CONCURRENT RESOLUTION NO. 18, and the same is herewith transmitted.

MALCOLM McBEATH, Chief Clerk.

SIGNED BY THE PRESIDENT

The President signed:

SENATE CONCURRENT RESOLUTION NO. 18.

MESSAGES FROM THE HOUSE

February 22, 1972.

Mr. President: The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 29, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 22, 1972.

Mr. President: The Speaker has signed SUBSTITUTE HOUSE BILL NO. 112, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

February 22, 1972.

Mr. President: The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 18, and the same is herewith transmitted.

DONALD R. WILSON, Assistant Chief Clerk.

MOTION

On motion of Senator Greive, the following resolution was adopted:

SENATE RESOLUTION: 1972-84

By Senators Bailey and Atwood:

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.

SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE HOUSE BILL NO. 112,
HOUSE CONCURRENT RESOLUTION NO. 29.

There being no objection, the Senate returned to the fourth order of business.

MESSAGE FROM THE HOUSE

February 22, 1972.

Mr. President: In accordance with SENATE CONCURRENT RESOLUTION NO. 18, the Speaker has appointed as member of the Committee to notify the Governor that the House is about to adjourn *sine die*: Representatives North, Morrison and Perry.

MALCOLM McBEATH, Chief Clerk.

MOTION

On motion of Senator Bailey, the following resolution was adopted:

SENATE RESOLUTION: 1972-85

By Senators Bailey and Atwood:

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.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Resolution 1972-85, the President appointed Senators Bailey, Atwood and Greive to serve as a committee of three to notify the House that the Senate is ready to adjourn SINE DIE.

MOTION

On motion of Senator Atwood, the committee appointments were confirmed.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Concurrent Resolution No. 18, adopted by the Senate on February 21, 1972, the President appointed Senators Lewis, Sandison and Mardesich as a committee of three from the Senate to notify the Governor that the Senate was about to adjourn SINE DIE.

MOTION

On motion of Senator Lewis, the committee appointments were confirmed.

APPOINTMENT OF COMMISSION MEMBERS

The President appointed Senators Scott and Washington as members of Bicentennial Commission pursuant to Senate Bill No. 149 commemorating the United State bicentennial.

MOTION

On motion of Senator Woodall, the appointments were confirmed.

MOTION

On motion of Senator Keefe, the following resolution was adopted:

SENATE RESOLUTION: 1972-86

By Senators Keefe and Connor:

WHEREAS, Scandinavian Airlines System, under the highly capable management of Mr. Leif Eie, has contributed greatly to the cultural and economic growth of the State of Washington; and

WHEREAS, S. A. S., through the many exchanges made possible by its Polar Route, has enabled ethnic fraternal organizations to generate closer ties between the Scandinavian countries and the State of Washington; and

WHEREAS, Through S. A. S. this year the Philadelphia String Quartet from the University of Washington will be attending the Bergen Festival; and

WHEREAS, Because of S. A. S. the City of Bergen now has a 30-foot totem pole in their city which has received considerable world-wide praise; and

WHEREAS, Because of S. A. S. and in particular their area manager, Mr. Leif Eie, cultural groups have experienced exciting exchanges, enabling patrons at the Bergen International Festival to hear the Seattle Repertory Theatre, and allowing accomplishments which have never before been achieved; and

WHEREAS, S. A. S. and their area manager, Mr. Leif Eie, have enabled trade oriented

organizations and corporations to strengthen trade between Scandinavia and the Pacific Northwest, and have done an outstanding job in the movement of pleasure-loving people in warm exchange of international good will and tourism;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington does hereby recognize the remarkable job done by Mr. Leif Eie and the Scandinavian Airlines System in furthering harmonious relationships, both business and pleasure, and commend them for their splendid efforts in bringing recognition to the State of Washington.

BE IT FURTHER RESOLVED, That the Secretary of the Senate is instructed to prepare copies of this resolution to Scandinavian Airlines System and Mr. Leif Eie.

COMMITTEE FROM THE HOUSE

The Sergeant at Arms announced the arrival of a committee from the House of Representatives. The committee from the House comprised of Representatives Grant, Wolf and Goldsworthy 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 returned to the House.

REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee composed of Senators Lewis, Sandison and Mardesich 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 legislature adjourn SINE DIE.

The report was received and the committee was discharged.

REPORT OF SPECIAL COMMITTEE

The Senate members of the special committee composed of Senators Bailey, Atwood and Greive 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.

MOTIONS

On motion of Senator Greive, the Senate Journal of the Forty-fourth Day, Forty-second Legislature, Second Extraordinary Session, was approved.

At 12:51 a.m., on motion of Senator Greive, the Senate of the Forty-second Legislature, Second Extraordinary Session, adjourned SINE DIE.

JOHN A. CHERBERG, President of the Senate.

SIDNEY R. SNYDER, Secretary of the Senate.

GOVERNOR'S MESSAGES FOLLOWING ADJOURNMENT ON SENATE BILLS PARTIALLY VETOED

February 25, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, SENATE BILL NO. 146, entitled:

“An Act relating to state government; creating a section for identification within the Washington State Patrol.”

The passage of Senate Bill No. 146 provides the opportunity for a substantial improvement in the system of criminal justice in the State of Washington. The creation of a section on criminal identification in the State Patrol will provide major assistance to state and local law enforcement and the entire court system.

Section 19 of the bill creates the Washington State Advisory Council on Criminal Justice Services. The Advisory Council is to consist of eleven members, nine to be appointed by the Governor, plus the Chief of the Washington State Patrol who shall be the Chairman and the Secretary of the Department of Social and Health Services or his designee. The nine persons appointed by the Governor are defined by quite precise categories in the bill. While membership reflecting the interests described in section 19 is generally desirable, it is excessively restrictive to mandate in every instance the categories of persons who must be included on the Council. Accordingly, I have vetoed that item from section 19 which requires that specific categories of persons be appointed to the Advisory Council.

With the exception of this one item in section 19, I have approved the remainder of the bill.

Respectfully submitted,
DANIEL J. EVANS
Governor.

February 25, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the Legislature, without my approval as to one item, SUBSTITUTE SENATE BILL NO. 438, entitled:

“An Act relating to public employment.”

This significant piece of legislation makes major changes in the retirement system for state and local employees. The improvements contained in this bill are desirable and have my full endorsement.

In section 6 of the bill, amendatory language is inserted in RCW 41.40.190 which provides to persons who are members of the Retirement System a choice of benefits under either the new formula or the existing retirement formula, but does not provide that choice to persons who may become members of the system in the future. I have determined that it is appropriate to veto from section 6 the item which limits the choice of benefits to both present and future members of the system equally.

With the exception of the item deleted in section 6, I have approved the remainder of the bill.

Respectfully submitted,
DANIEL J. EVANS
Governor.

GOVERNOR'S MESSAGES ON BILLS SIGNED AFTER ADJOURNMENT

Office of the Governor, February 24, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 23, Governor Evans approved the following Senate Bills, entitled:

SENATE BILL NO. 13: Requiring the previous owner of a used car to inscribe the mileage reading on the certificate of ownership before sale.

SENATE BILL NO. 27: Providing for changes in judges' salaries.

SENATE BILL NO. 173: Conforming fire commission filing dates to general law and prescribing fire district bid limits.

SENATE BILL NO. 293: Providing for cost-sharing of property assessment costs and creating an assessor's budget board.

SUBSTITUTE SENATE BILL NO. 355: Limiting the variances in the total allocation factor in regard to disbursement of motor vehicle revenues.

Sincerely,
CHARLES B. WIGGINS
Legislative Counsel to the Governor.

Office of the Governor, February 28, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 25, Governor Evans approved the following Senate Bills, entitled:

SENATE BILL NO. 4: Reducing camper excise tax to one per cent.

SENATE BILL NO. 28: Creating a state treasurer's advisory committee.

SENATE BILL NO. 45: Changing law relating to apportionment of state funds to school districts.

SECOND SUBSTITUTE SENATE BILL NO. 206: Relating to the Washington state teachers' retirement system.

SENATE BILL NO. 207: Pertaining to taxation of timber and forest lands.

SENATE BILL NO. 240: Implementing law relating to definitions of resident and nonresident students in institutions of higher education.

SUBSTITUTE SENATE BILL NO. 412: Providing for the disposition of state lands.

Sincerely,
CHARLES B. WIGGINS
Legislative Counsel to the Governor.

Office of the Governor, February 28, 1972.

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 24, Governor Evans approved the following Senate Bills, entitled:

SUBSTITUTE SENATE BILL NO. 29: Enacting the uniform alcoholism and intoxication treatment act.

SENATE BILL NO. 32: Removing the expiration date of the local sales tax.

SENATE BILL NO. 50: Correcting the savings clause in the embalming examination statute.

Sincerely,
CHARLES B. WIGGINS
Legislative Counsel to the Governor.

Office of the Governor, February 28, 1972.
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 22, Governor Evans approved the following Senate Bill, entitled:

SENATE BILL NO. 92: Providing for a regional economic development authority.

Sincerely,
CHARLES B. WIGGINS
Legislative Counsel to the Governor.

Office of the Governor, February 28, 1972.
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON.

GENTLEMEN:

I have the honor to advise that on February 27, Governor Evans approved the following Senate Bill, entitled:

SENATE BILL NO. 232: Providing for collective bargaining and labor dispute settlement in health care activities.

Sincerely,
CHARLES B. WIGGINS
Legislative Counsel to the Governor.

1972 SENATE ROSTER

FORTY-SECOND LEGISLATURE—SECOND EXTRAORDINARY SESSION

JOHN A. CHERBERG, President

SIDNEY R. SNYDER, Secretary

AL HENRY, President Pro Tempore

JAMES E. KEEFE, Vice President Pro Tempore

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Andersen, James A.....	48	King, Snohomish, part	500 3rd and Lenora Bldg. Seattle 98121	46	Washington	R	Attorney	S—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1969-69 Ex.-61-61 Ex.-69-69 Ex.-65-65 Ex.
Atwood, R. Frank.....	42	Whatcom	220 Bellingham Nat'l Bk. Bldg., Bellingham 98225	44	Massachusetts	R	Attorney	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71- 71-Ex.-72 2nd Ex.
Bailey, Robert C.....	19	Pacific, Grays Harbor, part	Box 146, South Bend 98586	52	Washington	D	Printer	S—1957-59-59 Ex.-61-61 Ex.-63- 63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.-71-71 Ex.- 72 2nd Ex. H—1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.
Canfield, Damon R.....	8	Yakima-Benton, part	1368 Upland Dr., Sunnyside 98944	73	Arkansas	R	Educator, Fruit and Cattle Rancher, Retired	S—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1963-63 Ex.-55-55 Ex.-57-59- 59 Ex.-61-61 Ex.-63-63 Ex.- 65-65 Ex.
Clarke, George W.....	41	King, part	1111 Hoge Bldg. Seattle 98104	64	Iowa	R	Attorney	S—Appointed 1/8/71-71 Ex.- 72 2nd Ex. H—1967-67 Ex.-69-69 Ex.-70 Ex.
Connor, Frank T.....	33	King, part	3201 S. Massachusetts, Seattle 98144	54	Washington	D	Real Estate	S—Appointed 1/24/67 1957-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.
Cooney, John L.....	5	Spokane, part	N. 4403 Adams St., Spokane 99205	55	Oregon	D	Attorney	S—1957-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71- 71 Ex.-72 2nd Ex. H—1951-51 Ex.-51 2nd Ex.-55- 55 Ex.

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-SECOND SESSION, 1972—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Day, William S.....	4	Spokane, part	2721 E. Sprague, Spokane 99202	49	Illinois	D	Chiropractor	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.
Donohue, Hubert F.....	11	Asotin-Columbia- Garfield-Walla Walla	Rt. 2, Box 13, Dayton 59328	49	Washington	D	Farmer	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Dore, Fred H.....	37	King, part	1424 Washington Bldg., Seattle 98101	45	Washington	D	Attorney	S—Appointed 3/11/59 1959 Ex.-61-61 Ex.-63-63 Ex.- 65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1953-53 Ex.-55-55 Ex.-57-59
Durkan, Martin J.....	47	King, part	404 Olympic Nat'l Life Bldg., Seattle 98104	46	Montana	D	Attorney	S—1969-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.-71-71 Ex.- 72 2nd Ex. H—1957
Elicker, Charles W.....	10	Island-Kitsap, part	Rt. 4, Box 4929 Winslow 98110	45	Pennsylvania	R	Attorney, Sanitarium Operator	S—1979-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1967-67 Ex.
Fleming, George	37	King, part	1100 Lake Wash. Blvd., Seattle 98144	32	Texas	D	Communications Consultant	S—1971-71 Ex.-72 2nd Ex. H—1939-69 Ex.-70 Ex.
Foley, Frank W.....	49	Clark, part	215 Medical Arts Bldg., Vancouver 98660	57	Washington	D	Attorney	S—1957-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71- 71 Ex.-72 2nd Ex.
Francis, Peter D.....	32	King, part	7300 E. Green Lake Dr. N., Seattle 98115	36	Washington	D	Attorney	S—Appointed 12/1/69-1970 Ex.-71-71 Ex.-72-2nd Ex. H—1969-69 Ex.
Gardner, Booth	26	Pierce, part	520 N. Stadium Way, Tacoma 98403	34	Washington	D	President Laird Norton Company	S—1971-71 Ex. 72 2nd Ex.
Gissberg, William A....	39	Snohomish, part	10928 Maple Lane, Lake Stevens 98258	48	Washington	D	Attorney	S—1953-53 Ex.-55-55 Ex.-57-59- 59 Ex.-61-61 Ex.-63-63 Ex.- 65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-SECOND SESSION, 1972—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Greive, R. R. Bob.....	34	King, part	4444 California Ave., S.W., Seattle 98116	51	Washington	D	Attorney	S—1947-49-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71- 71 Ex.-72 2nd Ex.
Guess, Sam C.....	6	Spokane, part	W. 408-33rd Ave., Spokane 99203	61	Mississippi	R	Civil Engineer	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71- 71 Ex.-72 2nd Ex.
Henry, Al	17	Klickitat-Skamania- Clark, part	Rio Vista, White Salmon 98672	59	Kansas	D	Telephone Executive	S—1957-59-59 Ex.-61-61 Ex.-63- 63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.-71-71 Ex.- 72 2nd Ex. H—1941-45-51-51 Ex.-51 2nd Ex.-55-55 Ex.
Herr, Gordon	31	King, part	1818 Westlake, N., Suite 112, Seattle 98109	44	Washington	D	Real Estate	S—Appointed 1/20/64 1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1963-63 Ex.
Holman, Francis E.....	1	King, part	12th Floor, Denny Bldg., Seattle 98121	55	Utah	R	Attorney	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1967-67 Ex.
Huntley, Elmer C.....	9	Adams-Lincoln- Whitman	Thornton 99176	55	Washington	R	Farmer	S—Appointed 4/24/67-1967 Ex.-69-69 Ex.-70 Ex.-71- 71 Ex.-72 2nd Ex. H—1957-59-59 Ex.-61-61 Ex.- 63-63 Ex.-65-65 Ex.
Jolly, Dan	6	Franklin	Box 185, Connell 99326	62	Washington	D	Farmer	S—Appointed 1/1/71-1971-71 Ex.-72 2nd-Ex. H—1963-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex.-70 Ex.
Keefe, James Edward...	3	Spokane, part	412 W. Glass, Spokane 99205	62	New York	D	Sales Manager	S—1949-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57- 59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.-71-71 Ex.- 72 2nd Ex.

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-SECOND SESSION, 1972—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Knoblauch, Reuben A...	25	Pierce, part	P.O. Box 306, Sumner 98390	55	Washington	D	Right-of-Way Agent	S—1953-53 Ex.-55-55 Ex.-57-59- 59 Ex.-61-61 Ex.-63-63 Ex.- 65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1947-49-50 Ex.-51-51 Ex.-51 2nd Ex.
Lewis, Harry B.....	22	Thurston	2019 Clairmont Circle, Olympia 98502	42	Pennsylvania	R	Manufacturing	S—1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1961-61 Ex.-63-63 Ex.
Mardesich, August P....	38	Snohomish, part	4712 Mermont Dr., Everett 98201	50	California	D	Attorney, Commer- cial Fisherman	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71- 71 Ex.-72 2nd Ex. H—1950 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57- 59-59 Ex.-61-61 Ex.
Matson, Jim	14	Yakima, part	Rt. 2, Box 730, Selah 98942	42	Washington	R	Fruit Grower, Shipper	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Metcalf, Jack	21	Snohomish, part	7421-46th W., Mukilteo 98275	42	Washington	R	Teacher	S—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1961-61 Ex.-63-63 Ex.
Murray, John S.....	36	King	8 W. Roy St., Seattle 98119	44	Missouri	R	Publisher	S—1971-71 Ex.-72 2nd Ex. H—1967-67 Ex.-69-69 Ex.- 70 Ex.
Newschwander, Charles E.	28	Pierce, part	2140 Bridgeport Way, Tacoma 98466	49	Washington	R	Dentist	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.
Odegaard, Gary M.....	20	Lewis-Grays Harbor, part	Star Rt. 1, Box 1-A, Onalaska 98570	30	Washington	D	Teacher	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Peterson, Lowell	40	San Juan-Skagit	Box 249, Concrete 98237	48	Washington	D	Oil Distributor	S—1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Peterson, Ted G.....	44	King, part	2345 N.W. Blue Ridge Dr., Seattle 98177	66	Washington	R	President, Peterson Supply & Equip- ment Co.	S—1965-55 Ex.-57-63 Ex.-65- 65 Ex.-67-67 Ex.-69-69 Ex.- 70 Ex.-71-71 Ex.-72 2nd Ex.

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-SECOND SESSION, 1972—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Rasmussen, A. L.....	29	Pierce, part	5415 A. St., Tacoma 98408	62	Washington	D	Machinist	S—1961-61 Ex.-63-63 Ex.-65-65 Ex.-Appointed 10/7/71-72 2nd Ex. H—1945-47-49-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.
Ridder, Robert C. (Bob)	35	King, part	5809 S. Roxbury, Seattle 98118	43	Washington	D	Elementary School Vice Principal	S—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Sandison, Gordon	24	Clallam-Jefferson-Mason	P.O. Box 967, Port Angeles 98362	51	Washington	D	Insurance	S—1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1949-50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57
Scott, George W.....	46	King, part	2530 N.E. 105th Pl., Seattle 98125	32	Washington	R	Educator	S—1971-71 Ex.-72 2nd Ex. H—1969-69 Ex.-70 Ex.
Sellar, George L.....	12	Chelan-Douglas	1324 Terrace Dr., East Wenatchee 98801	43	Illinois	R	Personnel Manager	S—Appointed 1/1/72 72 2nd Ex.
Stender, John H.....	30	King, part	18601 Pacific Highway So., Seattle 98188	53	Montana	R	Int'l Vice Pres. Int'l Boilermakers	S—1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Stortini, Joe	27	Pierce, part	1623 Firlands Dr., Tacoma 98405	38	Washington	D	Teacher-Coach	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Talley, Don L.....	18	Cowlitz-Wahkiakum	1583 Mt. Pleasant Rd., Kelso 98626	50	Washington	D	Safety Supervisor	S—1957-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Twigg, Robert W.....	7	Spokane, part	817 Northtown Bldg. Spokane 99207	44	Washington	R	Attorney	S—1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Walgren, Gordon L....	23	Kitsap, part	5533 Erland Pt. Road, Bremerton 98310	36	Washington	D	Attorney	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1967-67 Ex.
Washington, Nat W....	13	Grant-Kittitas	42 C St. N.W., Ephrata 98823	55	Washington	D	Attorney	S—1951-51 Ex.-51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1949-50 Ex.

SENATE ROSTER, SECOND EXTRAORDINARY SESSION, FORTY-SECOND SESSION, 1972—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	Legislative Sessions Served
Whetzel, Jonathan	43	King	1511 E. Olin Place, Seattle 98102	44	Pennsylvania	R	Vice Pres. KING Broadcasting Co.	S—1971-71 Ex.-72 2nd Ex. H—1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.
Wilson, Bruce A.	2	Ferry-Okanogan-Stevens-Pend Oreille	P.O. Box 553, Omak 98841	49	Illinois	D	Weekly Newspaper Publisher	S—1969-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Woodall, Perry B.	15	Yakima, part	P.O. Box 507, Toppenish 98948	57	Washington	R	Attorney	S—Appointed 12/26/56 1957-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex. H—1939-41-43-47-49-50 Ex.-51-51 Ex.-51 2nd Ex.
Lieutenant Governor Cherberg, John A.		President of the Senate	505 Howe St., Seattle 98109	60	Florida	D	Lieutenant Governor	S—Elected 1957 1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 2nd Ex.
Snyder, Sidney R.		Secretary of the Senate	P.O. Box 531, Long Beach 98631	44	Washington	D	Owner, Operator Super Market	S—Elected 5/12/69 1970 Ex.-71-71 Ex.-72 2nd Ex. H—1949-51-51 Ex.-51 2nd Ex.-Served as Asst. Chief Clerk, 57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.
Johnson, Charles L. R.		Sergeant at Arms	624 Carlyon, Olympia 98501	59	Washington	D	Merchant	S—Elected 1957-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70-Ex.-71-71 Ex.-72 2nd Ex. H—House Member 1951 Served as Sergeant at Arms 1955

STANDING COMMITTEES OF THE SENATE—1972 SESSION

JOHN A. CHERBERG, President
 AL HENRY, President Pro Tempore
 JAMES E. KEEFE, Vice President Pro Tempore
 SIDNEY R. SNYDER, Secretary

AGRICULTURE AND HORTICULTURE (9)—JOLLY, CHAIRMAN; Canfield, Day, Donohue, Huntley, Knoblauch, Matson, Sellar, Wilson.

CITIES, TOWNS AND COUNTIES (15)—STORTINI, CHAIRMAN; RASMUSSEN, VICE CHAIRMAN; Canfield, Clarke, Dore, Elicker, Fleming, Herr, Mardesich, Peterson (Ted), Ridder, Talley, Walgren, Whetzel, Wilson.

COMMERCE AND REGULATORY AGENCIES (20)—MARDESICH, CHAIRMAN; Andersen, Clarke, Cooney, Day, Dore, Fleming, Foley, Gardner, Gissberg, Huntley, Keefe, Knoblauch, Newschwander, Peterson (Lowell), Sellar, Stortini, Twigg, Walgren, Whetzel.

CONSTITUTION, ELECTIONS AND LEGISLATIVE PROCESSES (14)—COONEY, CHAIRMAN; WILSON, VICE CHAIRMAN; Canfield, Donohue, Dore, Greive, Holman, Keefe, Mardesich, Matson, Metcalf, Stender, Washington, Woodall.

EDUCATION (12)—FRANCIS, CHAIRMAN; Fleming, Gardner, Metcalf, Murray, Newschwander, Odegaard, Peterson (Ted), Rasmussen, Ridder, Stender, Washington.

HIGHER EDUCATION AND LIBRARIES (15)—SANDISON, CHAIRMAN; Atwood, Dore, Durkan, Foley, Francis, Gardner, Guess, Henry, Holman, Huntley, Lewis, Metcalf, Scott, Wilson.

JUDICIARY (13)—GISSBERG, CHAIRMAN; DORE, VICE CHAIRMAN; Andersen, Atwood, Clarke, Durkan, Foley, Francis, Greive, Holman, Twigg, Walgren, Woodall.

LABOR AND INDUSTRIAL INSURANCE (8)—FLEMING, CHAIRMAN; Bailey, Connor, Matson, Ridder, Sellar, Stender, Stortini.

MANUFACTURING AND INDUSTRIAL DEVELOPMENT (7)—GARDNER, CHAIRMAN; Connor, Henry, Murray, Twigg, Washington, Whetzel.

MEDICINE, DENTISTRY AND HEALTH CARE, AIR AND WATER POLLUTION (10)—DAY, CHAIRMAN; Cooney, Elicker, Francis, Greive, Holman, Keefe, Newschwander, Odegaard, Woodall.

NATURAL RESOURCES, FISHERIES AND GAME (11)—PETERSON (LOWELL), CHAIRMAN; Bailey, Clarke, Donohue, Gissberg, Matson, Metcalf, Peterson (Ted), Rasmussen, Sandison, Talley.

PARKS, TOURISM, CAPITOL GROUNDS AND VETERANS' AFFAIRS (11)—WILSON, CHAIRMAN; Canfield, Durkan, Henry, Jolly, Lewis, Mardesich, Murray, Rasmussen, Scott, Whetzel.

PUBLIC INSTITUTIONS (9)—ODEGAARD, CHAIRMAN; Clarke, Guess, Knoblauch, Sandison, Scott, Stortini, Talley, Twigg.

PUBLIC PENSIONS AND SOCIAL SECURITY (7)—RASMUSSEN, CHAIRMAN; Clarke, Day, Herr, Holman, Murray, Odegaard.

RULES AND JOINT RULES (17)—LT. GOV. CHERBERG, CHAIRMAN; Andersen, Atwood, Bailey, Connor, Foley, Greive, Guess, Henry, Herr, Keefe, Knoblauch, Peterson (Ted), Ridder, Stender, Talley, Woodall.

STATE GOVERNMENT (10)—WALGREN, CHAIRMAN; Atwood, Day, Elicker, Gardner, Gissberg, Henry, Jolly, Lewis, Newschwander.

TRANSPORTATION (26)—WASHINGTON, CHAIRMAN; HENRY, VICE CHAIRMAN; Bailey, Connor, Donohue, Durkan, Elicker, Foley, Guess, Herr, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Murray, Peterson (Lowell), Sandison, Scott, Sellar, Stender, Talley, Walgren, Whetzel.

WAYS AND MEANS (38)—DURKAN, CHAIRMAN; APPROPRIATIONS (21)—DORE, CHAIRMAN; Andersen, Atwood, Bailey, Canfield, Fleming, Foley, Francis, Huntley, Lewis, Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Ridder, Sandison, Scott, Stortini, Talley, Walgren, Wilson. REVENUE AND TAXATION (16)—DONOHUE, CHAIRMAN; Connor, Cooney, Day, Elicker, Gissberg, Greive, Guess, Herr, Holman, Jolly, Mardesich, Metcalf, Twigg, Washington, Woodall.

SENATE INDIVIDUAL COMMITTEE ASSIGNMENTS 1972 SESSION

- ANDERSEN (James A.)**—Commerce and Regulatory Agencies; Judiciary; Rules and Joint Rules; Ways and Means (Appropriations).
- ATWOOD (R. Frank)**—Higher Education and Libraries; Judiciary; Rules and Joint Rules; State Government; Ways and Means (Appropriations).
- BAILEY (Robert C.)**—Labor and Industrial Insurance; Natural Resources, Fisheries and Game; Rules and Joint Rules; Transportation; Ways and Means (Appropriations).
- CANFIELD (Damon R.)**—Agriculture and Horticulture; Cities, Towns and Counties; Constitution, Elections and Legislative Processes; Parks, Tourism, Capitol Grounds and Veterans' Affairs; Ways and Means (Appropriations).
- CLARKE (George W.)**—Cities, Towns and Counties; Commerce and Regulatory Agencies; Judiciary; Natural Resources, Fisheries and Game; Public Institutions; Public Pensions and Social Security.
- CONNOR (Frank)**—Labor and Industrial Insurance; Manufacturing and Industrial Development; Rules and Joint Rules; Transportation; Ways and Means (Revenue and Taxation).
- COONEY (John L.)**—**Chairman:** Constitution, Elections and Legislative Processes; Commerce and Regulatory Agencies; Medicine, Dentistry and Health Care, Air and Water Pollution; Ways and Means (Revenue and Taxation).
- DAY (William S.)**—**Chairman:** Medicine, Dentistry and Health Care, Air and Water Pollution; Agriculture and Horticulture; Commerce and Regulatory Agencies; Public Pensions and Social Security; State Government; Ways and Means (Revenue and Taxation).
- DONOHUE (Hubert F.)**—**Chairman:** Ways and Means (Revenue and Taxation); Agriculture and Horticulture; Constitution, Elections and Legislative Processes; Natural Resources, Fisheries and Game; Transportation.
- DORE (Fred H.)**—**Chairman:** Ways and Means (Appropriations); **Vice Chairman:** Judiciary; Cities, Towns and Counties; Commerce and Regulatory Agencies; Constitution, Election and Legislative Processes; Higher Education and Libraries.
- DURKAN (Martin J.)**—**Chairman:** Ways and Means; Higher Education and Libraries; Judiciary; Parks, Tourism, Capitol Grounds and Veterans' Affairs; Transportation.
- ELICKER (Charles W.)**—Cities, Towns and Counties; Medicine, Dentistry and Health Care, Air and Water Pollution; State Government; Transportation; Ways and Means (Revenue and Taxation).
- FLEMING (George)**—**Chairman:** Labor and Industrial Insurance; Cities, Towns and Counties; Commerce and Regulatory Agencies; Education; Ways and Means (Appropriations).
- FOLEY (Frank W.)**—Commerce and Regulatory Agencies; Higher Education and Libraries; Judiciary; Rules and Joint Rules; Transportation; Ways and Means (Appropriations).
- FRANCIS (Pete)**—**Chairman:** Education; Higher Education and Libraries; Judiciary; Medicine, Dentistry and Health Care, Air and Water Pollution; Ways and Means (Appropriations).
- GARDNER (Booth)**—**Chairman:** Manufacturing and Industrial Development; Commerce and Regulatory Agencies; Education; Higher Education and Libraries; State Government.
- GISSBERG (William A.)**—**Chairman:** Judiciary; Commerce and Regulatory Agencies; Natural Resources, Fisheries and Game; State Government; Ways and Means (Revenue and Taxation).
- GREIVE (R. R. Bob)**—Constitution, Elections and Legislative Processes; Judiciary; Medicine, Dentistry and Health Care, Air and Water Pollution; Rules and Joint Rules; Ways and Means (Revenue and Taxation).
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- MURRAY (John S.)**—Education; Manufacturing and Industrial Development; Parks, Tourism, Capitol Grounds and Veterans' Affairs; Public Pensions and Social Security; Transportation.
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- PETERSON (Lowell)**—**Chairman:** Natural Resources, Fisheries and Game; Commerce and Regulatory Agencies; Transportation; Ways and Means (Appropriations).
- PETERSON (Ted G.)**—Cities, Towns and Counties, Education; Natural Resources, Fisheries and Game; Rules and Joint Rules; Ways and Means (Appropriations).
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- STENDER (John H.)**—Constitution, Elections and Legislative Processes; Education; Labor and Industrial Insurance; Rules and Joint Rules; Transportation.
- STORTINI (Joe)**—**Chairman:** Cities, Towns and Counties; Commerce and Regulatory

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- TWIGG (Robert W.)**—Commerce and Regulatory Agencies; Judiciary; Manufacturing and Industrial Development; Public Institutions; Ways and Means (Revenue and Taxation).
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1971-1973**

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(CH. 76, L. 1972 Ex.)**

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Nat W. Washington

REPRESENTATIVES

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Floyd Conway

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(RCW 43.46.020)**

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Jack I. Mayer
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Mrs. Stuart Semon
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(SCR 32, 1971 Ex.)**

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(RCW 43.105.031)**

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attorney general's
opinion. House
members resigned.

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(SCR 28, 1971 Ex.)**

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(RCW 43.94.020)****SENATORS**

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(RCW 41.56.405)**

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(RCW 41.52.010)**

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(SR 1971, Ex. 114)**

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(RCW 41.05.020)**

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(RCW 44.40.010 & CH. 195, L. 1971 Ex.)**

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**SENATE BILLS PASSED BY SENATE AND HOUSE SHOWING
THE ACTION BY THE GOVERNOR THEREON
1972**

FORTY-SECOND LEGISLATURE SECOND EXTRAORDINARY SESSION				
<i>Senate Bill No.</i>	<i>Subject</i>	<i>Chapter Number</i>	<i>Date Signed</i>	<i>Effective Date</i>
3	Indians, marine recreation land act inclusion	56	2/19/72	2/19/72
4	Camper, excise tax.....	144	2/25/72	5/23/72
6	Fire district expense limit revised.....	16	2/18/72	5/23/72
13	Car mileage reading, ownership certificate..	99	2/23/72	5/23/72
15	War prisoners' children, free tuition.....	17	2/19/72	2/19/72
23	Sinclair Inlet, harbor lines.....	69	2/21/72	5/23/72
27	Judges, higher courts, salaries.....	100	2/23/72	7/ 1/72
28	State treasurer's advisory committee, created	145	2/25/72	2/25/72
Sub. 29	Alcoholism and intoxication treatment act...	122	2/24/72	1/ 1/74
32	Local sales tax, expiration date.....	121	2/24/72	5/23/72
38	Court reporters' salaries.....	18	2/19/72	5/23/72
42	School buildings, fire code.....	70	2/21/72	5/23/72
45	School district, state funds, interest payments	146	2/25/72	*
	*Sec. 1, 7/1/72; Remainder, 2/25/72			
47	Special levy study commission, obsolete materials	2	2/ 3/72	5/23/72
50	Embalming examination, savings clause correction	120	2/24/72	2/24/72
56	Juries, six member, permitted.....	57	2/19/72	5/23/72
62	Public employees, tax deferred annuities....	19	2/19/72	5/23/72
63	Minors, driver's license.....	71	2/21/72	2/21/72
68	Correctional institutions officers, oath taking	58	2/20/72	5/23/72
71	Furloughed prisoners, state liability.....	72	2/21/72	5/23/72
74	Inheritance tax, deductions.....	73	2/21/72	5/23/72
82	Prisoners, mental institutions transfer.....	59	2/20/72	5/23/72
83	Veterans' estates administration.....	4	2/17/72	5/23/72
84	Blind veterans, free motor vehicle licenses..	60	2/20/72	5/23/72
88	Providing spray rigs are included within definition of 'special mobile equipment' for registration, licensing, operational purposes	5	2/17/72	5/23/72
89	Lost unemployment checks.....	74	2/21/72	5/23/72
90	Increase civil filing fees, superior courts....	20	2/19/72	7/ 1/72
92	Regional economic development authority...	117	2/22/72	2/22/72
Sub. 96	Deaf school, trustees board created.....	96	2/19/72	5/23/72**
97	Changing name of department of civil defense to department of emergency services....	6	2/17/72	5/23/72
98	Candidacy void cases procedures.....	61	2/20/72	5/23/72
Sub. 100	Telephone service frauds.....	75	2/21/72	5/23/72
102	Mosquito control district assessment hearings	62	2/20/72	5/23/72
104	County officials, salary increases.....	97	2/19/72	2/19/72**
109	Default divorces, prosecutor's duties.....	21	2/19/72	5/23/72
111	Motor freight, special commercial zones....	22	2/19/72	5/23/72
Sub. 128	College officials, employees, duties, liability..	23	2/19/72	2/19/72
146	Criminal identification section, state patrol..	152	2/25/72	* **
	*Sec. 1, 7/1/72; Remainder, 2/25/72			
149	United States bicentennial commemorations commission	76	2/21/72	5/23/72
152	Puget Sound ferry operations.....	24	2/19/72	7/ 1/72
163	Students, military reservations, school districts	63	2/20/72	2/20/72

**Partial veto

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>
173	Fire districts' election filings; bid limits.....	101	2/23/72	5/23/72
181	Capital building project, funds transfer.....	64	2/20/72	5/23/72
189	Universities, colleges, treasurer, bonds issued	25	2/19/72	2/19/72
2nd Sub. 206	Teachers' retirement system, revisions.....	147	2/25/72	7/ 1/72
207	Timber, harvested, tax rates.....	148	2/25/72	5/23/72
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1972**

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1972**

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**Partial veto

**HOUSE MEMORIALS AND RESOLUTIONS PASSED
BY THE SENATE AND HOUSE
1972**

**FORTY-SECOND LEGISLATURE
SECOND EXTRAORDINARY SESSION**

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154. Senators Walgren and Twigg (by Municipal Committee request): Providing certain powers to state fire marshals.....	61	245							
155. Senators Ridder, Holman and Rasmussen: Implementing retirement benefits to certain retired recipients under teachers' retirement system.	62	226							
156. Senator Rasmussen: Prohibiting discrimination in employment because of physical handicap...	62	245							
157. Senator Twigg: Providing for deferred increases in tuition for institutions of higher education and the payment thereof.....	62								

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174. Senators Clarke and Lewis: Providing for a system of no fault auto insurance.....	66									
175. Senators Lewis, Atwood and Talley: Providing tax exemption for unprocessed timber held in storage area.	66	174, 198	239	240		241				
176. Senators Odegaard, Donohue, Jolly, Wilson, Peterson (Lowell), Durkan and Peterson (Ted): Pertaining to taxation of open space, agricultural and timber lands.....	66									
177. Senators Washington and Huntley: Implementing law relating to joint school districts.....	66	182	219	219		219				
178. Senators Washington, Huntley and Henry: Creating a department of mass transportation.....	66	226								
179. Senators Durkan, Atwood and Whetzel: Providing for the construction of pollution control facilities.	66									
180. Senators Metcalf, Henry and Twigg: Assuring educational program for pregnant students attending the public schools.....	66									
181. Senators Foley, Atwood and Sandison: Authorizing the governor with the concurrence of the building authority to transfer funds between particular capital building projects except as between institutions of higher education.....	67	226	275	275		275	501	581	539	Signed p. 748 CH. 64

182. Senators Walgren, Peterson (Ted), and Greive: Altering requirements of annexation or incorporation of property to a city or town.....	67								
183. Senators Guess, Rasmussen and Day: Prohibiting certain courts from issuing search warrants in civil actions.....	81								
184. Senators Lewis, Washington and Foley: Authorizing certain payroll deductions for certificated employees of school districts.....	81	226	300	301		301			
185. Senators Greive, Stender, Fleming, Ridder, Herr, Cooney and Rasmussen: Setting up a state labor relations act for certain employees.....	81	246	312	312		312			
186. Senator Greive: Giving mayor of first and second class cities power to break deadlocks in balloting for president of city council.....	81								
187. Senators Murray and Knoblauch (by Department of Motor Vehicle request): Authorizing department of motor vehicles to determine fees for business and professions.	81								
188. Senator Holman (by Department of Social and Health Services request): Providing for the care of the criminally insane.....	81				185				
189. Senators Foley, Atwood and Sandison: Providing that treasurer at certain institutions of education can attest to revenue bonds issued.....	82	173	192	193		193	385	461	500
190. Senators Greive and Cooney: Providing for re-districting and reapportionment.....	82								
191. Senators Greive and Cooney: Providing for re-districting and reapportionment.....	82								
192. Senators Sandison, Holman and Wilson: Providing for investment of excess moneys in community college capital projects account.....	82	173							

202. Senator Peterson (Lowell): Relating to food fish and shellfish.	83																			
203. Senator Odegaard: Relating to education.....	88	226			280															
203. (SUBSTITUTE) Committee on Education: Relating to education.				280	281			281	385											
204. Senators Ridder and Metcalf (by Superintendent of Public Instruction request): Relating to education.	83																			
205. Senators Ridder and Metcalf (by Superintendent of Public Instruction request): Relating to education.	83																			
206. Senators Durkan, Peterson (Ted), Bailey and Knoblauch: Relating to the Washington state teachers' retirement system.	83	227, 362			227, 398															
206. (SUBSTITUTE) Committee on Public Pensions and Social Security: Relating to the Washington state teachers' retirement system.		362																		
206. (SECOND SUBSTITUTE) Committee on Ways and Means: Relating to the Washington state teachers' retirement system.		398	404	404	398, 674	405, 675	673	686	693											Signed p. 775 CH. 147
207. Senator Lewis: Pertaining to taxation of timber and forest lands.	83	458, 507	623	635	633, 689	635, 690	689	693	724											Signed p. 775 CH. 148
208. Senator Fleming: Relating to public assistance.	84	246																		
209. Senators Greive, Durkan and Guess: Pertaining to reforestation taxation.	84																			
210. Senators Stortini and Newschwander: Providing for procedures to be used by cities in recovering costs of repair assessed against dangerous real property.	84	146																		

221. Senator Sandison: Providing for a research study of Discovery Bay by the University of Washington.	84	198	.....	280	.....	.....	.....	.....	.....
221. (SUBSTITUTE) Committee on Natural Resources, Fisheries and Game: Providing for a research study of Discovery Bay by the University of Washington. ....	.....	.....	280	280	.....	280	.....	.....	.....
222. Senator Rasmussen: Providing certain public employees with partial compensation for accumulated sick leave upon ceasing employment.	85	.....	.....	.....	.....	.....	.....	.....	.....
223. Senator Holman (by Public Employees Collective Bargaining Committee request): Relating to collective bargaining by public employees....	85	.....	.....	.....	.....	.....	.....	.....	.....
224. Senator Washington: Providing for the regulation of ambulance service.....	85	.....	.....	.....	.....	.....	.....	.....	.....
225. Senator Mardesich: Regulating small loan companies.	85	.....	.....	.....	.....	.....	.....	.....	.....
226. Senator Francis: Making double recovery clauses in disability insurance ineffective as to workmen's compensation benefits.	85	198	.....	.....	.....	.....	.....	.....	.....
227. Senators Dore, Peterson (Ted) and Holman: Regulating property appraisers.	85	.....	.....	.....	.....	.....	.....	.....	.....
228. Senator Lewis: Transferring classified employees at Washington State University to public employees retirement system.	85	.....	.....	.....	.....	.....	.....	.....	.....
229. Senator Gissberg: Providing for a limitation on the number of new branches established by foreign banks.	85	.....	.....	.....	.....	.....	.....	.....	.....
230. Senators Durkan and Woodall: Prohibiting employers from hiring aliens not entitled to residence in the United States if such employment would have an adverse effect on lawful resident workers.	85	227	295	296	296	296	.....	.....	.....

308. Senator Gardner: Providing child visitation rights.	98	.....	.....	.....	.....	.....	.....	.....	.....
309. Senator Gardner: Apportioning interest on delinquent tax payments to the schools.	98	.....	.....	.....	.....	.....	.....	.....	.....
310. Senator Francis: Removing the debtor's liability for any deficiency once the seller of consumer goods repossesses the goods.	98	.....	.....	.....	.....	.....	.....	.....	.....
311. Senator Talley: Allowing disabled veterans to retire from public employment at the age of fifty upon completion of twenty years service.	98	.....	.....	.....	.....	.....	.....	.....	.....
312. Senators Walgren, Andersen and Odegaard (by Board of Prison Terms and Paroles request): Altering requirements needed to change a convicted inmate's minimum sentence.	98	200	242	242	242	501	531	539
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313. Senator Mardesich: Authorizing savings and loan associations as public depositories.	99
314. Senators Fleming, Francis, Ridder and Durkan: Enacting the residential landlord-tenant act of 1972.	99	.....	.....	.....	.....	.....	.....	.....	.....
315. Senator Washington: Providing for the improvement of county roads and city streets.	99	.....	.....	.....	.....	.....	.....	.....	.....
316. Senator Washington: Providing for the assessment of the incremental value of property adjacent to highway interchanges.	99	.....	.....	.....	.....	.....	.....	.....	.....
317. Senator Washington: Providing for the assessment of the incremental value of property nearby and adjacent to public mass transportation stations.	99	.....	.....	.....	.....	.....	.....	.....	.....
318. Senator Washington: Providing for transportation facilities and equipment through public contracts.	100	.....	.....	.....	.....	.....	.....	.....	.....

329. Senator Day (by Department of Social and Health Services request): Pertaining to fire and safety of health facilities.	100	.....	.....	.....	.....	.....	.....	.....	.....
330. Senators Peterson (Lowell), Peterson (Ted), Sandison, Talley and Metcalf (by Fisheries, Game and Game Fish Committee request): Providing for limitation on commercial fishing licenses.	100	.....	.....	.....	.....	.....	.....	.....	.....
331. Senators Durkan and Herr: Implementing alcoholic beverage control laws.	100	.....	.....	.....	.....	.....	.....	.....	.....
332. Senators Atwood, Foley, Holman and Sandison: Relating to higher education.	101	.....	.....	.....	.....	.....	.....	.....	.....
333. Senators Sandison and Holman: Relating to higher education.	101	.....	.....	.....	.....	.....	.....	.....	.....
334. Senator Holman: Providing for the regulation of trusts.	101	.....	.....	.....	.....	.....	.....	.....	.....
335. Senators Washington and Huntley: Providing for the regulation of excessive and unnecessary noise.	101	.....	.....	.....	.....	.....	.....	.....	.....
336. Senators Peterson (Lowell), Ridder and Odegaard: Relating to education.	101	.....	.....	.....	.....	.....	.....	.....	.....
337. Senator Fleming: Relating to industrial insurance.	101	.....	.....	.....	.....	.....	.....	.....	.....
338. Senator Washington: Providing tax exemptions and credits to encourage industrial dispersion and diversification.	101	.....	.....	.....	.....	.....	.....	.....	.....
339. Senator Odegaard (by Superintendent of Public Instruction request): Relating to adult education.	101	.....	.....	.....	.....	.....	.....	.....	.....
340. Senators Odegaard, Canfield and Ridder (by Superintendent of Public Instruction request): Relating to vocational education.	101

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341. Senators Dore and Odegaard: Relating to state government.	101									
342. Senators Ridder and Stortini: Providing for reporting of campaign contributions.	101									
343. Senator Ridder: Providing for adequate revenues and equitable taxation.	101									
344. Senators Ridder, Peterson (Ted), Dore and Scott: Relating to nursing home records.	101									
345. Senator Walgren: Providing for the efficient functioning of state government.	102									
346. Senators Mardesich and Peterson (Lowell): Relating to alcoholic beverages.	102									
347. Senators Mardesich and Peterson (Lowell): Relating to alcoholic beverages.	102									
348. Senators Talley and Herr: Relating to sewer districts.	102									
349. Senators Ridder, Scott and Fleming: Creating the state board of investments.	102									
350. Senator Huntley: Relating to budgets of school districts.	102	227	277, 296	296	279, 386	296, 387	386	461	500	Signed p. 743 CH. 26

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366. Senator Washington: Relating to transportation facilities.	103									
367. Senator Washington: Providing for the financing of public education.	103									
368. Senator Peterson (Lowell): Regulating air pollution.	103									
369. Senator Washington: Providing for the financing of transportation facilities.	103									
370. Senators Ridder and Stortini: Relating to employment agencies.	103									
371. Senator Gissberg: Relating to family law.	103									
372. Senator Talley: Relating to road millage use. ...	104									
373. Senator Rasmussen: Relating to county services act.	104									
374. Senators Odegaard, Ridder, Canfield, Stortini and Guess: Implementing law respecting state plan for vocational education.	104	228			311					
374. (SUBSTITUTE) Committee on Education: Implementing law respecting state plan for vocational education.			311	311		311				
375. Senator Fleming: Providing for public assistance to eligible persons.	104									

376. Senator Francis: Relating to community college districts.	104								
377. Senators Day, Gardner, Keefe, Peterson (Lowell) and Twigg: Relating to the special fuel tax.	104	247		201					
378. Senator Peterson (Ted): Implementing law relating to consumer warranties.	104								
379. Senator Fleming: Relating to labor.	104								
380. Senator Talley: Relating to food fish and shellfish.	104								
381. Senator Talley: Relating to food fish and shellfish.	104								
382. Senators Henry, Atwood and Guess: Relating to the valuation of forest land for the purposes of property taxation.	104			250					
383. Senators Henry and Lewis: Relating to public utilities.	104								
384. Senators Knoblauch, Stortini and Peterson (Ted): Relating to veterans' benefits.	104								
385. Senators Gardner and Holman: Relating to state institutions.	104	247							
386. Senator Walgren: Relating to defrauding an innkeeper.	105	200		279					
386. (SUBSTITUTE) Committee on Judiciary: Relating to defrauding an innkeeper.			279	279		279			
387. Senator Mardesich: Relating to insurance.	105								
388. Senator Mardesich: Relating to insurance.	105								
389. Senator Francis: Relating to wages and hours.	105								
390. Senators Francis and Gardner: Relating to the environment of the state.	105								

400. Senator Walgren: Providing for certain refinements in the operation of state government. . .	106																			
401. Senator Peterson (Lowell): Relating to food fish and shellfish.	106																			
402. Senator Peterson (Lowell): Implementing law relating to food fish and shellfish.	106																			
403. Senators Dore and Mardesich: Excluding patronage dividends from the definition of security sales.	106	247			311															
403. (SUBSTITUTE) Committee on Judiciary: Excluding patronage dividends from the definition of security sales.				311	311	528	311, 530	528	546	614										Signed p. 748 CH. 79
404. Senators Knoblauch and Stender: Providing for adequate sewer systems.	106																			
405. Senator Washington: Providing for the dispersion and diversification of industry.	106																			
406. Senator Washington: Relating to transportation.	106																			
407. Senator Connor: Relating to education.	106																			
408. Senator Bailey: Creating department of veterans' affairs.	106																			
409. Senators Donohue, Peterson (Lowell) and Odegaard: Providing for a fair and equitable tax policy.	106																			
410. Senator Bailey: Eliminating preliminary budgets for school districts.	106																			
411. Senator Greive: Providing for control and regulation of osteopaths.	106																			
412. Senator Bailey: Providing for the disposition of state lands.	106	228	270			270														

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432. Senators Durkan, Connor, Peterson (Ted) and Donohue: Providing for a notice of exemptions.	108	248, 534	663	663	663
433. Senators Dore and Peterson (Ted): Reducing sales and use taxes on food sold for off-premises consumption and prescription drugs by one-half.	108
434. Senators Durkan and Washington: Authorizing predischarge education programs for military personnel.	108	228
435. Senators Lewis and Durkan: Implementing law relating to insurance and health care programs for employees of institutions of higher education.	109
436. Senator Durkan: Providing tax relief for person on fixed income.	109
437. Senator Durkan: Providing for industrial insurance coverage.	109
438. Senators Lewis, Rasmussen, Walgren, Knoblauch and Durkan: Relating to public employment.	109	247	305

438. (SUBSTITUTE) Committee on State Government: Relating to public employment.	305	305	549	305, 549	549	584	614	Signed p. 774 CH. 151 P. V.
439. Senators Lewis, Mardesich and Twigg: Authorizing an additional judge of the superior court for Thurston County.	109	248		314				
440. Senator Bailey (by Department of Personnel request): Placing the setting of certain official salaries within the jurisdiction of the state committee on salaries.	109							
441. Senators Sandison and Walgren: Providing one additional superior court judge for Clallam and Jefferson counties.	109							
442. Senator Washington: Extending sales tax to services.	109							
443. Senator Odegaard: Making it unlawful to operate a vehicle in which a minor under six years of age is standing unless the child is harnessed.	109							
444. Senators Dore, Holman and Gissberg: Pertaining to group legal and contract legal services.	109							

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2. Senators Lewis, Mardesich, Guess, Sellar, Metcalf, Newschwander, Gissberg, Rasmussen, Canfield and Jolly: Re-questing federal environmental protection agency to en-courage its cooperation with the department of ecology and other state agencies.....	52		52	52		52	352	352	369
3. Senators Metcalf and Peterson (Ted): Petitioning Congress to propose a constitutional amendment prohibiting the bussing of pupils on the basis of their race, color, religion, or national origin.....	67								
4. Senator Fleming: Seeking federal welfare program changes beneficial to the needy in this state without putting ex-orbitant extra costs on state.....	108								
5. Senators Metcalf and Murray: Memorializing Congress to limit age for federal judges and to limit terms of U. S. senators and representatives to twelve years.....	109								
6. Senator Metcalf: Petitioning Congress to propose a con-stitutional amendment to clarify the relationship between law enforcement authorities and alleged law violators.....	110								

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101. Senators Durkan, Day, Ridder, Dore, Talley, Greive and Odegaard: Constitutionally mandating the funding of certain pension funds.	12	173	303	303	173, 303, 329	303
102. Senator Durkan: Providing tax relief for persons reaching retirement age for social security benefit purposes.	12	.....	.....	.....	.....	.....	.....	.....	.....
103. Senators Donohue, Durkan, Wilson, Talley, Odegaard, Knoblauch and Jolly: Amending Constitution to permit valuing of agricultural lands by earning or productive capacity.	12	.....	.....	.....	.....	.....	.....	.....	.....
104. Senators Washington, Francis, Talley, Stortini, Fleming, Whetzel, Peterson (Ted), Elicker, Scott, Greive, Gardner, Murray, Wilson, Odegaard, Gissberg, Rasmussen, Jolly, Foley, Dore, Ridder, Connor, Durkan, Holman and Sandison: Amending the Constitution to allow open legislative committee meetings.	25	.....	.....	.....	.....	.....	.....	.....	.....
105. Senators Lewis, Greive, Cooney and Gissberg (by Legislative Council request): Amending the Constitution to allow the legislature to call itself into session.	25	.....	.....	.....	.....	.....	.....	.....	.....
106. Senators Bailey, Elicker and Francis (by State Women's Council request): Providing for equality of rights regardless of sex.	25	.....	.....	.....	.....	.....	.....	.....	.....
107. Senators Holman and Clarke (by Judicial Council request): Providing for a constitutional amendment rewriting Article IV, the judicial system.	36

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108. Senators Gissberg, Holman, Walgren and Elicker: Amending the Constitution to allow an income tax.	43								
109. Senators Greive, Gardner, Elicker, Keefe, Peterson (Ted), Murray, Cooney, Washington and Talley (by Legislative Council and executive request): Amending the Constitution to allow the state to lend its credit to encourage industrial expansion.	43, 686	174	256	256		257			
110. Senators Washington, Scott, Connor and Murray: Amending the Constitution to provide revenue for certain transit systems.	43	349							
111. Senators Talley, Knoblauch and Canfield: Providing for property tax exemption for disabled American veterans.	44								
112. Senators Lewis, Bailey, Gissberg, Wilson and Odegard (by Legislative Council request): Amending the Constitution to limit the governor's veto power.	44	147	179	179, 186	179, 186	186			
113. Senators Holman, Washington, Elicker, Peterson (Ted), and Talley (by executive request): Amending the Constitution to guarantee funding for state employee pension fund.	58								
114. Senator Walgren: Amending the Constitution to provide that the state and public agencies thereof may purchase lands and building jointly.	67	174							

115. Senators Stender and Metcalf: Providing for an income tax for school purposes and eliminating certain school excess levies.	67	.....	.....	.....
116. Senator Ridder: Amending the Constitution to authorize net income tax under certain tax reform conditions.	67	.....	.....	.....
117. Senator Francis: Repealing 18th amendment to state Constitution.	110	.....	.....	.....
118. Senator Francis: Amending the Constitution to allow initiatives to amend the Constitution.	110	.....	.....	.....
119. Senators Murray, Ridder, Holman, Whetzel, Scott, Metcalf, Elicker and Washington: Amending the Constitution to provide tax revision.	110	.....	.....	.....
120. Senator Francis: Amending the Constitution to abolish arbitrary periods of residency as requirements for voting.	110	.....	.....	.....
121. Senator Scott: Proposing a constitutional amendment to allow redistricting by a commission.	110	.....	.....	.....
122. Senator Holman: Revising the tax structure of the state.	110	.....	.....	.....
123. Senators Dore, Peterson (Ted), Stortini, Knoblauch, Donohue, Durkan, Gissberg, Ridder, Mardesich, Odegaard and Metcalf: Amending Constitution to authorize certain reductions in property taxes.	110	200, 283, 362	.....	.....
124. Senators Elicker and Holman: Authorizing legislature to make separate classes of real property for purposes of taxation and to provide varying rates based upon income of taxpayer.	110	.....	.....	.....
125. Senators Gissberg, Twigg and Day: Amending the Constitution to limit the governor to two terms in his lifetime.	110	.....	.....	.....
126. Senator Rasmussen: Amending the Constitution of the state of Washington relating to vacancies in the legislature.	110

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127. Senator Francis: Amending the Constitution, permitting a commission to redistrict.	110								
128. Senator Francis: Amending the Constitution to allow the legislature to convene itself or extend its session. ...	111								
129. Senators Metcalf, Francis and Murray: Providing for retirement of judges and limiting years governor and legislature may hold office.	111								
130. Senators Washington, Whetzel and Murray: Authorizing the state and its taxing districts to finance public improvements and area renewal projects from the increased property taxes thereon.	111								

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1. Senators Herr, Stortini and Guess: Creating temporary committee for the investigation of alcoholic control within the state; setting out powers and duties.	12								
2. Senators Bailey, Greive, Andersen, Atwood, Lewis and Sandison: Limiting the session and providing cut-off dates.	13		13	13	29, 32	13	29	29	47
3. Senators Metcalf, Huntley and Ridder (by Joint Committee on Education request): Providing suggested action for schools to take in effort to eliminate drug abuse in the schools.	25								
4. Senators Bailey, Huntley, Odegaard, Clarke and Ridder (by Joint Committee on Education request): Providing program relating to insuring of school districts.	36	182							
5. Senators Stortini, Greive and Dore: Suspending Senate Concurrent Resolution No. 2 to permit final passage of SB 73.	34		45	45	35, 45	45			
6. Senator Wilson: Requesting study by the legislative council of the feasibility of bringing certain high school teachers to Olympia.	44	183	220	220		220			
7. Senator Francis: Declaring December 10th to be Human Rights Day.	111								
8. Senator Francis: Directing a legislative council study of a legislative liaison office in Washington, D. C.	111	135							

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9. Senators Wilson, Greive and Andersen : Directing the development of printing style for free conference reports.	111	135	156	156	156	351	352	369
10. Senators Bailey, Greive and Atwood : Extending limitations of Senate Concurrent Resolution No. 2.	503	.....	503	504	535	504, 535	535	551	614
11. Senators Wilson, Ridder and Murray : Suspending certain provisions of Joint Rule No. 9 regarding Substitute House Bill No. 29.	593	.....	593	593	.....	593	620	663	687
12. Senators Gissberg, Twigg and Rasmussen : Suspending certain provisions of Joint Rule No. 9 regarding Engrossed House Bill No. 143.	641	.....	641	641	.....	641	687	693	693
13. Senators Washington, Huntley and Henry : Suspending certain provisions of Joint Rule No. 9 regarding Engrossed House Bill No. 221.	645	.....	645	645	.....	645	684	693	693
14. Senator Stortini : Suspending certain provisions of Joint Rule No. 9 regarding Substitute House Bill No. 411.	645	.....	645	646	.....	646	687	693	693
15. Senators Talley, Andersen and Foley : Suspending certain provisions of Joint Rule No. 9 regarding House Bill No. 289.	656	.....	657	657	.....	657	687	693	693
16. Senator Francis : Suspending certain provisions of Joint Rule No. 9 regarding Substitute House Bill No. 413.	657	.....	657	657	.....	657	687	693	693

17. Senators Knoblauch, Francis and Woodall: Suspending certain provisions of Joint Rule No. 9 regarding Engrossed House Bill No. 177.	684	684	684	684	686	693	693
18. Senators Bailey, Greive and Durkan: Relates to appointment of committee to notify the Governor of the legislature's adjournment.	746	746	746	772, 773	746	771, 772	771

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1. Senators Greive, Bailey and Atwood: Constituting officers, committee chairmen and committees of the second extraordinary session of the forty-second legislature.	6					6 Adopted
2. Senators Bailey, Greive and Atwood: Notification to House that Senate is organized. ...	6				6, 7	6 Adopted
3. Senators Greive, Bailey and Atwood: Extension of Senate courtesies to former presidents, members and secretaries.	7					7 Adopted
4. Senators Sandison, Greive, Bailey and Atwood: Weekly payments of members authorized.	7					7 Adopted
5. Senators Peterson (Ted), Greive and Francis: Requesting legislative council study former bills in legislature regarding benefit payments to victims of crime.	27					27 Adopted
6. Senators Lewis, Twigg, Bailey, Talley and Sellar: Requesting legislative council to study possibility of standardizing reporting units.	27					27 Adopted
7. Senator Sandison: Citing commander, officers and crew of Coast Guard cutter Winona.	68					68 Adopted
8. Senators Rasmussen and Bailey: Requests legislative council investigate establishing information bureau in the legislative building.	68					68 Adopted
9. Senators Mardesich, Rasmussen, Glissberg, Metcalf and Durkan: Requesting the Senate Manufacturing and Industrial Development Committee investigate problems concerning mill facilities at Everett.	113				151	113 Adopted
10. Committee on Rules and Joint Rules: The rules of the first extraordinary session be adopted as permanent rules of the second extraordinary session of the forty-second legislature with amendments.	69				69-76	76 Adopted

11. Senators Connor, Peterson (Ted) and Dore: Commending P. G. Paduano and congratulating him on his retirement.	113	.....	.....	.....	113	Adopted
12. Senators Woodall and Day: Requesting the Legislative Budget Committee to study extent state officials practice spending public money to purchase and mail Christmas cards.	129	.....	.....	.....	131	Adopted
13. Senators Metcalf, Mardesich and Huntley: Congratulating Eileen Havens, the national winner of Make It Yourself With Wool contest.	131	.....	.....	.....	131	Adopted
14. Senators Durkan, Fleming and Donohue: Commending the agricultural producers for generous contributions to food banks.	149	.....	.....	.....	149	Adopted
15. Senators Durkan and Sandison: Directing Council of Higher Education to make feasibility determination concerning three-year college degree program.	149	.....	.....	.....	150	Adopted
16. Senators Stortini, Knoblauch, Lewis and Herr: Authorizing Committee on Governmental Cooperation to study the possibilities and problems involved in establishing a state operated lottery.	150	.....	.....	.....	151	Adopted
17. Senators Keefe and Henry: Providing emergency extension for securing 1972 car licenses for unemployed citizens.	164	.....	.....	.....	164	Adopted
18. Senator Scott: Requesting the legislative council conduct a cost accounting study of the cost of providing the varying classes of care in nursing homes.	164	.....	.....	.....	164	Adopted
19. Senators Holman, Peterson (Ted) and Knoblauch: Commending the President on his peace proposal and pledge all possible support for his efforts.	165	.....	.....	.....	175	Adopted
20. Senators Odegaard, Ridder and Huntley: Senate requests the Joint Committee on Education to review the functions of state board of education.	249	.....	.....	.....	165, 175	Adopted
21. Senator Talley: Requesting the Interim Committee on Fisheries, Game and Game Fish undertake a study of gillnetters in drift areas.	320	.....	.....	.....	249	Adopted
22. Senators Huntley, Scott, Jolly, Murray, Donohue, Washington and Peterson (Lowell): Requesting passage of congressional HB Number 12694 amending soil conservation and domestic act providing for a Columbia-Snake-Palouse conservation program.	320	.....	.....	.....	320	Adopted
23. Senators Metcalf, Odegaard, Murray, Ridder and Stortini: Requesting superintendent of public instruction study the feasibility of implementing teacher training programs.	321	320	Adopted
					321	Adopted

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NUMBER, AUTHOR AND SUBJECT	First Reading Referred	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
24. Senator Mardesich: Requesting and authorizing Interim Committee on Banking, Insurance and Utility Regulation undertake a study of possibilities and problems involved in enacting new liquor control legislation.	332				332, 338	338 Adopted
25. Senators Durkan, Andersen, Gissberg, Walgren, Lieutenant Governor Cherberg, Senators Atwood, Bailey, Canfield, Clarke, Connor, Cooney, Day, Donohue, Dore, Elicker, Fleming, Foley, Francis, Gardner, Greive, Guess, Henry, Herr, Holman, Huntley, Jolly, Keefe, Knoblauch, Lewis, Mardesich, Matson, Metcalf, Murray Newschwander, Odegaard, Peterson (Lowell), Peterson (Ted), Rasmussen, Ridder, Sandison, Scott, Sellar, Stender, Stortini, Talley, Twigg, Washington, Whetzel, Wilson, and Woodall: Expressing sympathy to the family of Trooper C. Frank Noble.	332					332 Adopted
26. Senators Lewis Wilson, Greive, Peterson (Lowell), Knoblauch, Bailey, Sandison, Woodall, Elicker, Metcalf and Atwood: Authorizing and requesting legislative council undertake study and develop procedures for dealing with problems of the state of Washington and its citizens arising from interaction with the citizens of British Columbia.	338					339 Adopted
27. Senator Newschwander: Reorganizing redistricting staff.	340				341, 342	341 Referred to Com- mittee
28. Senators Metcalf, Francis, Wilson and Canfield: Requesting and authorizing Legislative Budget Committee to obtain data from state organizations operating computer centers.	353				353, 373	374 Adopted
29. Senators Peterson (Lowell), Elicker and Metcalf: Authorizing and requesting Interim Committee on Fisheries, Game and Game Fish study predicted effects of commercial and Indian fishing on Skagit River and Bay.	353					353 Adopted

30. Senators Atwood and Sandison: The Council on Higher Education shall adopt state-wide guidelines in applying uniform rules to determine whether students be classified as resident or non-resident students for tuition and fee purposes.	354	Adopted	354
31. Senators Francis and Sandison: Requesting Council on Higher Education study factors relating to part-time faculty in Washington public institutions of higher education.	354	Adopted	355
32. Senators Talley and Peterson (Lowell): Requesting and authorizing Interim Committee on Fisheries, Game and Game Fish to study setting a bounty on crows and coyotes.	355	Adopted	355
33. Senator Talley: Requesting the Interim Committee on Natural Resources, Game and Game Fish to study impact of logging methods on waterways, fish runs as well as flood control in affected areas.	374	Adopted	374
34. Senators Lewis, Ridder and Woodall: Delegating the legislative council study placement of vocational rehabilitation programs within the department of social and health services.	374	Adopted	374
35. Senators Durkan and Walgren: Requesting Municipal Committee to study benefits of establishing regional geopolitical areas within the state.	376	Adopted	376
36. Senator Henry and remaining 48 Senators: Congratulating Susan Corrock, winner of the bronze medal, on her performance at the 1972 Olympic games.	377	Adopted	377
37. Senators Sandison, Henry, Foley, Huntley, Donohue and Talley: Delegating the Joint Committee on Higher Education coordinate a study by the Council on Higher Education and State Board for Community College Education to explore programs of reciprocity.	377	Adopted	377
38. Senators Dore, Atwood, Sandison, Ridder, Washington, Bailey, Foley, Greive, Holman, Clarke, Whetzel, Peterson (Ted) and Fleming: Commending Seattle University.	504	Adopted	505
39. Senators Andersen, Atwood, Washington and Foley: Observing the anniversary of Abraham Lincoln's birth.	505	Adopted	505
40. Senators Talley and Guess: Authorizing and requesting the study of the feasibility of one-day fishing licenses.	506	Adopted	506
41. Senators Sandison and Fleming: Requesting the Joint Committee on Higher Education conduct study pertaining to doctors of dental surgery from foreign dental schools meeting state requirements.	694	Adopted	694

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
42. Senators Walgren, Peterson (Lowell), Henry, Wilson, Huntley, Sellar and Washington: Requesting the Transportation Committee and State Highway Commission study high-way routes and ports of entry to British Columbia.	694					694 Adopted
43. Senator Woodall: Pertaining to Washington small loan agencies.	694					695 Adopted
44. Senators Scott, Francis, Talley, Elicker, Clarke, Fleming, Durkan and Whetzel: Per-taining to funding and management of the Arboretum.	695					695 Adopted
45. Senators Francis, Scott, Murray and Gardner: Comprehensive study of education vouchers.	695					696 Adopted
46. Senators Woodall, Odegaard, Durkan and Gissberg: Pertaining to state's correctional institution programs, including furloughs, etc.	696				697	697 Adopted
47. Senator Francis: Requesting and authorizing the joint committee on governmental cooperation to study the establishment of a legislative liaison office in Washington, D.C.	697					697 Adopted
48. Senators Whetzel and Elicker: Pertaining to tax exemption granted private nonprofit organizations.	697					698 Adopted
49. Senators Day, Elicker, Jolly, Newschwander and Francis: Requesting a study be made on interrelated problems of waste disposal, air pollution and water pollution.	698				698	698 Adopted
50. Senators Peterson (Lowell) and Canfield: Requesting a study of user fees for state parks.	699					699 Adopted
51. Senators Francis, Metcalf and Durkan: Requesting a study pertaining to students as full participants in tenure review processes.	699					699 Adopted

52. Senators Francis and Cooney: Reviewing the state's voting requirements.	699	699	Adopted
53. Senators Francis, Gardner and Dore: Requesting and authorizing study relating to treatment of children in Washington state primary and secondary schools.	699	700	Not Adopted
54. Senators Gissberg, Francis and Rasmussen: Requesting a study of the impact of equal rights amendment on existing laws.	700	701	Adopted
55. Senators Francis and Sandison: Pertaining to paleontological sites.....	701	701	Adopted
56. Senators Francis and Scott: Authorizing a study relating to alternative types of commissions capable of accomplishing reapportionment and redistricting.	701	702	Laid on Table
57. Senators Rasmussen, Matson, Stortini, Knoblauch, Guess and Stender: Reviewing studies pertaining to construction of Naches Pass highway and tunnel toll project.	703	703	Adopted
58. Senators Matson and Donohue: Pertaining to review of the commission merchants act.	725	725	Adopted
59. Senators Rasmussen and Odegaard: Requesting the study of the furlough program at Western State Hospital at Fort Steilacoom.	726	726	Adopted
60. Senators Ridder and Dore: Requesting a study pertaining to the transferring of classified civil service employees to jurisdiction of state employees insurance board.	726	726	Adopted
61. Senators Knoblauch and Gardner: Commending the Y.M.C.A., state officials and other persons making possible the Y.M.C.A. youth legislature.	727	727	Adopted
62. Senators Fleming, Guess and Rasmussen: Requesting a study of the contractor's bonding system.	727	727	Adopted
63. Senators Huntley, Foley, Stortini and Sandison: Authorizing and directing a study to determine method in which classified civil service employees at Washington State University could transfer from TIAA to public employees' retirement system.	728	728	Adopted
64. Senators Day, Ridder and Elicker: Pertaining to nursing homes of Washington state and the new criteria for skilled nursing home care which must be met by July 1, 1972.	728	728	Adopted
65. Senator Walgren: Authorizing and requesting study in the field of housing, examine proposals for state and regional housing agencies.	729	729	Adopted

TITLE AND HISTORY OF SENATE FLOOR RESOLUTIONS—Continued

NUMBER, AUTHOR AND SUBJECT	First Reading Referral	Report of Committee	Second Reading and Amendments	Third Reading	Other Action in Senate	Vote on Final Passage
66. Senators Dore and Connor: Pertaining to a study of cable TV systems.	729					729 Adopted
67. Senators Dore, Peterson (Ted), Durkan and Sandison: Pertaining to tuition-free education for surviving children of any state law enforcement officer who should die in the line of duty, especially children of State Trooper C. Frank Noble.	729				730	730 Adopted
68. Senators Ridder, Metcalf and Odegaard: Pertaining to fully accredited programs for Du Pont-Fort Lewis high school.	730				739 Not	739 Adopted
69. Senators Ridder and Dore: Relating to defining proper standards of nursing home care for indigent senior citizens, collecting sufficient and adequate economic data.	731				731	731 Adopted
70. Senators Metcalf, Rasmussen and Sandison: Pertaining to encouraging public fishing from Hood Canal Bridge.	731					731 Adopted
71. Senators Day, Peterson (Ted) and Durkan: Requesting a study of medical costs and the cost of health care.	732					732 Adopted
72. Senators Walgren and Twigg: Authorizing and requesting a study on the funding of criminal identification system.	732					732 Adopted
73. Senators Walgren and Twigg: Authorizing and directing a study of current problems of mutual aid facing public safety agencies.	733					733 Adopted
74. Senators Walgren, Twigg, Keefe and Mardesich: Requesting a study of the Washington state horse racing commission.	750					751 Adopted
75. Senators Talley and Odegaard: Authorizing and requesting a study of the fish hatchery on Cowlitz River operated by Tacoma City Light Company.	751					752 Adopted

76. Senator Stender: Legislature undertake a study of itself to determine if so many studies on various purposes are necessary.	Withdrawn	
77. Senators Donohue, Wilson, Jolly, Henry, Odegaard, Guess, Durkan, Lewis, Matson, Twigg and Woodall: Authorizing and requesting a study of property taxation as it relates to agricultural and agriculture lands.	762	752 Adopted
78. Senators Durkan and Peterson (Ted): Relating to improved salmon sports fishery.	753	753 Adopted
79. Senators Gissberg, Mardesich, Holman, Dore and Metcalf: Pertaining to Snohomish County board of equalization v. department of revenue.	753	754 Adopted
80. Senators Keefe, Ridder, Day, Gissberg, Connor, Donohue, Greive, Francis, Metcalf, Gardner, Fleming, Holman and Dore: Requesting and authorizing a study of the feasibility of establishing student financial assistance in elementary and secondary schools.	761	762 Adopted
81. Senators Bailey, Greive, Atwood and Andersen: Authorizing and directing the Secretary of the Senate to complete work of the session and prepare for the next regular session.	764	766 Adopted
82. Senators Keefe and Greive: Honoring and congratulating the Right Reverend Gerald Desmond, O.S.B.	766	766 Adopted
83. Senators Keefe and Greive: Appreciation extended to KIRO-TV, Mr. Lloyd Cooney, to the local Variety Club, Tent 46 and Mr. Jack T. Hamaker for conducting telethon.	766	767 Adopted
84. Senators Bailey and Atwood: All bills, resolutions and memorials be postponed.	771	771 Adopted
85. Senators Bailey and Atwood: Notify House, Senate is ready to adjourn sine die.	772	772, 773 Adopted
86. Senators Keefe and Connor: Commending Leif Eie, Scandinavian Airlines System.	772	772 Adopted

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
5. Representatives Smythe and Zimmerman: Allowing certain police officers of cities and towns to transfer to the county sheriff's office.	318	322	381	466	466	467	.....	510	532	CH. 48
8. (SUBSTITUTE) Committee on Local Government: Repealing certain resident employee restrictions on public works.	147, 460	147	330	357	359	359	.....	500	501	CH. 28
9. Representatives Bottiger, Julin, Sawyer, Kilbury, Marzano and Shinpoch: Providing wife may become manager of community property when husband missing in action or prisoner of war.	318, 686	322	381	676	678	678	.....	725	740	CH. 83
11. Representatives Cunningham and Kilbury: Requiring school bus to stop at railroad crossing, whether loaded or unloaded.	161	161	349	.....	.....	.....	.....	.....	.....	.....
12. Representatives Copeland and Chatalas: Enabling the Senate and House of Representatives to provide for the form of printing of their respective journals.	20	25	.....	25	25	25	.....	37	37	CH. 1
13. (SUBSTITUTE) Committee on Local Government: Providing for the return of property wrongfully sold to satisfy a tax lien.	318, 537	322	349	398	399	399	.....	539	551	CH. 84
14. (SUBSTITUTE) Committee on Local Government: Enumerating amounts of bonds required for outdoor music festivals.	318, 547, 619, 661	322	381	461	465	465	548, 619	683	685	CH. 123

17. Representatives Cunningham, Bluechel, Kirk and Shinpoch: Extending the exemption from special fuel tax for urban passenger transportation systems.	183	184	349	480	480	481	.....	510	532	CH. 49
20. Representatives May, Adams, Anderson, Bottiger, Douthwaite, Gallagher, Grant, Haussler, Hurley, Kilbury, Luders, Martinis, Marzano, McCormick and O'Brien: Providing for appeal to local county court and payment of attorneys' fees in certain appeals from decisions of the board of industrial insurance appeals.	318	322	335	467	467	468	.....	510	532	CH. 50
27. Representatives Beck, Charnley, Cunningham, Douthwaite and Martinis: Providing noise limits for motor vehicles.	183	184	363	.....	.....	.....	.....	.....	.....	.....
29. (SUBSTITUTE) Committee on Natural Resources and Ecology: Transferring administration of all-terrain vehicle law from department of motor vehicles to inter-agency committee. ...	318, 535, 563, 593, 620	322	349, 563, 593	415, 429	430	430, 602	424, 536, 564, 602	684	703	CH. 153
33. Representatives Wolf, May, Zimmerman, Cunningham and Hoggins: Providing school districts create reserve funds for equipment depreciation reimbursement.	318, 537	322	363	481	481	481	.....	539	551	CH. 85
34. Representatives Kopet, Backstrom and Goldsworthy (by Legislative Budget Committee request): Updating state land reclamation procedures.	161	162	363	468	468	468	.....	510	532	CH. 51
35. Representatives Kopet, Backstrom and Goldsworthy (by Legislative Budget Committee request): Abolishing the land settlement act.	161	162	363	468	468	468	.....	510	532	CH. 52
36. Representatives Marsh, Kopet and Shinpoch (by Legislative Budget Committee request): Authorizing advance payments for services. ...	161	162	498	.....	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
38. Representatives Cunningham and Beck (by departmental request): Amending the formal hearing procedures in regard to the issuance, denial, suspension or revocation of drivers' licenses.	283	284	363	441	446	446	.....	500	506	CH. 29
42. Representatives Newhouse, North, Moon and Smith (by Legislative Council request): Providing that telegraph companies be taxed on the basis of the situs of equipment.	318	323, 384	.....	.....	.....	.....	.....	.....	.....	.....
44. Representatives Newhouse, Flanagan, North and Haussler (by Legislative Council request): Pertaining to the taxation of cigarettes.	229	229	459, 498	578, 688	688	688	375, 376, 579, 689	745	746	CH. 157 P. V.
45. Representatives Hubbard, Kilbury, Benitz, Bozarth, Amen, Copeland, Morrison, Bledsoe, Flanagan and Newhouse: Exempting sugar beets in transit from the property tax.	283, 499	284	351, 381	445, 470	471	472	446	500	506	CH. 30
46. Representative Hansey: Permitting premiums on poultry products.	229, 548, 567, 693	229	335, 687	396	396	396, 688	548, 688	723	740	CH. 104
47. (SUBSTITUTE) Committee on Natural Resources and Ecology: Authorizing the burning of outdoor fires by homeowners and persons clearing land.	229, 537	229	363	402	408	403	.....	613	620	CH. 136 P. V.

50. Representatives King, Hubbard, Randall, Kilbury and Knowles (by Public Employees Collective Bargaining Committee request): Exempting collective bargaining of public agencies from the open meetings act.	229	229	.....	.....	.....	.....	.....	.....	.....	.....
53. Representatives Shera, Bagnariol, Smythe, Koppet, Barden, Hansey, Mentor, Anderson, Backstrom, Blair, Conway, Gallagher, Kilbury, Luders and Merrill: Providing for a system of no-fault auto insurance.	283	284	.....	.....	.....	.....	.....	.....	.....	.....
54. Representatives Mentor, Brouillet, Hoggins and Charette (by Joint Committee on Education request): Removing obsolete matter in code relating to school holidays.	147	147	.....	.....	.....	147	.....	.....	.....	.....
55. Representatives Brouillet, Hoggins, Mentor, Charette and Randall (by Joint Committee on Education request): Striking obsolete sections relating to special levy study commission from code.	147	148	.....	.....	.....	.....	.....	.....	.....	.....
56. Representatives Hoggins, Brouillet, Mentor and Charette (by Joint Committee on Education request): Eliminates existing conflicts in filing procedures for school officials.	147	148	.....	167	167	167	148	183	184	CH. 3
57. Representatives Hoggins and Charette (by Joint Committee on Education request): Providing for the distribution of funds for educational opportunities of secondary school pupils residing in nonhigh school districts.	161, 537	162	335	491	492	492	.....	539	551	CH. 124
62. Representatives Copeland, Cunningham and Charette (by Legislative Council request): Providing for uniform per diem payments.	318	323	.....	.....	.....	.....	.....	.....	.....	.....
63. Representatives Julin and Wojahn (by Judicial Council request): Prescribing the duties of clerks handling fines of municipal ordinances.	183	184	.....	.....	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote or Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
66. Representatives Savage, Bledsoe, Kilbury and Benitz (by Joint Committee on Nuclear Energy request): Expanding advisory council on nuclear energy and radiation.	183	184	381							
76. Representatives Bluechel, Perry and Cunningham (by Secretary of State request): Changing filing procedures for nonprofit corporations. ...	318	323								
78. Representatives Conner, Schumaker and Eikenberry: Exempting law enforcement officers from the waiting period when purchasing firearms.	161	162								
79. Representatives Charette, Jueling, Grant, Anderson and Knowles (by Legislative Council request): Exempting ordinary hot water tanks from inspection by the department of labor and industries.	318, 538	323	336	388	388	388		613	620	CH. 86
80. Representatives Charette and Julin (by Statute Law Committee request): Correcting erroneous amendment to RCW 15.63.240.	161	162	336	359	359	359		385	386	CH. 8
81. Representatives Charette and Julin (by Statute Law Committee request): Correcting double amendments to RCW 18.64.080.	161	162	336	359	359	359		385	386	CH. 9

82. Representatives Charette and Julin (by Statute Law Committee request): Correcting double amendments to RCW 28A.13.020, 28A.27.081 and 28A.58.100.	161	162	336	360	360	360	360	385	386	CH. 10
83. Representatives Charette and Julin (by Statute Law Committee request): Correcting multiple amendments to RCW 41.06.070.	161	162	336	360	360	360	360	385	386	CH. 11
84. Representatives Charette and Julin (by Statute Law Committee request): Correcting double amendment to RCW 43.08.020.	161	162	336	360	361	361	361	385	386	CH. 12
85. Representatives Charette and Julin (by Statute Law Committee request): Correcting inadvertent amendment to RCW 22.02.100.	161	162	336	361	361	361	361	385	386	CH. 13
86. Representatives Charette and Julin (by Statute Law Committee request): Correcting double amendments to RCW 82.44.150.	161	163, 228	363	619	619	619	163	684	703	CH. 87
87. Representatives Charette and Julin (by Statute Law Committee request): Correcting double amendments to RCW 84.36.030.	161	163	200, 498	.....	.....	.....	163	.....	.....	.....
90. Representatives Brouillet, Hoggins and Haussler (by Superintendent of Public Instruction request): Establishing minimum number of days for kindergarten years.	161, 537	163	317	388, 393	394	395	389	539	551	CH. 105
92. Representatives Bluechel and Cunningham (by Secretary of State request): Permitting fees to be charged for publications of the secretary of state.	318	323	.....	.....	.....	.....	.....	.....	.....	.....
93. Representatives Pardini, Bottiger and Barden (by Department of Social and Health Services request): Amending the uniform reciprocal enforcement of support act.	161	163	364	482	482	482	.....	510	532	CH. 31

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
94. Representatives Conway, Eikenberry and Paris (by Department of Social and Health Services request): Providing for lien of department of social and health services on time loss compensation under workmen's compensation to extent of public assistance rendered.	200	201	364							
95. Representatives Kiskaddon, McDermott, Ross, Rabel and Maxie (by Department of Social and Health Services request): Removing visitation restrictions on condemned prisoners.	183	184	364							
96. Representatives Brown, Wolf, Bottiger, Curtis, Ross, Kilbury, Kiskaddon, Kraabel, Conway, Blair, Bluechel, Smith, Cunningham and North (by executive and Secretary of State request): Providing for annual general elections.	175	175								
98. Representatives Bottiger, Charette and Wolf (by Legislative Council request): Providing for regulation of camping clubs.	229, 538	229	350	396	397	397	230	613	621	CH. 106
102. Representatives Smythe and Hausler: Removing the two percent maximum on the cost the state may charge the city or county of collecting the sales and/or use tax and removing the cut-off date for the local sales tax.	369	373								

105. Representatives O'Brien, Pardini, Maxie, Perry, Ross, Knowles, Bagnariel, Ceccarelli, Litchman and Merrill (by Joint Committee on Education request): Providing that financial aid for part time students shall include ancillary services.	175	175	317	344	344	345	.....	369	373	CH. 14
106. (SUBSTITUTE) Committee on Education and Libraries: Implementing law relating to school districts whose boundaries lie within military reservations.	229	230	.....	.....	.....	.....	.....	.....	.....	.....
108. Representatives Julin, Bottiger and Eikenberry: Allowing trust funds to be invested in life insurance made upon the life of a beneficiary.	318	323	350	.....	.....	.....	.....	.....	.....	.....
109. Representatives Julin, Bottiger and Eikenberry: Allowing beneficiary under will or through intestacy to disclaim his interest.	318	323	.....	.....	.....	.....	.....	.....	.....	.....
110. Representatives Kuehnle, Haussler, Hatfield and Pardini: Pertaining to sale or disposal of abandoned irrigation district right of way.	318	323	337	.....	.....	.....	.....	.....	.....	.....
111. (SUBSTITUTE) Committee on Local Government: Permitting mosquito control districts to give notice by publication.	318	323	350	.....	.....	.....	.....	.....	.....	.....
112. (SUBSTITUTE) Committee on Appropriations: Adopting a supplemental budget and making appropriations.	459, 768	460	561, 562	572	577	577, 760	759, 760	771	771	CH. 155 P. V.
113. Representatives Julin, Hubbard, Wojahn, Curtis, Sawyer, Rabel, Eikenberry, Kiskaddon, Spanton, Bottiger, Smythe, Marsh, Polk, Knowles, Gladder, Brown, Ross, Litchman, Charette, Kopet, North, Juelsing, Wolf, Bluechel, Wanamaker, Rosellini, Jones, Kraabel and Maxie (by Judicial Council request): Providing new probate procedures.	318	323	.....	.....	.....	.....	.....	.....	.....	.....
117. Representatives North and Brown: Redistricting the state congressional districts.	128	128	.....	.....	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
126. Representatives Wolf, Benitz, Conner, Conway, Hurley, Jones, Kirk, Marsh, O'Brien and Paris: Authorizing vocational rehabilitation services payments out of federal or other funding only.	183	184	330	357	357	357	.....	385	386	CH. 15
128. Representatives Wolf, Pardini, Curtis, Polk, Hatfield, Barden, Brown, Ceccarelli, Eikenberry, Hoggins, Jones, Litchman, Mentor and Shera: Providing sales and use taxes deferral for new or expanded manufacturing businesses. Requiring 5 year payback after 1st year of operation. Encouraging development with resultant increased jobs.	500	501	.....	.....	.....	.....	.....	.....	.....	.....
130. Representatives Charnley, Kilbury, King, Douthwaite, McCormick, Bozarth, Williams, Backstrom, Merrill, Bradley, McDermott, North, Blair, Paris, Hoggins, Jones and Van Dyk: Providing for notice to each property owner assessed by a local improvement district.	229, 537	230	364	489, 495	496	496	489	539	551	CH. 137 P. V.
133. Representatives Julin, Eikenberry, North, Rabel and Litchman: Providing that additional departments of municipal court may be added as needed.	183	185	364	484	484	484	.....	510	532	CH. 32

137. Representatives Bottiger, Flanagan, Williams, Newhouse, Moon, Haussler, Julin, McDermott, Amen, Bledsoe, Bozarth, Curtis, Eikenberry, Gallagher, Gilleland, Litchman, Randall, Schumaker and Shera (by Property Tax Committee request): Making the assessor's comparable sales data available to individuals protesting their property valuation.	147	148	459	.....	.....	.....	.....	.....	.....	.....	.....	.....
138. Representatives Flanagan, Bottiger, Wolf, Julin, Newhouse, Moon, Williams, Haussler, Amen, Bledsoe, Eikenberry, Gallagher, Hoggins, Jones, Schumaker and Zimmerman (by Property Tax Committee request): Providing changes in board of equalization operations.	147	148, 384	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
139. Representatives Flanagan, Wolf, Bottiger, Julin, Moon, Williams, Newhouse, Haussler, Sawyer, Perry, McDermott, Amen, Bledsoe, Bozarth, Conway, Curtis, Eikenberry, Gallagher, Hoggins, Litchman, Schumaker, Wojahn and Zimmerman (by Property Tax Committee request): Providing for notification to property owners of changes in assessed valuation.	201, 686	201	384, 534	675	676	676	.....	725	740	CH. 125	.....	.....
140. Representatives Bottiger, Wolf, Williams, Moon, Perry, Sawyer, Flanagan, Haussler, McDermott, Adams, Bauer, Bledsoe, Bozarth, Ceccarelli, Charnley, Eikenberry, Gallagher, Hoggins, McCormick, Schumaker, Wojahn and Zimmerman (by Property Tax Committee request): Amending certain provisions of the senior citizens' property tax exemption statute.	229	280	384, 534	691	692	692	692	723	740	CH. 126	.....	.....
142. Representatives Newhouse, Williams, Moon, Perry, Bledsoe and North (by Legislative Council request): Providing for payments in lieu of property taxes upon the university tract properties.	337	337	459, 562	679	679	679	.....	689	690	CH. 107	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
143. Representatives Julin, Wojahn, Wolf, McDermott, Pardini, Barden, Moon, Chatalas, Hatfield, Jastad, Brown, Kiskaddon, Adams, Maxie, Conway, McCormick, Haussler, Charnley, Douthwaite, Litchman, Bagnariol, King, Kilbury, Bauer, O'Brien, Savage, Amen, Perry, Gallagher, Hurley, Kirk, Ceccarelli, Wanamaker, Blair, Martinis, Anderson, Kraabel, Brouillet, Smith, Johnson, Jones, Merrill, Rabel, Rosellini and Williams (by State Women's Council request): Providing for the rights of married persons.	283, 548, 568, 619, 687		364, 590, 641	409	412	418, 641	548, 549, 591, 641	684	703	CH. 108
147. Representatives Marsh and Julin: Providing for alternative methods of legal aid.	229, 537	230	364	425	425	425	.....	539	651	CH. 109
150. Representatives Conner, Hubbard, Randall and Gilleland (by Department of Highways request): Amending the rules of the road pertaining to the use of the roadway.	183	185	350	453	453	453	.....	500	506	CH. 33
155. Representatives Spanton, McCormick, and Gilleland (by Department of Highways request): Including land contracts in the term mortgage.	161	163	337	387	387	387	.....	500	506	CH. 34
158. Representatives Bluechel, Randall, Zimmerman, Williams and Jones: Providing allowances for citizen members of the state land planning commission.	229	230	365	683	683	683	.....	683	690	CH. 110

159. Representatives Jueling and Grant (by Legislative Council request): Authorizing the department of labor and industries to charge a fee for explosives user's and purchaser's licenses.	318, 538	323	365	469	469	470	.....	613	621	CH. 88
160. Representatives Conner, Parls, Grant, Wanamaker, Berentson, Martinis, Hubbard, Flanagan, Kilbury, Thompson, Randall, Johnson, Newhouse, Morrison, Charette and Litchman: Providing for elective coverage by public port districts for unemployment compensation.	283, 460	284	331	378	378	378	.....	500	501	CH. 85
164. Representatives Berentson, Bozarth, Conner, Hansey, Amen, Wanamaker, Bauer and Gilleland: Providing for a compact among certain western states to study feasibility of short haul air transportation among them.	318	324	350	406	406	408	.....	500	506	CH. 86
171. Representatives Wolf, Haussler, Newhouse and North (by Legislative Council request): Repealing certain statutes relating to the valuations of trust lands sold for park purposes.	183	185	381	.....	.....	.....	.....	.....	.....	.....
173. Representative Kilbury (by Secretary of State request): Changing the definition of service voter to include persons absent from the state and allowing absentee balloting in municipal elections as well as others.	229	230	381	.....	.....	.....	.....	.....	.....	.....
177. Representatives Hubbard, Julin and Copeland: Providing for the state to pay the costs of an appeal constitutionally guaranteed to a person unable to pay such costs.	183, 566, 592, 634, 686	185	382, 635, 634	488	488	489, 685	567, 636, 685	723	740	CH. 111
186. Representatives Bluechel, Thompson, Hubbard, Curtis, Garrett, Kiskaddon, Luders, Hatfield, Hoggins, Charnley, Hansey, Haussler, Pelk, Zimmerman, Brown, North, Martinis, Savage, Williams, Cunningham, Randall, Jones, Smith, Gilleland and Litchman (by executive request): Providing for waste disposal facilities bonds.	248, 661	248	318, 534	579	580	581	.....	683	685	Ref. CH. 127

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
187. Representatives Amen, Moon, Kopet, Hoggins, Hubbard, Haussler, Kilbury, Cunningham, Goldsworthy, Copeland, Jones and Kiskaddon (by executive request): Providing for water supply bonds.	248, 661	248	318, 535	581	581	582		684	703	Ref. CH. 128
189. Representatives North, Thompson, Cunningham, Smith, Bluechel, Ross, Zimmerman, Brouillet, Charnley, Hoggins, Jones and Kiskaddon (by executive request): Providing for state park and recreation bonds.	283, 661	284	318, 535	582	584	584		684	703	Ref. CH. 129
190. Representatives Farr, Conner, Kirk and Kiskaddon (by executive request): Providing for social and health facilities bonds.	248, 661	248	499, 535	584	585	586		684	703	Ref. CH. 130
191. Representatives Kuehne, Knowles, Hoggins, Gilleland and Jones: Permitting school districts to engage agents or licensed real estate brokers to negotiate sale of district real property.	161	163	365							
194. Representatives Polk, Bottiger, Julin and Spanton: Providing for contractors bonds.	318, 538	324	365	409	409	409		614	621	CH. 118
196. (SUBSTITUTE) Committee on Agriculture: Removing certain restrictions on agricultural commission members and providing a means of filling vacancies on such commissions.	318, 537	324	337	395	395	395		539	551	CH. 112

199. Representatives Kirk, Kuehnle, Bottiger, Adams, Charnley, Litchman and Merrill: Eliminating residency requirements for municipal firemen and policemen.	229	230	365	400	400	400	.....	500	506	CH. 87
210. Representatives Hansey and Haussler: Authorizing counties to establish ambulance service.	318, 537	324	365	484	484	485	.....	539	551	CH. 89
221. Representatives Gilleland, Conner, Perry, Amen, Gallagher, Spanton, Wanamaker, O'Brien and Berentson: Clarifying provisions relative to motor fuel tax exemption.	183, 550, 564, 592, 635	185	365, 564, 645	487	487	488, 645	550, 564, 645	683	685	CH. 138
223. Representatives Douthwaite, Van Dyk, Ross, Thompson, Bagnariol, Charnley, King, Maxie, Grant, Chatalas, Sawyer, Randall, Kilbury, Merrill, Rosellini, Bradley, May, Gallagher, Jastad, Kraabel, Litchman and McDermott: Allowing hitchhiking in certain areas.	229	230	382	492	494	494	.....	510	532	CH. 88
228. Representatives Kuehnle, Ceccarelli, Garrett, Gilleland, Wanamaker and Wolf: Proposing amendments to real estate license law.	318, 557	324	366	485	485	485, 557	557	614	621	CH. 139 P. V.
229. Representatives Lysen, Perry, Bagnariol, Chatalas, Douthwaite, Van Dyk, Maxie, Ross, Grant, Williams, Smythe, Litchman, Merrill and McDermott: Authorizing cities and towns to participate in and implement federal grant-in-aid programs.	283	284	382	.....	.....	.....	.....	.....	.....	.....
233. Representatives Jones, Perry, Gilleland, Polk, Brouillet, Bluechel, Julin and Litchman: Providing for special commercial zones in which motor freight carriers can operate at prescribed rates.	318	324	.....	.....	.....	.....	.....	.....	.....	.....
234. Representatives Rabel, Sawyer and Morrison: Authorizing certain payroll deductions for certificated employees of school districts.	229, 459	230	317	356	356	357	.....	500	501	CH. 39

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
237. Representatives Hoggins, Haussler, Brouillet, Charette, Brown and Morrison: Authorizing public libraries to offer certain materials for sale at cost to the library.	229, 587	231	366	424	425	425	.....	539	551	CH. 90
240. Representatives Marsh, Kirk and Farr (by Department of Social and Health Services request): Providing wage rate exemptions for vocationally handicapped on public works.	318, 538	324	366	495	495	495	.....	614	621	CH. 91
241. Representatives Bledsoe, Julin, Rabel and Hubbard: Providing for the rights of a limited partner in a partnership.	283, 537	284	350	397	397	397	.....	539	551	CH. 113
243. Representatives Zimmerman, Maxie, Kiskaddon and Backstrom (by Department of Social and Health Services request): Extending industrial insurance to inmates employed in an industrial enterprise or at honor camps.	318	324	366	408	408	408	.....	500	506	CH. 40
244. Representatives Amen, Hubbard, Haussler, Bozarth, Gladder, Flanagan, Goldsworthy, Wolf, Kuehnle, Spanton, Wanamaker, Richardson, Schumaker, Bauer, Zimmerman, May, Martinis and Mentor: Removing power of eminent domain under shoreline management act.	229	231	366	448, 472	477	477	451, 476, 618	510	532	CH. 53

248. Representatives Brown, Charette, Rabel, Caccarelli, Blair, North, Kraabel, Jones, Barden, Paris, Kiskaddon, Bledsoe, Charnley, Douthwaite, Maxie, Bradley, Curtis, Gilleland and Hoggins (by executive and Secretary of State request): Providing for the regulation and reporting of campaign contributions and expenditures.	283, 734, 740, 750	284	704	705, 713	716	716	704, 713, 734, 740	761	761	Ref. CH. 98
249. Representatives Martinis, Charette, Wolf and Conner: Limiting the number of commercial salmon licenses.	319	324	382	.....	.....	.....	.....	.....	.....	.....
252. Representatives Johnson, Bledsoe, Kilbury and Benitz: Expanding membership of the Washington horse racing commission.	283	285	.....	.....	.....	.....	.....	.....	.....	.....
254. Representatives Charette, Zimmerman, Perry and Kilbury: Providing procedures for inviting bids and awarding contracts by public utility districts.	319	324	366	399	399	399	.....	500	506	CH. 41
257. Representatives Zimmerman, Charette, Wolf, Cunningham, Kilbury, King, Conner, Douthwaite, Litchman, Kiskaddon, Thompson and Randall (by Department of Ecology request): Providing for the financing and construction of pollution control facilities.	161, 538	164	382	446	447	447	.....	614	621	CH. 54
258. Representatives Pardini and Merrill: Providing for changes in the terms of insurance contracts and allowing a person insured under a group insurance policy to assign all incidents of such ownership.	233, 557	285	382	436	437	437	557	.....	.....	.....
261. (SUBSTITUTE) Committee on Financial Institutions and Insurance: Making certain substantive procedural and housekeeping amendments to the law enforcement and fire fighters' retirement system.	500	501	536	673	673	673	.....	689	690	CH. 131.

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
266. Representatives Gallagher, Polk, Marzano, Barden, Litchman, Benitz, King, Juelling, Bagnariol, Mentor and Merrill (by Joint Committee on Governmental Cooperation request): Allowing savings and loan associations to make guaranteed student loans.	183	185	366, 383	440	441	441	366	500	506	CH. 42
270. Representatives Kopet, Marsh, Goldsworthy and Thompson: Establishing requirements for the executive budget proposal.	319	324	498	.....	.....	.....	.....	.....	.....	.....
272. (SUBSTITUTE) Committee on Higher Education: Giving consideration to investing certain funds in vocational training loans.	283, 536	285	367	440	440	440	.....	539	551	CH. 92
275. Representatives Kopet, Backstrom and Bluechel: Authorizing the transfer of funds from the state trade fair fund to the general fund.	319	324	499	667	667	667	.....	683	685	CH. 93
277. Representatives Hubbard, Grant, Newhouse, Morrison, King, Perry, Chatalas, Charette, Rosellini, Sawyer, Merrill, O'Brien and Litchman (by Department of Labor and Industries request): Removing employment class distinctions, and providing for assessment of delinquent employer payments, and making procedural changes in the industrial insurance act.	283	285	337	414	414	415	.....	500	506	CH. 43

279. Representatives Thompson, Zimmerman, Lunders, North and Randall: Requiring permits for operation of sewerage systems owned by any county, municipal or public corporation.	147, 536	148	383	486	487	487	.....	539	551	CH. 140 P. V.
289. Representatives Jastad, Moon, Marzano, Hausler, Adams, Martinis, Ceccarelli and Merrill: Defining dognapping as a crime and prescribing penalties therefor.	319, 557, 567, 619, 687	325	367, 603, 657	454	454	454, 657	557, 558, 604, 657	689	690	CH. 114
291. Representatives Wanamaker, Beck, Berentson and Costanti (by Legislative Transportation Committee request): Providing financial support for the Puget Sound Ferry system.	319	325	.....	.....	.....	.....	.....	.....	.....	.....
299. Representatives Randall, Smythe and Brown (by Superintendent of Public Instruction request): Allowing receivables collectible in future fiscal years to be included in preliminary budgets of school districts.	319, 537	325	367	401	402	402	.....	539	551	CH. 115
313. (SUBSTITUTE) Committee on Appropriations: Relating to appropriations.	369	373	535, 536	640	640	640	.....	683	685	CH. 154
318. (SUBSTITUTE) Committee on Education and Libraries: Changing application of chapter 28A.57 RCW.	319	325	367	.....	.....	.....	.....	.....	.....	.....
323. (SUBSTITUTE) Committee on State Government: Relating to state government.	319, 577, 532	325	367	427, 439	439	439	429, 577, 578	.....	.....	.....
324. (SUBSTITUTE) Committee on State Government: Relating to state government.	499, 687	501	562, 664	681	681	683	586, 664, 666	723	740	Ref. CH. 132
337. Representatives Hansey, Conner, Newhouse and Costanti: Providing for a personal use salmon license.	499	501	.....	.....	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate	Action by Governor
340. Representatives Kraabel, Luders, Gilleland, Douthwaite and Hurley: Crediting use of tax revenues for research and planning of mass transit systems and altering source of local revenues to be used as a base for matching motor vehicle excise funds.	500	501								
341. (SUBSTITUTE) Committee on State Government: Regulating lobbyists.	283, 740	285	704	716	722	723	704, 723	740	740	Ref. CH. 82
348. Representatives Mentor, Conner, Backstrom, Copeland, Costanti, Cunningham, Farr, Gallagher, Gilleland, Hansey, Jastad, Jones, Martinis, Perry and Savage: Relating to ferry routes and operations.	319	325	367	400	400	400		500	506	CH. 44
349. Representative Eikenberry: Relating to landlords' liens.	319	325								
354. (SUBSTITUTE) Committee on Revenue and Taxation: Pertaining to revenue and taxation.	385	387								
365. (SUBSTITUTE) Committee on Rules and Administration: Pertaining to changes in salaries of certain public officials.	229	231								
381. (SUBSTITUTE) Committee on Higher Education: Providing for the appropriate funding of community colleges.	248, 661	249	383	586	588	588		683	685	Ref. CH. 133

397. Representative Charnley: Authorizing the highway commission to erect along roads commercial signs pertaining to gas, food and lodging.	319	325	388	.....	.....	.....	.....	.....	.....	.....	.....
411. (SUBSTITUTE) Committee on Business and Professions: Implementing law relating to authorizing gambling.	319, 566, 591, 614, 687	325	383, 592, 646	451, 454	455	456, 647	453, 566, 592, 646	689	690	CH. 141 P. V.	
413. (SUBSTITUTE) Committee on Education and Libraries: Authorizing school districts to purchase insurance or otherwise hold harmless directors from actions arising out of the performance or failure of performance of their duties.	283, 566, 591, 614, 687	285	367, 591, 657	406, 430	431	431, 660	406, 566, 591, 659	689	690	CH. 142 P. V.	
414. (SUBSTITUTE) Committee on Revenue and Taxation: Relating to revenue and taxation. ...	385, 734	387	679, 686, 690	681, 691	681, 691	686, 690	744	744	CH. 134		
417. (SUBSTITUTE) Committee on Business and Professions: Implementing provisions of the franchise investment protection act.	283, 538	285	383	483	484	484	.....	614	621	CH. 116	
426. (SUBSTITUTE) Committee on Natural Resources and Ecology: Relating to litter control.	283	285	368	482	482	482	.....	510	532	CH. 55	
438. Representative Kopet: Creating a priority list of persons who may give consent to an autopsy in any particular case.	319	325	368	.....	.....	.....	.....	.....	.....	.....
439. Representative Kopet: Creating state and local improvements revolving account in state general fund.	319	325	.....	.....	.....	.....	.....	.....	.....	.....
444. Representatives Marsh and Farr (by Department of Social and Health Services request): Establishing an office of the public administrator within the attorney general's office.	319	325	.....	.....	.....	.....	.....	.....	.....	.....
446. Representatives Mentor, Newhouse and Gallagher: Providing for the election of the state committee and enumerating its powers.	283	285	383	447	448	448	.....	500	506	CH. 45	

514. (SUBSTITUTE) Committee on State Government: Providing for construction of a state office building.	229	231	368	620	620	620, 770	620, 723, 746, 768, 769	.....	.....	.....
521. Representatives Kopet and Gladder (by Department of Social and Health Services request): Providing tuberculosis treatment of persons unable to pay.	319, 538	326	368	477	480	480	.....	614	621	CH. 143 P. V.
527. Representatives Zimmerman and Bauer: Clarifying and directing collection and use of funds in fire protection projects.	229	231	368	494	494	494	.....	510	532	VETOED
528. Representative Spanton: Changing registration period, registration display, and age requirements on snowmobiles.	319	326	384	.....	.....	.....	.....	.....	.....	.....
537. Representatives Kopet, Pardini and Curtis (by Department of Social and Health Services request): Shortening time for declaration of undisclosed income or resources to department of public assistance by persons receiving such assistance.	319	326	368	.....	.....	.....	.....	.....	.....	.....
542. (SUBSTITUTE) Committee on Social and Health Services: Providing child support relief.	319	326	368	.....	.....	.....	.....	.....	.....	.....
555. Representative Shera (by Department of Personnel request): Providing for expanded insurance programs for state employees and officials.	319	327	351	391	391	393	327	.....	.....	.....
558. Representative Morrison: Determining who shall sign certificate for the expenses of the legislature.	319	327	.....	.....	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE JOINT RESOLUTIONS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker	Signed by President
61. Representatives North, Charette, Wolf, Adams, Charnley, Kilbury, Litchman, Martinis, Maxie and Smith (by State Women's Council request): Providing for equality of rights regardless of sex.	147	148	331	345	345, 379	379	347	385	386
65. Representatives Bledsoe, Copeland, Charette, Beck, Ross, Kiskaddon, Conway, Kraabel, Blair, Mentor, Amen, Hoggins, Jones, Moen, Bluechel, Adams, Kopet, Cunningham, Brown, Gilleland, Ceccarelli, Curtis, Litchman and North (by executive and Legislative Council request): Amending the Constitution to provide for annual sessions of the legislature.	248	249	.....	.....	.....	.....	.....	.....	.....
82. (SUBSTITUTE) Committee on Revenue and Taxation: Authorizing the imposition of a tax on income.	510, 755	510	510	606, 734	610, 738	611, 738	510, 605, 667, 734, 755, 757, 762

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TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	Message From House	Introduction, First Reading and Committee Referral	Report of Committee	Second Reading and Amendments	Third Reading	Vote on Final Passage	Other Action in Senate	Signed by Speaker of the House	Signed by President of the Senate
1. Representative Bledsoe: Notifying the Governor that the legislature is organized.	7	13	.....	13	.....	13	13, 14	20	21
2. Representative Bledsoe: Joint session to receive the Governor's message to the legislature.	7	14	.....	14	.....	14	14	20	21
3. All 99 Representatives, All 49 Senators: Honoring the late George D. Zahn.	20, 37	26	.....	26	.....	26	26	47	47
5. Representatives Juelling, Morrison, Moon, Haussler, North, Copeland, Bledsoe, Wolf, Shera, Hatfield, Kiskaddon, Bagnariol, Brown, Kraabel, Goldsworthy, Polk, Hoggins, King, Barden, Hansey, Amen, Smythe, Gilleland, Conway, Farr, Jones, Rabel, Chatalas, Costanti, Blair, Mentor, Curtis, Cunningham, Paris, Julin, Charnley, Douthwaite, Merrill, Van Dyk, Rosellini, Gallagher, Williams, Wojahn, Shimpoch, Maxie, O'Brien, Grant, Bradley, Marsh, Backstrom, Randall, Litchman, Bauer, Bozarth, Kilbury, Lysen and McDermott (by Legislative Council request): Amending and implementing Joint Rules of the House and Senate.	29, 175	36	77	77	78	79	79, 111	183	184
7. Representatives Brown, Wolf and Johnson (by Joint Committee on Education request): Providing program relating to insuring of school districts.	161	164	337	.....	.....	.....	.....	.....	.....
10. Representatives Backstrom, Goldsworthy, Chatalas, Marsh, Moon, Bagnariol, Shera, Kopet and Grant: Authorizing the continued study of alternative methods for funding various retirement systems.	319	327	.....	.....	.....	.....	.....	.....	.....

13. Representatives Wolf, Chatalas, Grant, Copeland, Sawyer and O'Brien: Inviting National Conference of State Legislative Leaders to hold its 1973 convention in Seattle.	80	111	111	111	111	128	128
19. Representatives Julin, Marsh, Sawyer, Ross, Bottiger, Knowles, Spanton, Hubbard, Eikenberry, Shinpoch, Rosellini, Charette, Wojahn, Litchman and Swayze: Providing for expression of cordial welcome by the legislature to the Conference of Chief Justices.	135	148	149	149	149	183	184
21. Representative Morrison: Free conference thirty-six hour requirement suspended on Senate Bill No. 173.	647	647	647	647	647	684	703
22. Representatives Bluechel, Pardini and Perry: Free conference thirty-six hour requirement suspended on Reengrossed Senate Bill No. 92.	648	648	648	648	648	684	685
23. Representative Morrison: Free conference thirty-six hour requirement suspended on Engrossed Senate Bill No. 27.	636	636	636	636	636	684	703
24. Representative Morrison: Free conference thirty-six hour requirement suspended on Engrossed Senate Bill No. 4.	638	638	638	638	638	684	704
25. Representatives Chatalas and Newhouse: Legislative session duration forty-one days.	666	666	666	666	666	684	704
26. Representative Morrison: Free conference thirty-six hour requirement suspended on Substitute Senate Bill No. 355.	668	668	668	668	668	684	685
27. Representatives Chatalas and Newhouse: Legislative session, duration forty-two days.	724	724	724	724	724	744	744
28. Representatives Chatalas and Newhouse: Amending Senate Concurrent Resolution No. 2 to limit the session to forty-three days.	744, 745	744	744	745	745	745	746
29. Representatives Chatalas and Newhouse: Legislative session, duration forty-four days.	754, 770	754	755	755	755	771	771

ACCOUNTANTS AND AUDITORS:

Auditor-clerk, combined office, eighth class counties, salary increased, *SB 104, CH. 97 PV.

ACKNOWLEDGMENTS:

Correctional officers, oaths, administration, authorized, *SB 68, CH. 58.

ACTS:

Agricultural labor relations act, SB 415.
 Alcoholism, intoxication treatment, uniform act, SB 29, *Sub SB 29, CH. 122.
 All-terrain vehicles, repealed, SB 14.
 Automotive repair responsibility act, SB 233.
 Campaign reporting act, SB 274, *HB 248, CH. 98.
 Crime victims' compensation act, SB 306.
 Economic assistance, *SB 92(a), CH. 117.
 Industrial health and safety act, SB 169.
 Investment protection, franchises, general revisions, *Sub HB 417, CH. 116.
 Labor relations, state, enacted, SB 185.
 Land settlement, act repealed, *HB 35, CH. 52.
 Noise control, environmental, act, SB 267.
 Property appraiser act, SB 227.
 Reciprocal enforcement, uniform act, foreign jurisdiction inclusion, *HB 93, CH. 31.
 Recreation land development act, SB 269.
 Residential landlord-tenant act, SB 314.
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ADULT EDUCATION:

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ADVISORY COMMITTEES: (see also Committees)

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ADVISORY COUNCILS: (see also Councils)

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AERONAUTICS COMMISSION:

Member, George William Koss, appointment, GA 1 pp. 115, 282

AGED PERSONS: (see also Senior Citizens)

Hunting, fishing licenses, free, residents over 70, under 16, SB 17.
 Mobile homes, non-mobile units, real property taxes, exemption provisions, *HB 140(a), CH. 126.
 School lunchrooms, meals, use, provisions, SB 81.
 Taxes, property, exemption qualification, eligibility requirements revised, SB 127, *HB 140, CH. 126.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

AGRICULTURAL LANDS:

Property taxation, study, *SFR 77 p. 752

AGRICULTURE AND LIVESTOCK:

Agricultural commission, commodity boards, members, other agricultural association membership, permitted, *Sub HB 196, CH. 112.

Employees, workmen's compensation premiums, base rate limited, SB 51.

Labor relations act, SB 415.

Farm, agricultural land, valuation, taxation, title only, SB 396.

Land, agricultural, farm, timber, valuation for use, open space, tax provisions, Sub HB 354, Sub SB 397.

Spray rigs, special mobile equipment, classification, included, *SB 88, CH. 5.

Sugar beets, in transit, property tax exempt, *HB 45, CH. 30.

AIR:

Pollution, burning, leaves, clippings, householders, permits not required, SB 112.

Transportation, short-haul, western regional compact, *HB 164, CH. 36.

Establishment petitioned, *HJM 2.

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Higher education council, member, appointment, GA 7 p. 117

ALCOHOL AND ALCOHOLISM:

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Alcoholism, intoxication treatment, uniform act, SB 29, *Sub SB 29, CH. 122.

Treatment facilities, private, public, standards, regulation, SB 29, *Sub SB 29, CH. 122.

Programs, cities, towns, financial support, liquor tax share income percentage, allocation requirement, SB 301.

Facilities, minimum local financial support, requirement, *SB 298, CH. 77.

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Treatment, care, educational training program established, funding, SB 103.

ALCOHOLIC BEVERAGES: (see also Liquor Control Board)

Alcoholism, programs, cities, towns, financial support, liquor tax share income percentage, allocation requirement, SB 301.

Facilities, minimum local financial support, requirement, *SB 298, CH. 77.

Beer, kegs, casks, unauthorized sale, possession, refilling by non-owner, crime, penalty, Sub HB 454.

Class H licensees, employees, under 21, serving, selling, clean-up work, permitted, SB 249.

Clubs, fraternal organizations, exclusionary, class H liquor license, issuance prohibited, SB 138.

Sale, private industry, provisions, SB 165.

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ALCOHOLISM, INTOXICATION TREATMENT ACT:

Establishing program, *SB 298, CH. 77.

Facilities, local, *SB 298, CH. 77.

Uniform act, SB 29, *Sub SB 29, CH. 122.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

ALIENS:

Employment, certain cases, prohibited, SB 330.

ALIMONY:

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Use permits, provisions, *Sub HB 29, CH. 153.

AMBULANCES:

County system, establishment authorized, *HB 210, CH. 89.

Licensing, regulation, SB 224.

ANCILLARY SERVICES:

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Personal privilege, re Joe Davis letter p. 124

Personal privilege, re Senator Bailey p. 726

Senate rule 45, enforced p. 565

ANIMALS:

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Dogs, cats, theft, crime, SB 61.

Closed season game tracking, harassing, misdemeanor, penalty, SB 199.

Theft, crime, penalties, *HB 289, CH. 114.

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ANNUAL SESSIONS:

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ANNUITIES:

School districts, pensions, annuity plans, private, participation provisions, *SB 414, CH. 27.

Teachers, retirement, pension, allowances benefits, provisions, SB 420.

APPEALS:

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Industrial insurance, decisions, local county court, attorney fees, provisions, *HB 20, CH. 50.

Judges, salaries increased, *SB 27(a), CH. 100.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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Salaries, annual adjustments, state per capita income basis, *SB 27, CH. 100.

APPEALS COURT:

Judges, salaries, superior court filing fees increases, allocation provisions, *SB 90, CH. 20.
Open meetings, required, SB 231.

APPRAISER:

Property, licensing, regulation, SB 227.

APPROPRIATIONS:

Aeronautics commission, western regional short-haul air transportation compact duties, *HB 164, CH. 36.
American revolution bicentennial commission, *SB 149, CH. 76.
Budget, supplemental, *Sub HB 112, CH. 155 PV.
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Employment security department, state-wide effective employment program, SB 247.
Higher courts, various, judges' salary increases, funds, *SB 27(a), CH. 100.
Highway department, public transportation systems, planning, design, development expenditures, matching funds, *Sub HB 324, CH. 132.
Natural resources department, state lands, economic development, programs, SB 427.
No-fault insurance, state operated, motor vehicles department, administration, SB 172.
Social and health services department, disadvantaged education programs, school district reallocation, SB 43.
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State treasurer, investment reserve account, deposit procedures. revision purposes, *SB 28, CH. 145.
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ARAGON DE SHERPO, MRS. THERESA:

Mexican-American affairs commission, member, appointment, GA 44 p. 508

ARBORETUM:

Funding, management, study, *SFR 44 p. 695

ARCHITECTS:

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ARSON:

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- County assessors, assessment functions, local government cost sharing, provisions, *SB 293, CH. 102.
- LID, deferral, economically disadvantaged property owners, first class cities, provisions, *HB 130, CH. 137 PV.
 - Property tax, owner notification requirement, *HB 130, CH. 137 PV.
- Litter, manufacturers, retailers, interim accrual provision, *Sub HB 426, CH. 55.
- Mosquito control districts, hearing notice, publication only required, Sub HB 111, *SB 102, CH. 62.
- Property tax, valuation appraisals, sales factors, consideration provision, *HB 139(a), CH. 125.
 - Change, notice requirement, SB 123, *HB 139, CH. 125.

ASSOCIATIONS:

- Bar, board of governors, membership, election, provisions revised, *SB 253, CH. 66.
- Non-profit, annual reports, filing procedure revised, HB 76.

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- Public administration, office, established, probate duties, HB 444.

ATTORNEYS:

- Bar association, board of governors, membership, election, provision revised, *SB 253, CH. 66.
- Ethics, professional, rules, supreme court adoption provision, SB 78.
- Fees, certain small damage suits, allowance provisions, SB 77.
 - Divorce case preparation, expenses, provisions, SB 53.
 - Industrial insurance decisions, court appeals, payment provisions, *HB 20, CH. 50.
- Indigents, rights, constitutionally guaranteed, appointment, cost, state payment provision, *HB 177, CH. 111.
- Pawnbrokers, stolen goods, owner recovery, fees, costs, provision, SB 161(a), *HB 289(a), CH. 114.
- Prosecuting, fourth class counties, full-time appointment, salary, provisions, *SB 104(a), CH. 97 PV.

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- Protest, SJR 101 p. 329

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- Fuel, sales, use tax, imposed, SB 116.

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- Mileage, odometer reading, sales, owner certificate inscription, requirement, *SB 13, CH. 99.
- Odometers, mileage reading, owner certificate inscription, sales requirement, *SB 13, CH. 99.
- Public assistance recipients, resource, value limitation, Sub SB 208.
- Repair responsibility act, SB 233.

AUTOPSIES:

- Consent, order of priority, provisions, HB 438.

- * Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
- ** Appointment confirmed.
- GA—Governatorial Appointment.
- SFR—Senate Floor Resolution.
- (a)—Amendment to original bill.

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- City council, president balloting, deadlock, mayor appointment provision, SB 186.

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- Foreign banks, new branches, establishment, not permitted, SB 229.
- Liquidators, federal deposit insurance, SB 237.
- Mutual savings banks, estate trustees, executors, provisions expanded, SB 241.
- Mutual savings, public trust monies, qualified public depositories, provisions, SB 271.
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- Students, educational loans, public employees' retirement system, investment permitted, SB 281.
- Vocational education loans, state finance committee, investment permitted, *Sub HB 272, CH. 92.
- Tax, business, municipal, imposition authorized, *Sub HB 414(a), CH. 134.
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- Governor's board, membership, election, provision revised, *SB 253, CH. 66.

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- Manicuring, licensing, regulation, provisions, SB 64.

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- Kegs, casks, unauthorized sale, possession, refilling by non-owners, crime, penalty, Sub HB 454.

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- District 8, member, board of trustees, Roy S. Peterson, appointment, GA 25 p. 120

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- Trails, paths, establishment, highway funds use provisions, SB 33, *Sub SB 355(a), CH. 103.

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- Fire protection districts, purchases, without bids, maximum increased, *SB 173, CH. 101.
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- Highway, specific information panels, commission erection, authorized, HB 397.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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Community colleges, construction projects, general obligation, issuance authorized, *Sub HB 381, CH. 133.

Contractors, provisions, general revisions, *HB 194, CH. 118.

Fire protection districts, expense limit, non-tax revenue inclusion permitted, *SB 6, CH. 16.

General obligation, community colleges, project, referendum, issuance authorized, *Sub HB 381, CH. 133.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Outdoor music festivals, surety, required amounts specified, SB 150, SB 151, Sub SB 151, *Sub HB 14, CH. 123.
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- Recreational districts, counties, facilities acquisition, revenue bonds, issuance authorized, *SB 263, CH. 94.
- Social, health service facilities, construction, improvement, bonds issuance authorized, SB 122, *HB 190, CH. 130.
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- Transportation, public systems, construction, improvement, issuance authorized, SB 120, *Sub HB 324, CH. 132.
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- Veterans, Viet Nam, payment provisions, SB 59.
- Payments, higher education credits, options, provisions, *Sub HB 313, CH. 154.

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- Appropriations, supplemental, state and local improvements revolving account funds, SB 117.
- Executive, proposal, submission, procedures revised, HB 270, SB 284.
- School districts, preliminary, in effect until final adoption, expenditures, provisions, *SB 350(a), CH. 26.
- Receivables collectible, future years, inclusion permitted, *HB 299, CH. 115.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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Architects, engineers, non-resident, certain, services, contracts prohibited, SB 26.

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Veterans, Viet Nam, eligible for bonus, funeral cost, payment provision, SB 59.

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Garbage, dead animals, certain other smoky, odorous materials, prohibited, SB 112(a).

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Outdoor fires, small, limited basis, permitted, regulation, *Sub HB 47, CH. 136 PV.

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Fees, various, amount, changes, establishment, motor vehicle department, authorized, SB 187.

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Manufacturing business, building construction, sales, use taxes, deferral provisions, HB 128.

Partnerships, limited partner, powers defined, SB 131, *HB 241, CH. 113.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

CAMPERS AND CAMPING:

- Camping clubs, permits required, regulation, *HB 98, CH. 106.
- Recreational land, sale, full disclosure requirements, SB 269.
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- Personal property, exempt, mobile homes, campers, SB 99.

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- Campaign account, established, referendum provisions, SB 431.
- Contributions, expenditures, reporting provisions, election commission established, SB 274, *HB 248, CH. 98.
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- Community colleges, projects account, excess amount, investment authorized, SB 192.

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- Capitol projects, excess funds, transfer provisions, *SB 181, CH. 64.

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- Theft, crime, SB 61.

CEMENT MIXERS:

- Trucks, power take-off units, fuel tax exemption provisions clarified, *HB 221, CH. 138 PV.

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- American revolution bicentennial, created, duties, *SB 149, CH. 76.
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- District 12, member, board of trustees, George Warren, appointment, GA 28 p. 121

- * Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
- ** Appointment confirmed.
- GA—Governatorial Appointment.
- SFR—Senate Floor Resolution.
- (a)—Amendment to original bill.

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Motor vehicles, standing, kneeling, children, under 6, operation prohibited, SB 443.

Parental rights, relinquishment petition, filing fee eliminated, SB 58.

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Courts, first class cities, search seizure warrants, civil actions, issuance prohibited, SB 183.

District courts, certain cities, continued operation, resolution provision, SB 54(a).

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

CITIES AND TOWNS—Continued:

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- Interlocal cooperation, participation, special fund, joint operating, provision, *SB 423, CH. 81.
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- LID, assessment, deferral, economically disadvantaged property owners, first class cities, provisions, *HB 130, CH. 137 PV.
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- Mayors, city councils, president balloting, deadlock, mayor appointment provision, SB 186.
- Municipal courts, additional departments, creation authorized, *HB 133, CH. 32.
- Travel reimbursement, title only, SB 214.
- Police, firemen, municipal, residency requirements eliminated, *HB 199, CH. 37.
- Protection, sheriff's office contract, police officer transfer provisions, *HB 5, CH. 48.
- Public facilities, construction, economic assistance authority, loans, provisions, *SB 92(a), CH. 117.
- Sales tax, local, expiration date provision, repealed, *SB 32, CH. 121.
- Seattle, university tract properties, payment in lieu of taxes, provision, *HB 142, CH. 107.
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- Shorelines projects, applications, acceptance, rejection, time limit, SB 72.
- Streets, title only, SB 315.
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- Gambling, definition, physical skill games, civic centers, world's fairs, expositions, excluded, *Sub HB 411, CH. 141 PV.

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- Damage suits, certain small, attorney's fees, allowance provisions, SB 77.
- Divorce decrees, provisions, prospective, retroactive revisions authorized, SB 105.
- Irreconcilable differences, grounds established, SB 79.
- Irretrievable breakdown, grounds established, SB 79(a).
- Industrial insurance board, decisions, appeals, local county court, provisions, *HB 20, CH. 50.
- Juries, six or twelve member, provisions, *SB 56, CH. 57.
- Liens, mechanics', materialmen's, material inclusion, dates prior to filing, inclusion provisions, SB 145.
- Married persons, rights, provisions, SB 41, *HB 143, CH. 108.
- Pawnbrokers, stolen goods, owner recovery, attorney fees, costs, provision, SB 161(a), *HB 289(a), CH. 114.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

CIVIL ACTIONS AND PROCEDURES—Continued:

- Prisoners, furloughed, acts, damage, state liability, *SB 71, CH. 72.
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- State, actions against, certain cases, specific inclusion, requirement, SB 137.
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- Survival of actions, pain, suffering damages, beneficiaries, personal representative recovery provision, SB 86.
- Taxes, sales, collection charge, state, limitation removed, HB 102.
- Local option, expiration date removed, HB 102.

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- Emergency service, department created, name changed, *SB 97, CH. 6.

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- Double amendments, corrected, *HB 83, CH. 11.
- Police, firemen, municipal, residency requirements eliminated, *HB 199, CH. 37.

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- Superior court, Clallam-Jefferson county joint district, number increased, SB 441.

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- Camping, permits required, regulation, *HB 98, CH. 106.
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- Legislature, free conference reports, deletions, changes, new language, numerals identification, procedure development, *SCR 9.

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- Civil service, double amendments corrected, *HB 83, CH. 11.
- Education, double amendments corrected, *HB 82, CH. 10.
- Ethics, public officials, revisions, SB 115.
- Motor vehicles, excise taxes, double amendments corrected, *HB 86, CH. 87.
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- Probate, uniform code, enacted, HB 113, SB 75.
- State treasurer, double amendments corrected, *HB 84, CH. 12.
- Taxes, property, nonsectarian organizations, double amendments corrected, HB 87.
- Utilities and transportation commission, appeals court references, amendment corrected, *HB 85, CH. 13.
- Wheat commission, director provision, amendment correction, *HB 80, CH. 8.

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- Security interest, seller repossession, deficiency, debtor not liable, SB 310.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

COLLECTIVE BARGAINING:

- Health care activities, nursing employees, provisions, *SB 232, CH. 156.
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- Nursing employees, service personnel, health care activities, provisions, *SB 232, CH. 156.
- Public agencies, agreements, final adoption, ratification, open public meeting requirement, SB 426.
- Open meeting act provisions, exempt, HB 50.
- Uniformed personnel, labor disputes, arbitration provisions, procedures, SB 114.

COLLEGES AND UNIVERSITIES: (see also name of College)

- Alcoholics, treatment, care, training program established, funding, SB 103.
- Bonds, revenue, issued, attested, regent, trustee board treasurer's, signature authorized, *SB 189, CH. 25.
- Employees, veteran reemployment preference, service, pension limitations removed, SB 35.
- Health care programs, title only, SB 345.
- Higher education, title only, SB 332, SB 333, SB 391.
- Officers, employees, duties, failure to perform, tort claims funds, liability insurance, payment provisions, SB 128, *Sub SB 128, CH. 23.
- Performance, failure, liability insurance, payment, provisions, SB 128, *Sub SB 128, CH. 23.
- Public education, colleges, title only, SB 392.
- Students, educational loans, guaranteed, public employees' retirement system, investment permitted, SB 281.
 - Loans, \$500 annually, promissory note, repayment, provisions, SB 157.
 - Resident, nonresident, definition revised, *SB 240, CH. 149.
- Syllabus, course, teaching faculty, submission requirement, SB 20.
- Teaching methods, college instructors, periodic classroom experience, required, SB 36.
- Title only, SB 376.
- Three-year program, study, *SFR 15 p. 149
- Veterans, residency requirement, definition revised, *SB 240, CH. 149.
 - Viet Nam, bonuses, payments, higher education credits, options, provisions, *Sub HB 313, CH. 154.
- War prisoners, missing in action, southeast Asia, children, tuition-free education provisions, *SB 15, CH. 17.
- Washington state university, classified employees, public employees' retirement system eligibility, SB 228.

COMMERCE AND ECONOMIC DEVELOPMENT:

- Department, state trade fair funds, transfer general fund provisions, *HB 275, CH. 93.

COMMISSION MERCHANTS ACT:

- Federal statute coordination, review, *SFR 58 p. 725

COMMISSIONS:

- Agricultural, members, other agricultural association memberships, permitted, *Sub HB 196, CH. 112.
- American revolution bicentennial, created, duties, *SB 149, CH. 76.
- Blind, created, duties, SB 141.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

COMMISSIONS—Continued:

- Canal, appropriation, SB 129.
- Election, established, campaign contributions, expenditures, duties, SB 274, *HB 248, CH. 98.
- Fire service, state, created, powers, duties, SB 12.
- Harbor lines, Sinclair inlet, change authorized, *SB 23, CH. 69.
- Horse racing, membership, expanded, HB 252.
- Land use planning, lay members, allowance provision, *HB 158, CH. 110.
- Levy, special temporary commission, school programs, obsolete code provision, removed, HB 55, *SB 47, CH. 2.
- Per diem, uniform allowances, provisions, HB 62.
- Sweepstakes, established, powers, duties, SB 2.
- Wheat, director provision, amendment correction, *HB 80, CH. 8.

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- Alcoholism, treatment, intradepartmental coordinating, established, duties, SB 29, *Sub SB 29, CH. 122.
- Deaf, program development, school operation, local advisory, authorized, *Sub SB 96, CH. 96 PV.
- Forest tax, membership, increased, *SB 207(a), CH. 148.
- Industrial welfare, labor and industries department, membership, duties, changed, SB 142.
- Natural preserves advisory committee, created, powers, *HB 482, CH. 119.
- Outdoor recreation, interagency, all-terrain vehicles act, administration, *Sub HB 29, CH. 153.

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- ESB 45, p. 386; SB 173, p. 511; SHB 29, p. 536; EHB 46, p. 548; EHB 143, p. 549; EHB 221, p. 550; HB 289, p. 558; ESB 4, p. 559; ESB 27, p. 565; SHB 411, p. 566; SHB 413, p. 566; EHB 177, p. 567; RESB 92, p. 567; SSB 355, p. 572; SHB 323, p. 578.

COMMON CARRIERS:

- Motor freight, special commercial zones, prescribed rates, operation provision, HB 233, *SB 111, CH. 22.

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- Telegraph companies, assessment, operating property basis, HB 42.
- Telephone, service, charges, evasion, fraud, penalties, SB 100.
- Telephones, telegraphs, service, facilities, tampering, rearrangement, crime, SB 100, *Sub SB 100, CH. 75.

COMMUNITY COLLEGE DISTRICTS:

- No. 1 (Peninsula), member, board of trustees, Frederick B. Rosmond, appointment, GA 21 p. 120
- No. 5 (Everett-Edmonds), member, board of trustees, John S. Woodward, appointment, GA 22 p. 120
- No. 6 (Seattle), member, board of trustees, Arthur Siegal, appointment, GA 23 p. 120
- No. 6 (Seattle), member, board of trustees, George French, appointment, GA 24 p. 120

- * Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
- ** Appointment confirmed.
- GA—Gubernatorial Appointment.
- SFR—Senate Floor Resolution.
- (a)—Amendment to original bill.

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No. 11 (Fort Steilacoom), member, board of trustees, Donald M.
 Matheson, appointment, GA 26 p. 121

No. 11 (Fort Steilacoom), member, board of trustees, Warren S.
 Miller, appointment, GA 27 p. 121

No. 12 (Centralia), member, board of trustees, George Warren,
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No. 15 (Wenatchee Valley), member, board of trustees, Melvin G.
 Hammer, appointment, GA 29 p. 121

No. 16 (Yakima Valley), member, board of trustees, Paul
 Rickman, appointment, GA 30 p. 122

No. 17 (Spokane), member, board of trustees, David P. Roberts,
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No. 17 (Spokane), member, board of trustees, Bryant Smick,
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No. 20 (Walla Walla), member, board of trustees, Steven J.
 Huntington, appointment, GA 33 p. 122

No. 22 (Tacoma), member, board of trustees, Robert O'Neill
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Capital projects account, excess amount, investment authorized, SB 192.

Construction, general obligation bonds, issuance authorized, *Sub HB 381, CH. 133.

Employees, veteran reemployment preference, service, pension limitations removed, SB
 35.

Faculty tenure, review committee, student representative, SB 239.

Military personnel, high school completion program, standards provision, SB 434(a).

Officers, employees, duties, failure to perform, tort claims funds, liability insurance,
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Students, resident, nonresident, definitions revised, *SB 240, CH. 149.

Syllabus, course, teaching faculty, submission requirement, SB 20.

COMMUNITY PROPERTY:

Funerals, deceased spouse, expenses, estate payment provisions, SB 147.

Married persons, rights, provisions, SB 41, *HB 143, CH. 108.

War prisoners, missing in action, wives, manager appointment provisions, *HB 9, CH. 83.

COMPACTS:

Western regional short-haul air transportation, *HB 164, CH. 36.
 Establishment petitioned, *HJM 2.

COMPANIES:

Loan, small, application, license fees, liquid assets, amounts revised, SB 225.
 Loan amounts, interest rates, increases authorized, SB 245.

Telegraph, tax assessment, operating property basis, HB 42.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

COMPUTER CENTERS:

State operated, cost, system data, accumulation, *SFR 28 pp. 353, 373-374

CONFERENCES (LEGISLATIVE):

Reports, free, deletions, changes, new language, numerals, identification provisions, *SCR 9.

Engrossed House Bill 143 consideration, 36-hour requirement, suspended, *SCR 11.

Engrossed House Bill 177 consideration, 36-hour requirement, suspended, *SCR 17.

Engrossed House Bill 221 consideration, 36-hour requirement, suspended, *SCR 13.

Engrossed Senate Bill 27 consideration, 36-hour requirement, suspended, *HCR 23.

Engrossed Senate Bill 4 consideration, 36-hour requirement, suspended, *HCR 24.

House Bill 289 consideration, 36-hour requirement, suspended, *SCR 15.

Reengrossed Senate Bill 92 consideration, 36-hour requirement, suspended, *HCR 22.

Senate Bill 173 consideration, 36-hour requirement, suspended, *HCR 21.

Substitute House Bill 29 consideration, 36-hour requirement, suspended, *SCR 11.

Substitute House Bill 411 consideration, 36-hour requirement, suspended, *SCR 14.

Substitute House Bill 413 consideration, 36-hour requirement, suspended, *SCR 16.

Substitute Senate Bill 355 consideration, 36-hour requirement, suspended, *HCR 26.

CONGRESS:

Congressmen, Washington state, financial interests, written disclosure, required, SB 18.

CONGRESSIONAL DISTRICTS:

Bar association, board of governors, membership, election, provision revised, *SB 253(a), CH. 66.

Redistricting, reapportionment, seven districts, SB 190.

Residential population basis, HB 117(a), SB 191.

Title only, HB 117, SB 196.

CONGRESSMEN:

Financial interests, written disclosure, Washington state, required, SB 18.

CONNOR, SENATOR FRANK:

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CONSTITUTIONAL AMENDMENTS:

Income tax, flat rate, imposed, constitutional amendment, approval contingency basis, SB 164.

Graduated, imposition authorized, sales, use taxes reduced, property tax provisions, Sub HJR 82.

Legislature, annual sessions, 90/60 days, HJR 65.

Rights, equality, regardless of sex, marital status, *HJR 61.

State credit, industry, public purposes, loan authorized, limitation, SJR 109.

Vetoes, governor, entire sections, appropriations, limitations, SJR 112.

CONSTRUCTION:

Community colleges, projects, general obligation bonds, issuance authorized, *Sub HB 381, CH. 133.

Manufacturing business, buildings, sales, use taxes, deferral provisions, HB 128.

Naches pass, authorized, SB 110.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

CONSTRUCTION—Continued:

- Pollution control facilities, port districts, construction, improvement, provisions, SB 179, *HB 257, CH. 54.
- Public facilities, economic assistance authority, provision, *SB 92(a), CH. 117.
- Public utility districts, contracts, bids, awards, invitations, procedures, SB 101, *HB 254, CH. 41.
- Schools, fire prevention, safety, standards adoption, plans review, provisions, *SB 42, CH. 70.
- Social, health service facilities, construction, improvements, bonds issuance authorized, SB 122, *HB 190, CH. 130.
- Transportation, public systems, construction, improvement, bonds issuance authorized, SB 120, *Sub HB 324, CH. 132.
- Waste disposal facilities, construction, improvement, bonds issuance authorized, SB 118, *HB 186, CH. 127.
- Water supply facilities, construction improvement, bonds issuance authorized, SB 119, *HB 187, CH. 128.

CONSUMER PROTECTION:

- Consumer warranties, title only, SB 378.
- Franchises, investment protection act, general revisions, *Sub HB 417, CH. 116.

CONTRACEPTIVES:

- Minors, devices, furnishing, physician's services, requirements, SB 91.

CONTRACTORS:

- Bonds, provisions, general revisions, *HB 194, CH. 118.
- List, registered, annual compilation, *HB 194, CH. 118.
- Public works, certain, progress payments provision, SB 140.
- Sales, installment, cancellation, three-day notice period, goods return, provisions, *Sub HB 508, CH. 47.

CONTRACTORS BONDING SYSTEM:

- Problems, study, *SFR 62 p. 727

CONTRACTS:

- Ambulance system, counties, establishment authorized, *HB 210, CH. 89.
- Architects, engineers, non-resident, certain, services, prohibited, SB 26.
- Faculty, higher education, teaching, syllabus requirement, provision, SB 20.
- Mortgages, definition, real estate contracts, relocation assistance purposes, inclusion, *HB 155, CH. 34.
- Police protection, sheriff's office contract, police officer transfer provisions, *HB 5, CH. 48.
- Public utility districts, construction, bids, awards, invitations, procedures, SB 101, *HB 254, CH. 41.
- Public works, certain, contractor progress payments provision, SB 140.
- Employees, residency restrictions, certain, repealed, *Sub HB 8, CH. 28.
- Teachers, leave replacements, contract, not required, future employment preference, Sub HB 318.
- Transportation facilities, equipment, public contracts, title only, SB 318.
- Tuberculosis hospital, service, county health district, contract provision, *HB 521, CH. 143 PV.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

CONTRIBUTIONS:

- Campaign, expenditures, reporting, provisions, SB 274, *HB 248, CH. 98.
- Candidate's campaign account, establishment, referendum provisions, SB 431.
- Title only, SB 342.

CONTROLLED SUBSTANCES:

- Sale, unauthorized, mandatory sentence provision, SB 1.
- Transportation, unlawful, conveyance forfeiture provisions, SB 248.

CONVENTIONS AND CONFERENCES:

- Chief justices, Seattle, welcomed, *HCR 19.
- Legislative leaders, national conference, 1973 Seattle convention, invitation, *HCR 13.
- Political parties, state committee, call, delegates, office vacancies, duties, provisions, *HB 446(a), CH. 45.

COONEY, SENATOR JOHN L.:

- Standing committee appointment, chairman, constitution,
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CORPORATIONS:

- Income tax, flat rate, imposed, constitutional amendment, approval contingency basis, SB 164.
- Mutual, cooperative, patronage dividends, retains, sales definition, exclusion, *Sub SB 403, CH. 79.
- Nonprofit, annual reports, filing procedure revised, HB 76.
Certain, interlocal cooperation act, participation authorized, joint operating fund, provision, *SB 423, CH. 81.
- Railroads, foreign, secretary of state, attorney appointment, certain matters, provisions, SB 257.
- Special, establishment, title only, SB 321.

COUNCILS:

- Alcoholism, treatment, established, duties, SB 29, *Sub SB 29, CH. 122.
- Criminal justice services, advisory, created, duties, *SB 146, CH. 152 PV.
- Judicial, additional member, county clerk, SB 95.
- Occupational education coordinating, vocational education division, administration, jurisdiction, SB 158.
- Science and technology, nuclear energy and radiation advisory council renamed, membership expanded, HB 66.

COUNTIES:

- Alcoholism, programs, cities, towns, financial support, liquor tax share income percentage, allocation requirement, SB 301.
Facilities, minimum local financial support, requirement, *SB 298, CH. 77.
- Ambulance system, establishment authorized, *HB 210, CH. 89.
- Assessor, assessment functions, local government cost sharing, provisions, *SB 293, CH. 102.
Budget board created, duties, *SB 293, CH. 102.
- Property, valuation increase requests, authorization, SB 242.
- Boundaries, review, present, future, board authority, SB 134.
- Contractors, public works, certain, progress payments provision, SB 140.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 ** Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.
 (a)—Amendment to original bill.

COUNTIES—Continued:

- County services, title only, SB 373.
- Dwellings, private, unfit for habitation, county tax sale, certain cities, acquisition provision, Sub SB 210.
- Eighth class, combined county auditor-clerk, salary increased, *SB 104, CH. 97 PV.
- Equalization boards, meeting dates, hearing, operations provisions, revised, HB 138, SB 107.
- Fourth class, prosecuting attorneys, full-time appointment, salary, provisions, *SB 104(a), CH. 97 PV.
- Initiative, referendums, county ordinances, resolutions, vote provisions, SB 136.
- Intergovernmental transfers, noncompliance, 1972 amendatory act, valid, SB 272, *Sub SB 272, CH. 95.
- Interlocal cooperation, participation, special fund, joint operating, provision, *SB 423, CH. 81.
- Justice courts, part-time position to full time, district population requirement repealed, SB 54(a).
 - Provisions, all counties included, SB 54.
- King county, university tract properties, payment in lieu of taxes, provision, *HB 142, CH. 107.
- Law enforcement officers, other jurisdictions, emergency assistance, powers, SB 305.
- Legal aid, provision, alternate methods authorized, *HB 147, CH. 109.
- Local government, title only, SB 398, SB 429.
- Motor vehicle funds, revenue, allocation factor, percentage level variation provision, *Sub SB 355, CH. 103.
- Ordinances, resolutions, initiative, referendum, vote provisions, SB 136.
- Public facilities, construction, economic assistance authority, loans, provisions, *SB 92(a), CH. 117.
- Recreational districts, facilities acquisition, construction, revenue bonds, issuance authorized, *SB 263, CH. 94.
- Road millage, title only, SB 372.
- Roads, title only, SB 315.
- Sales tax, local, expiration date provision, repealed, *SB 32, CH. 121.
- Sewerage systems, operation, permits required, *HB 279, CH. 140 PV.
- Shorelines project, applications, acceptance, rejection, time limit, SB 72.
- Tax advisor, county, appointment mandatory, SB 126.
- Taxes, property, revaluation program, state aid, county costs, local district share provision, *SB 293(a), CH. 102.
 - Sales, collection charge, state, limitation removed, HB 102.
 - Local option, expiration date removed, HB 102.
- Tax title lands, public use, management, disposition, authority, *Sub SB 412, CH. 150.
- Trails, bicycle, pedestrian, equestrian, highway motor vehicle funds, use provisions, SB 33, *Sub SB 355(a), CH. 103.
- Tuberculosis hospital, service, county health district, contract provision, *HB 521, CH. 143 PV.
- Urban passenger transportation systems, special fuel tax, use, beyond county limits, exempt, *HB 17, CH. 49.
- Weed, noxious control board, nomination, election, publication notice, provision revised, SB 94.

COUNTY OFFICERS – ASSESSORS:

- Administrative costs, local government cost sharing, provisions *SB 293, CH. 102.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

COUNTY OFFICERS AND ASSESSORS—Continued:

- Budget board, created, duties, *SB 293, CH. 102.
- Property, valuation increase requests, authorization, SB 242.

COUNTY OFFICERS – AUDITORS:

- Clerk-auditor, combined office, eighth class counties, salary increase, *SB 104, CH. 97 PV.

COUNTY OFFICERS – CLERKS:

- Auditor-clerk, combined office, eighth class counties, salary increase, *SB 104, CH. 97 PV.
- Judicial council, added member, SB 95.

COUNTY OFFICERS – PROSECUTING ATTORNEYS:

- Counties, fourth class, full-time appointment, salary, provisions, *SB 104(a), CH. 97 PV.
- Divorce proceedings, default, noncontested cases, appearance requirement revised, *SB 109, CH. 21.

COUNTY OFFICERS – SHERIFFS AND PUBLIC SAFETY DIRECTORS:

- Identification, criminal, civil data, record information, responsibilities, duties, *SB 146, CH. 152 PV.
- Police protection, cities, contract, police officers, sheriffs' office transfer, provisions, *HB 5, CH. 48.

COURT ADMINISTRATORS:

- Appropriation, superior court judges, salary increase, *SB 27(a), CH. 100.

COURT REPORTERS:

- Salaries, certain judicial districts, increase, *SB 38, CH. 18.

COURTS:

- District, certain cities, continued operation, resolution provision, SB 54(a).
- Revenue, fines, court clerk handling provision, HB 63.
- Divorce, attorney fees, case preparation expenses, provisions, SB 53.
 - Proceedings, county prosecutors, default, noncontested case proceedings, appearance requirement revised, *SB 109, CH. 21.
- Higher, judges, salaries, annual adjustments, state per capita income basis, SB 162, *SB 27, CH. 100.
 - Increased, *SB 27(a), CH. 100.
- Indigents, appeals, constitutionally guaranteed, court costs, state payment provision, *HB 177, CH. 111.
- Justice, judges, candidacy eligibility, previous service provision, repealed, SB 54(a).
 - Provisions, all counties included, SB 54.
- Municipal, additional departments, creation authorized, *HB 133, CH. 32.
- Proceedings, non-English speaking individuals, appointment provisions, SB 80.
- Reporters, certain judicial districts, increase, *SB 38, CH. 18.
- State, actions against, certain cases, specific inclusion, requirement, SB 137.
- Superior, filing fees, increases, higher court judges, salaries allocation, *SB 90, CH. 20.
- Warrants, search, seizure, first class cities' courts, civil actions, issuance prohibited, SB 183.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

COYOTES:

Bounty, imposed, SB 300.

CREDIT:

Hotels, restaurants, defrauding, crime, penalties, Sub SB 386.

Sales, installment, cancellation, three-day notice period, goods return, provisions, *Sub HB 508, CH. 47.

Industry, public purposes, loan authorized, limitation, SJR 109.

CREDIT UNION:

General revisions, SB 254.

CRIMES AND CRIMINAL PROCEDURES:

Alcoholism, criminal law provisions, inclusion removed, SB 29, *Sub SB 29, CH. 122.

Arson, chapter, general revision, SB 280.

Beer kegs, casks, unauthorized sale, possession, refilling by non-owners, crime, penalty, Sub HB 454.

Controlled substances, unlawful transportation, conveyance forfeiture provisions, SB 248.

Criminal investigation, state patrol, new section, established, *SB 146, CH. 152 PV.

Criminal justice services, advisory, council created, duties, *SB 146, CH. 152 PV.

Criminally insane, care, trial, release, general provisions SB 188.

Dog theft, crime, penalties, *HB 289, CH. 114.

Dogs, cats, theft, crime, SB 61.

Drugs, controlled substances, unauthorized sale, mandatory sentence provision, SB 1.

Hotels, restaurants, food, money, lodging, defrauding, penalties, Sub SB 386.

Juries, six or twelve member, provisions, *SB 56, CH. 57.

Outdoor music festivals, weapons, possession, carrying, prohibited, *Sub HB 14, CH. 123.

Telephones, service, charges, evasion, fraud, penalties, SB 100, *Sub SB 100, CH. 75.

Telegraphs, service, facilities, tampering, rearrangement, crime, SB 100, *Sub SB 100, CH. 75.

Title only, SB 291, SB 325, SB 386.

Victims, benefit payments, study, *SFR 5 p. 27

Crime, compensation provisions, SB 306.

CRIMINAL IDENTIFICATION:

Bureau, abolished, records, equipment transferred, state patrol, *SB 146, CH. 152 PV.

State patrol, new section, established, *SB 146, CH. 152 PV.

System, self-funding, study, *SFR 72 p. 732

CROWS:

Bounty, imposed, SB 300.

DAIRIES AND DAIRY PRODUCTS:

Dairy products, filled, foreign sale, manufacture, possession, permitted, SB 268.

DAMAGES:

Suits, certain small, attorney's fees, allowance provisions, SB 77.

Survival of actions, pain, suffering damages, beneficiaries, personal representative recovery provision, SB 86.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

DEAF:

- School, state, trustee board created, programs, administration, SB 96.
- Social and health services secretary, advisory duties, *Sub SB 96, CH. 96 PV.
- Trustee board, state school, created, SB 96, *Sub SB 96, CH. 96 PV.

DEBENTURES:

- Debenture companies, financial statements, paid-in capital schedule, investments, regulation provisions, SB 288, Sub SB 288.

DEBTS:

- Security interest, collateral, seller repossession, deficiency, debtor not liable, SB 310.

DEMONSTRATION PROGRAMS:

- Air transportation, short-haul, western region, compact provision, *HB 164, CH. 36.

DENTISTS AND DENTISTRY:

- Foreign dentistry graduates, certain, state examination, eligible, SB 220.
- Examination eligibility, study, *SFR 41 p. 694

DEPARTMENTS:

- Emergency service, created, civil defense department, name changed, *SB 97, CH. 6.
- Transportation, created, powers, duties, SB 139, SB 236.

DEPOSITORIES:

- Public, qualified, mutual savings banks, public trust monies, provisions, SB 271.
- Savings and loan associations, qualification, compliance provisions, SB 313.

DEPOSITS (MONETARY):

- State treasurer, deposit procedures, allocations, revision provisions, *SB 28, CH. 145.

DISADVANTAGED (URBAN, RACIAL, RURAL):

- Education, programs, funds, school district allocation, appropriations, SB 43.
- LID, assessment, deferrals, economically disadvantaged property owners, first class cities, provisions, *HB 130, CH. 137 PV.
- Vocational rehabilitation, costs payment, federal, other funds use authorized, *HB 126, CH. 15.

DISCOVERY BAY:

- Salmon, commercial fishing impact, survey, study, Sub SB 221.

DISCRIMINATION:

- Clubs, fraternal organizations, exclusionary, class H liquor license, issuance prohibited, SB 138.
- Insurance, discrimination, unfair practices, prohibited, SB 133.
- Physically handicapped, employment, discrimination prohibited, SB 156.

DISTRICT COURTS:

- Revenue, fines, court clerk handling provision, HB 63.

DISTRICTS: (see also Redistricting)

- Attendance, school districts, neighborhood schools, establishment, SB 159.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 ** Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.
 (a)—Amendment to original bill.

DISTRICTS—Continued:

- Congressional, redistricting, title only, HB 117.
- Director, school, seven created, certain first class districts, division provision, SB 143.
- Fire protection, expense limit, non-tax revenue inclusion permitted, *SB 6, CH. 16.
- Irrigation, rights of way, abandoned, adjoining owners, sale provisions, HB 110.
- Local improvement, title only, SB 328.
- Mosquito control, assessments, hearing notice, publication only required, Sub HB 111, *SB 102, CH. 62.
- Port, pollution control facilities, construction, improvement, provisions, SB 179, *HB 257, CH. 54.
- Unemployment compensation, elective coverage provision, SB 60, *HB 160, CH. 35.
- Recreational, counties, facilities acquisition, construction, revenue bonds, issuance authorized, *SB 263, CH. 94.

DIVIDENDS:

- Patronage, retains, mutual, cooperative corporations, sales definition, exclusion, *Sub SB 403, CH. 79.

DIVISIONS:

- Alcoholism, social and health services department, program, duties, SB 29, *Sub SB 29, CH. 122.

DIVORCE:

- Attorney fees, case preparation expenses, provision, SB 53.
- Children, visitation rights, parent, other persons, provisions, SB 308.
- County prosecutors, default, noncontested case proceedings, appearance requirement revised, *SB 109, CH. 21.
- Decrees, alimony, child provisions, prospective, retroactive revisions authorized, SB 105.
- Default, prosecutor's duties, *SB 109, CH. 21.
- Irreconcilable differences, grounds established, SB 79.
- Irretrievable breakdown, grounds established, SB 79(a).

DOGS: (see also Animals)

- Game, closed season tracking, harrasing, misdemeanor, penalty, SB 199.
- Theft, crime, SB 61.
- Penalties, *HB 289, CH. 114.

DOMESTIC RELATIONS:

- Divorce, attorney fees, case preparation expenses, provisions, SB 53.
- Decrees, alimony, child provision, prospective, retroactive revisions, SB 105.
- Irreconcilable differences, grounds established, SB 79.
- Irretrievable breakdown, grounds established, SB 79(a).
- Proceedings, county prosecutors default, noncontested proceedings, appearance requirement revised, *SB 109, CH. 21.
- Families, title only, SB 371.
- Married persons, rights, provisions, SB 41, *HB 143, CH. 108.

DORE, SENATOR FRED H.:

- Personal privilege, SHB 283, CH. 288 L.71 EX. p. 370

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

DRUGS: (see also Controlled Substances)

- Methadone, state-wide program, appropriation, *Sub HB 112, CH. 155 PV.
- Prescription, sales tax, reduced, SB 433.
- Sales, use tax, exempt, SB 286.
- Sale, unauthorized, controlled substances, mandatory sentence provision, SB 1.

•DUECY, GEORGE:

- Community college education board, member, appointment, GA 3 p. 116

DUPONT-FORT LEWIS SCHOOL DISTRICT:

- Accreditation, study, SFR 68 pp. 730, 739

DURKAN, SENATOR MARTIN J.:

- Personal privilege, appointment, Mrs. Frances Haddon
- Morgan p. 116
- Personal privilege, EHB 248 p. 715

EARLEY, ROBERT:

- Horse racing commission, member, appointment, GA 11 p. 117

EAST CAPITOL SITE:

- State building, construction, leasing, financing, general administration authority, Sub HB 514. .

EASTERN WASHINGTON STATE COLLEGE: (see also Colleges and Universities)

- Alcoholics, treatment, care, training program established, funding, SB 103.

ECOLOGY:

- Department, waste disposal facilities, construction, improvement, bonds issuance authorized, SB 118, *HB 186, CH. 127.
- Water supply facilities, construction, improvement, bonds issuance authorized, SB 119, *HB 187, CH. 128.
- Environmental protection agency, federal, state ecology department, cooperation, *SJM 2.
- Land, reclamation, procedures, provisions updated, *HB 34, CH. 51.
- Waste disposal facilities, construction, improvement, bonds issuance authorized, SB 118, *HB 186, CH. 127.
- Water supply facilities, construction, improvement, bonds issuance authorized, SB 119, *HB 187, CH. 128.

ECONOMIC ASSISTANCE ACT:

- Regional economic development authority created, *SB 92, CH. 117.

EDUCATION:

- Adult, title only, SB 197, SB 339.
- Alcoholics, treatment, care, training program established, funding, SB 103.
- Board, function, value, review, *SFR 20 p. 249
- State, election, weighted electoral votes, provisions, SB 30.
- Members, election by registered voters, SB 16.
- Classrooms, optimum learning atmosphere, rules, provision, *Sub HB 413(a), CH. 142 PV.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

EDUCATION—Continued:

- Double amendments, corrected, *HB 82, CH. 10.
- Higher, title only, SB 332, SB 333, SB 391.
- Kindergarten, minimum annual term, established, *HB 90, CH. 105.
- Military personnel, community college high school completion program, standards provision, SB 434(a).
- Pregnant students, educational programs, provisions, SB 180.
- Public, colleges, title only, SB 392.
- School districts, state funds apportionment factors, data, statistics, annual period, requirement provision, SB 57.
 - Year, full, district unable to fulfill requirements, state apportionment moneys, provisions, Sub SB 203, *HB 90(a), CH. 105.
 - Number of days, reduction, special levy failure reasons, provision, Sub SB 203(a).
- Students, educational loans, guaranteed, public employees' retirement system, investment permitted, SB 281.
 - Loans, savings and loan associations, authorized, *HB 266, CH. 42.
- Syllabus, course, higher education, teaching faculty, submission requirement, SB 20.
- Title only, SB 198, SB 203, SB 204, SB 211, SB 295, SB 336, SB 367, SB 407.
- Veterans, Viet Nam, bonuses, payments, higher education credits, options, provisions, *Sub HB 313, CH. 154.
- Vocational, division administration, occupational education coordinating council jurisdiction, SB 158.
 - Title only, SB 327, SB 340, SB 374.
- Vouchers, study, *SFR 45 p. 695
- War prisoners, missing in action, southeast Asia, tuition-free, provisions, *SB 15, CH. 17.

EDUCATION BOARD:

- Election, electoral votes, weighted, provisions, SB 30.
- Students, part time, financial assistance, provisions, SB 65.

EGGS:

- Premiums, coupons, permitted, *HB 46(a), CH. 104.

ELECTIONS:

- Alcoholic beverages, age provisions reduced to 18, election ratification, SB 130.
- Annual, general, established, HB 96, SB 55.
- Campaign reporting act, referendum, election provision, SB 274, *HB 248, CH. 98.
- Candidate campaign account, establishment referendum provisions, SB 431.
- Candidates, nonpartisan, voids, filings, elections, provisions, *SB 98, CH. 61.
- Commission, established, campaign contribution, expenditures, duties, SB 274, *HB 248, CH. 98.
- Community colleges, construction projects, bond issuance, referendum, provisions, *Sub HB 381, CH. 133.
- County ordinances, resolutions, initiative, referendum provisions, SB 136.
- Disposal facilities, construction, improvement, bond issuance, referendum, election provision, SB 118, *HB 186, CH. 127.
- Education board, state, weighted electoral votes, provisions, SB 30.
- Foreign language newspapers, notices, publication provision, HB 512.
- Lobbyists, registration, regulations, general revisions, referendum, provisions, SB 275, *Sub HB 341, CH. 82.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

ELECTIONS—Continued:

- Parks, recreation, public, improvement, development, bond issuance, referendum, election provision, SB 121, *HB 189, CH. 129.
- Presidential primary, state, provisions, SB 244.
- Public transportation systems, construction, improvements, bond issuance, referendum, provisions, SB 120, *Sub HB 324, CH. 132.
- Service voters, absentees, balloting, definitions, provisions, revised, HB 173, SB 124.
- Social, health service facilities, construction, improvement, bond issuance, referendum, election provision, SB 122, *HB 190, CH. 130.
- Water supply facilities, construction, improvement, bond issuance, referendum, election provision, SB 118, *HB 187, CH. 128.

ELECTRICITY – POWER:

- Generating facilities, cities, construction, financial losses, reimbursement provisions, SB 282.
- Public utility districts, construction contracts, bids, awards, invitations, procedures, SB 101, *HB 254, CH. 41.

EMBALMERS AND EMBALMING:

- License, denial, prior crime conviction basis, not permitted, *SB 50, CH. 120.

EMERGENCIES AND EMERGENCY SERVICES:

- Ambulance system, counties, establishment authorized, *HB 210, CH. 89.
- Department created, civil defense department, name changed, *SB 97, CH. 6.
- Outdoor music festivals, medical facilities, air evacuation, physicians, requirement provisions, *Sub HB 14, CH. 123.

EMINENT DOMAIN:

- Shoreline management act, provision removed, *HB 244, CH. 53.

EMPLOYEES:

- Agricultural, workmen's compensation premiums, base rate limited, SB 51.
- Hospitals, collective bargaining, labor regulations, provisions, SB 262.
- Industrial insurance, employee class distinctions, revisions, *HB 277, CH. 43.
- Labor relations act, state, enacted, SB 185.
- Pay periods, standardized reporting, study, *SFR 6 p. 27
- Port districts, unemployment compensation, elective coverage provision, SB 60, *HB 160, CH. 35.
- Public, pension plans, tax deferred annuities, payment provision, *SB 62, CH. 19.
 - Retirement systems, funding, alternative methods, study continued, HCR 10.
 - Title only, SB 323.
 - Service reentry, retirement system, contribution restoration period revised, Sub SB 323.
 - State retirement system, benefits, eligibility, membership, general revisions, *Sub SB 438, CH. 151 PV.
 - Twenty-five years' service, military service credit, provision, *Sub SB 438, CH. 151 PV.
- Public works, certain residency restrictions, provisions, *Sub HB 8, CH. 28.
 - Residency restrictions, certain, repealed, *Sub HB 8, CH. 28.
- School district, payroll deductions, employee, union organizations, dues, deductions, authorized, SB 184, *HB 234, CH. 39.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

EMPLOYEES—Continued:

- Pensions, annuity plans, private, participation provisions, *SB 414, CH. 27.
- Schools, ceasing employment, sick leave accumulation, partial compensation, SB 222.
- State, insurance, expanded programs, provisions, HB 555.
- Technological changes, unemployed, assistance program, appropriation, SB 252.
- Unemployment compensation, benefits extended, two weeks, provisions, SB 73.
- Uniformed personnel, public employees, labor disputes, arbitration provisions, procedures, SB 114.
- Washington state university, classified employees, public employees' retirement system eligibility, SB 228.
- Workmen's compensation, employee coverage, certain employers, application date extended, *SB 393, CH. 78.

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- Industrial insurance, delinquent payment assessments, provisions, *HB 277, CH. 43.
- Labor relations act, state, enacted, SB 185.
- Public, uniformed personnel, labor disputes, arbitration provisions, procedures, SB 114.
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- Agencies, licenses, fees, complaints, services, provisions revised, SB 250.
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- Aliens, certain cases, prohibited, SB 230.
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- Public assistance recipients, public federal employment, state programs, federal law petitioned, HJM 5(a).
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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Snowmobiles, tax refunds, provisions, SB 270, Sub SB 270.
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- ** Appointment confirmed.
- GA—Gubernatorial Appointment.
- SFR—Senate Floor Resolution.
- (a)—Amendment to original bill.

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- Sport salmon license, established, HB 337.
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- State permanent, investment, federally insured loans, purchase, provisions, SB 283.
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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 ** Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.
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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- * Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
- ** Appointment confirmed.
- GA—Gubernatorial Appointment.
- SFR—Senate Floor Resolution.
- (a)—Amendment to original bill.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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 ** Appointment confirmed.
 GA—Governatorial Appointment.
 SFR—Senate Floor Resolution.
 (a)—Amendment to original bill.

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** Appointment confirmed.

GA—Gubernatorial Appointment.

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(a)—Amendment to original bill.

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GA—Governatorial Appointment.
SFR—Senate Floor Resolution.
(a)—Amendment to original bill.

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GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Liquor, class H, exclusionary clubs, fraternal organizations, issuance prohibited, SB 138.
- Manicuring, licensing, regulation, provisions, SB 64.
- Motor vehicle, blind, disabled, free, *SB 84, CH. 60.
 - Plates, motor homes dealers, additional, provision, *SB 13(a), CH. 99.
 - Stolen, replacement fee waiver provision, SB 70.
- Motor vehicle operators, denials, pending, physical, mental incapacity cases, appeal stays, limitation, *HB 38(a), CH. 29.
 - Suspensions, hearing procedures, amended, *HB 38, CH. 29.
 - Licenses, renewals, incapacity, deadline extension provision, SB 148.
 - Minors, unable to take driver training course, issuance provision, *SB 63, CH. 71.
 - Prison parolees, certain, temporary issuance, SB 85.
 - Social security number, use, provisions, SB 304.
 - Written examinations, school district administration, pilot program, SB 8.
- Plumbers, certification, regulation, SB 261.
- Property appraisers, required, SB 227.
- Real estate, law, provisions, general revisions, *HB 228, CH. 139 PV.
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- Child support, public assistance debt, lien, summons service, provision, Sub HB 542.
- Landlord, rent due, personal representative, personal property lien, provision, HB 349.
- Mechanics', materialmen's, material inclusion, dates prior to filing, inclusion provisions, SB 145.

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- Banks, liquidator, federal deposit insurance corporation, authorized, SB 237.

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- New legislation, study, *SFR 24 pp. 332, 338

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- Act provisions, certain, age requirements reduced to 18, election qualification provision, SB 130.
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- Alcoholics, treatment, care, training program established, funding, SB 103.

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- Contractors, registered, annual compilation, *HB 194, CH. 118.

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- Assessment, manufacturers, retailers, interim accrual provision, *Sub HB 426, CH. 55.

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- Companies, small, application, license fees, liquid assets, amount revised, SB 225.
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- * Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
- ** Appointment confirmed.
- GA—Gubernatorial Appointment.
- SFR—Senate Floor Resolution.
- (a)—Amendment to original bill.

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- Student, guaranteed, public employees' retirement system, investment permitted, SB 281.
 - Educational purposes, savings and loan association, authorized, *HB 266, CH. 42.
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- Registration, regulations, general revisions, SB 275, *Sub HB 341, CH. 82.

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- Assessment, deferrals, economically, disadvantaged property owners, first class cities, provisions, *HB 130, CH. 137 PV.
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- Methods, effects, study, *SFR 33 p. 374

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- Pacific marine fisheries commission, member, appointment, GA 15 pp. 118, 508

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- Schools, meals, elderly persons, use, provisions, SB 81.

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- Parks and recreation commission, member, appointment, GA 16 p. 118

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- Indians, land act, matching funds, eligibility provision, *SB 3, CH. 56.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Married persons, rights, provisions, SB 41, *HB 143, CH. 108.
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MATHESON, DONALD M.:

- Community college district No. 11 (Fort Steilacoom), member, board of trustees, appointment, GA 26 p. 121

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- Governmental institutions, all, required, SB 231.

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- Environmental protection agency, federal, state ecology department, cooperation, petitioned, *SJM 2.
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- San Juan islands, dispute, peaceful arbitration, centennial commemoration petitioned, *HJM 4.
- Western regional short-haul air transportation compact, establishment petitioned, *HJM 2.

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- Criminally insane, care, trial, release, general provisions, SB 188.
- Group training homes, care cost income, B & O tax exempt, *Sub HB 414, CH. 134.
- Involuntary commitment, comprehensive provisions, SB 292.
- Mentally retarded, guardianship, title only, SB 352.
- Prisoners, correctional institutions, transfer to mental institutions, provisions, *SB 82, CH. 59.
- Vocationally handicapped, public works employment, prevailing wage rate, exempt, *HB 240, CH. 91.

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- Program, state-wide, appropriation, *Sub HB 112, CH. 155 PV.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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Dairy products, filled, foreign sale, manufacture, possession permitted, SB 268.

MILLER, WARREN S.:

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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Taxes, exempt, campers, mobile homes, SB 99.

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Commercial zones, special, prescribed rates, carrier operation provisions, HB 233, *SB 111, CH. 22.

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Dealers, license plates, additional, provision, *SB 13(a), CH. 99.

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Ambulances, system, counties, establishment authorized, *HB 210, CH. 89.

Automobiles, driver licenses, minors, unable to take driver training course, issuance provision, *SB 63, CH. 71.

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Certificate, ownership, sales, odometer mileage reading, inscription requirement, *SB 13, CH. 99.

Children, under six, standing, kneeling, operation prohibited, SB 443.

Department, all-terrain vehicles act, administration transferred, *Sub HB 29, CH. 153.

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No-fault insurance, state operated, administration, SB 172.

Property appraiser, licensing, regulation, SB 227.

Registered contractors, annual list, compilation, *HB 194, CH. 118.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

MOTOR VEHICLES—Continued:

- Driver license, minors, unable to take driver training course, issuance provision, *SB 63, CH. 71.
- Drivers, licenses, written examinations, school district administration, pilot program, SB 8.
- Farm, highway use, dealer delivery permits authorized, SB 11.
- Fuel, sales, use, tax, imposed, SB 116.
 - Unemployment reduction, supplemental appropriation, SB 87.
- Special, dealer, user, fuel tax assessments, payment, hearing, notice, provisions, *HB 221, CH. 138 PV.
- Tax, ferry system use, percentage allocation, provisions, HB 291, *SB 152, CH. 24.
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- Trucks, garbage compactor, cement mixer power take-off units, exemption provisions clarified, *HB 221, CH. 138 PV.
- Funds, bicycle, pedestrian, equestrian trails establishment, highway motor vehicle funds use, provisions, SB 33, *Sub SB 355(a), CH. 103.
- Revenue, county allocation factor, percentage level variation provision, *Sub SB 355, CH. 103.
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 - no-fault, provisions, HB 53, SB 174, SB 295.
 - State operated, provisions, SB 172.
- License plates, motor home dealers, addition, provision, *SB 13(a), CH. 99.
 - Stolen, replacement fee waiver provision, SB 70.
- Licenses, driver, denials, pending, physical, mental incapacity cases, appeal stays, limitation, *HB 38(a), CH. 29.
 - Suspensions, hearing procedures, amended, *HB 38, CH. 29.
- Spray rigs, special mobile equipment classification, included, *SB 88, CH. 5.
- Motor freight carriers, special commercial zones, prescribed rated, operation provisions, HB 233, *SB 111, CH. 22.
- No-fault insurance, provisions, HB 53, SB 174, SB 295.
 - State operated, provisions, SB 172.
- Noise, limit levels, established, HB 27.
- Odometers, mileage reading, owner certificate inscription, sales requirement, *SB 13, CH. 99.
- Operators, licenses, correctional parolees, certain, temporary issuance, SB 85.
 - Denials, pending, physical, mental incapacity cases, appeal stays, limitation, *HB 38(a), CH. 29.
 - Suspensions, hearing procedures, amended, *HB 38, CH. 29.
 - Minors, unable to take driver training course, issuance provision, *SB 63, CH. 71.
 - Renewal by mail, provision, SB 10.
 - Incapacity, deadline extension provision, SB 148.
 - Written examinations, school district administration, pilot program, SB 8.
- Public assistance recipients, automobiles, resource, value limitation, Sub SB 208.
- Repair, automotive, responsibility act, SB 233.
- Rules of the road, general revision, *HB 150, CH. 33.
 - Hitchhiking, certain roadways, highways, provisions, *HB 223, CH. 38.
- Smoke, discharge, amounts, limitations, *HB 469, CH. 135.
- Social security number, driver's license use, provision, SB 304.
- Spray rigs, special mobile equipment, classification, included, *SB 88, CH. 5.
- Taxes, excise, double amendments, corrected, *HB 86, CH. 87.
- Title only, SB 219.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

MOTOR VEHICLES—Continued:

- Trucks, dump, certain, utilities and transportation commission authority, exempt, SB 69.
- Veterans, blind, disabled, free licenses, *SB 84, CH. 60.

MULLIN, JACK D.:

- Personnel board, member, appointment, GA 17 pp. 119, 283

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- Departments, additional, creation authorized, *HB 133, CH. 32.

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- Personal privilege, ESHJR 82 pp. 755-756

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- Bonds, surety, insurance, required amounts specified, SB 150, SB 151, Sub SB 151, *Sub HB 14, CH. 123.
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NACHES PASS:

- Highway, completed studies, review, *SFR 57 p. 703
- Tunnel, construction authorized, SB 110.

NATURAL RESOURCES:

- Department, natural preserves advisory committee, created, powers, *HB 482, CH. 119.
- State land, economic development, programs, appropriations, SB 427.
- Natural area preserves, state system, established, *HB 482, CH. 119.

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- Newspapers, foreign language, election notice, publication provision, HB 512.

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- College students, resident, nonresident, definitions, revised, *SB 240, CH. 149.

NOXIOUS WEEDS:

- Control board, county, nomination, election, publication notice, provision revised, SB 94.
- Notice, failure to comply, fine provision, SB 94.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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OLD AGE AND SURVIVORS INSURANCE:

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Governmental institutions, all, required, SB 231.
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 Public agencies, collective bargaining, act provisions, exempt, HB 50.
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Land, agricultural, farm, timber, valuation for use, open space, tax provisions, Sub HB 354, Sub SB 397.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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PACIFIC MARINE FISHERIES COMMISSION:

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PARKS AND RECREATION:

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Camping clubs, permits required, regulation, *HB 98, CH. 106.

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Fees, entrance, daytime use, state parks, prohibited, SB 7.

Natural area preserves, state system, established, *HB 482, CH. 119.

Public, improvement, development, bonds issuance authorized, SB 121, *HB 189, CH. 129.

Recreational facilities, counties, acquisition, construction, revenue bonds, issuance authorized, *SB 263, CH. 94.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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School district employees, pension, annuity plans, private, participation provisions, *SB 414, CH. 27.

Teachers, group health insurance, retirement system, deduction provision, Sub SB 206, *2nd Sub SB 206, CH. 147.

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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

PERMITS:

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PETERSON, ROY S.:

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- Child abuse, case records, availability, provision, *HB 468, CH. 46.
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- Licensing, certification, regulation, SB 26 1.

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- Identification, criminal, civil data, record information, responsibilities, duties, *SB 146, CH. 152 PV.
- Outdoor music festivals, employee, injury, public pension, disability plans, benefits, ineligibility provision, *Sub HB 14, CH. 123.
- Residency requirements, municipal, eliminated, *HB 199, CH. 37.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- School districts, police force, creation authorized, SB 44.
- Sheriff's office, city police protection contract, police officer transfer provisions, *HB 5, CH. 48.
- State patrol, special deputies, appointment authorized, SB 153.

POLITICAL PARTIES:

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- Air, householders, leaves, clippings, fires, permits not required, SB 112.
- Burning, garbage, dead animals, certain other smoky, odorous materials, prohibited, SB 112(a).
- Control facilities, port districts, construction, improvement, SB 179, *HB 257, CH. 54.
- Fires, small outdoor, limited basis, permitted, regulation, *Sub HB 47, CH. 136 PV.
- Motor vehicles, smoke discharge, amounts, limitations, *HB 469, CH. 135.
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- Employees, unemployment compensation, elective coverage provision, SB 60, *HB 160, CH. 35.
- Pollution control facilities, construction, improvement, provisions, SB 179, *HB 257, CH. 54.

POULTRY:

- Eggs, premium coupons, permitted, *HB 46(a), CH. 104.
- Premium coupons, permitted, *HB 46, CH. 104.

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- Students, educational programs, provisions, SB 180.

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- Eggs, coupons, permitted, *HB 46(a), CH. 104.
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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Hot water heaters, certain, requirements, exempt, *HB 79, CH. 86.

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- Parolees, violations during parole, hearings, revocation, procedures revised, SB 278.
- Prisoners, confinement, minimum term, review provisions, *SB 276, CH. 67.

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- Confinement, minimum term, review provisions, *SB 276, CH. 67.
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- Parolees, certain, motor vehicle operators license, temporary issuance, SB 85.
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- Prison produced goods, vocational education programs, sale authorized, *SB 296, CH. 7.
- Purdy treatment center, periodic written reports, rehabilitation, parole purposes,
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- Sentences, minimum, change, requirement revised, *SB 312, CH. 68.
- Vocational education, programs, provisions, *SB 296, CH. 7.

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- War, southeast Asia, children, tuition-free education provisions, *SB 15, CH. 17.
- Wives, community property managers, appointment provisions, *HB 9, CH. 83.

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- Natural areas, tax exemption, study, *SFR 48 pp. 697-698

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- Students, vocational education, loans, savings and loan associations, authorized,
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- Veterans, Viet Nam, loans, higher education credits, options provisions, *Sub HB 313,
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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
 ** Appointment confirmed.
 GA—Gubernatorial Appointment.
 SFR—Senate Floor Resolution.
 (a)—Amendment to original bill.

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- Beneficiary, interest, disclaimer provisions, HB 109.
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- Public administration, certain cases, administration of estate, provisions, HB 444.
- Uniform code, enacted, HB 113, SB 75.
- Veterans, estates, social and health services department, administration authorized, *SB 83, CH. 4.

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- Parolees, certain, motor vehicle operators license, temporary issuance, SB 85.
- Purdy treatment center, residents, periodic written reports, rehabilitation, parole purposes, required, Sub SB 385.

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- Assessor, assessment functions, local government cost sharing, provisions, *SB 293, CH. 102.
- Community, married persons, rights, provision, SB 41, *HB 143, CH. 108.
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- School districts, insurance, training program, HCR 7.
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 - Recovery, property interest, provisions, SB 161.
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 - School district millages, local, state revenues basis, state aid, provisions established, SB 37.
 - Sugar beets, in transit, exempt, *HB 45, CH. 30.
 - Timber harvested, school district distribution, calculation provision, *SB 207(a), CH. 148.
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- Valuation, increase requests, county assessor authorization, SB 242.
- War prisoners, missing, community property, wives, manager appointment provisions, *HB 9, CH. 83.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Improvements, 30% original value, taxes, three-year deferral, provisions, *HB 139(a), CH. 125.
- Lost, finder, unclaimed for one year, owner provision, SB 160.
- Sugar beets, tax exemption purposes, vegetable definition inclusion, SB 175(a), *HB 45, CH. 30.
- Taxes, assessed valuation, appraisals, sales factors, consideration provision, *HB 139(a), CH. 125.
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- Irrigation districts, rights of way, abandoned, adjoining owners, sale provisions, HB 110.
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- Sale, real estate agent, certain cases, use authorized, HB 191.
- Tax advisor, county, appointment mandatory, SB 126.
- Taxes, assessed valuation change, notice requirement, SB 123, *HB 139, CH. 125.
- Business inventory, payment, tax credit provision, SB 108.
- Certain improvements, five-year deferral, SB 93.
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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Retirement system, WSU, TIAA, transfer, study,
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- Natural area preserves, state system, established, *HB 482, CH. 119.
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- Contractors, progress payments provisions, SB 140.
- Employees, residence restrictions, certain, repealed, *Sub HB 8, CH. 28.
 - Residency restrictions, certain, provisions, *Sub HB 8, CH. 28.
- Vocationally handicapped, employment, prevailing wage rate, exempt, *HB 240, CH. 91.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Private, natural areas, tax exemption, study,
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- Law enforcement, fire fighters' system, general revisions, *Sub HB 261, CH. 131.
- Pensions, certain, unemployment compensation remuneration consideration, exempt, SB 24.
- Public employees, pension plans, tax deferred annuities, payment provisions, *SB 62, CH. 19.
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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- State employees' system, benefits, eligibility, membership, general revisions, *Sub SB 438, CH. 151 PV.
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- Pension benefits, adjustment, dollar index basis, provisions, SB 155, Sub SB 206, *2nd Sub SB 206, CH. 147.
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- Veterans, disabled, state service, age 50, 20 years' service, SB 311.
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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Automobiles, odometer mileage reading, owner certificate inscription, requirement, *SB
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- Liens, tax, satisfaction, erroneous property sale, return provisions, *Sub HB 13, CH. 84.
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- Tax, collection charge, state, limitation removed, HB 102.
 Local, expiration date provision, repealed, *SB 32, CH. 121.
 Option, expiration date removed, HB 102.
- Motor vehicle fuel, imposed, SB 87.
- Personal property, certain delivery locations, imposed, Sub SB 322.
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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Title only, *SB 350(a), CH. 26.
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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Police force, creation authorized, SB 44.
- Property, real, sale, certain cases, real estate agent, use authorized, HB 191.
- Property taxes, delinquent payments, interest apportionment provisions, SB 294, SB 309.
- Purchases, books, supplies, joint purchasing agencies, expenditures, interim budget period, authorized, *SB 350(a), CH. 26.
- School year, full, district unable to fulfill requirements, state apportionment moneys, provisions, Sub SB 203, *HB 90(a), CH. 105.
- Number of days, reduction, special levy failure reasons, provision, Sub SB 203(a).
- Secondary schools, approval, accreditation, high school districts, classification, SB 424.
- State aid, local, state millage revenues basis, provisions established, SB 37.
- Funds, apportionment factors, data, statistics, annual period, requirement provision, SB 57.
- Students, part-time, ancillary services, state funding provisions, SB 66, *HB 105, CH. 14.
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- Teachers, leave replacements, contracts, not required, future employment preference, Sub HB 318.
- Seniority, school districts transfers, retention provision removed, SB 166.
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- Safety, construction standards, codes, plan reviews, inspections, provisions, *SB 42, CH. 70.
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- Kindergarten, minimum annual term, established, *HB 90, CH. 105.
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- Pregnant students, educational programs, provisions, SB 180.
- School year, full, district unable to fulfill requirements, state apportionment moneys, provisions, Sub SB 203, *HB 90(a), CH. 105.
- Number of days, reduction, special levy failure reasons, provision, Sub SB 203(a).
- Secondary, approval, accreditation, high school districts, classification, SB 424.
- State, residential, students' personal needs, income use provisions, SB 40.

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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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 - Part-time, disadvantaged, needy, financial assistance, provisions, SB 65.
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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Mobile homes, non-mobile units, real property taxes, exemption provisions, *HB 140(a), CH. 126.
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- Taxes, property, exemption qualification, eligibility requirements revised, SB 127, *HB 140, CH. 126.

SENIORITY:

- Teachers, school district transfers, retention provision removed, SB 166.

SENTENCES (PENAL):

- Confinement, minimum term, review provisions, *SB 276, CH. 67.
- Controlled substances, unauthorized sale, mandatory provisions, SB 1.
- Prisoners, minimum, change, requirements revised, *SB 312, CH. 68.

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- Municipal systems, operation, permits required, *HB 279, CH. 140 PV.
- Title only, SB 348, SB 404.

SEXES:

- Rights, equality, provision, *HJR 61.

SHELLFISH: (see also Clams, also Fish and Fishing)

- Canadians, fishing, personal use, license required, Sub SB 200.
- Food fish, shellfish, title only, SB 202, SB 221, SB 330, SB 351, SB 380, SB 381, SB 399, SB 401, SB 402.

SHORELANDS AND SHORELINES: (see also Water, also Tidelands)

- Eminent domain, shorelines management act, provision removed, *HB 244, CH. 53.
- Management act, eminent domain provision removed, *HB 244, CH. 53.
- Projects, applications, acceptance, rejection, time limit, SB 72.

SIEGAL, ARTHUR:

- Community college district No. 6 (Seattle), trustee,
 appointment, GA 23 p. 120

SINCLAIR INLET:

- Harbor line, change authorized, *SB 23, CH. 69.

SKAGIT:

- River, bay, fishing, commercial, Indian, ecological effects,
 study, *SFR 29 p. 353

SMICK, BRYANT:

- Community college district No. 17 (Spokane), trustee,
 appointment, GA 32 p. 122

SMOKE:

- Motor vehicles, discharge, amounts, limitations, *HB 469, CH. 135.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

SNOHOMISH COUNTY:

Equalization board, property tax roll-back, attack
cessation, *SFR 79 pp. 753-754

SNOWMOBILES:

Fuel, tax refunds, provisions, SB 270, Sub SB 270.
Operators, certified, under 16, provisions, Sub SB 270.
Registration, annual, use permits, fees, general revisions, *Sub HB 29, CH. 153.
Period reduced, fees revised, SB 270, Sub SB 270.
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Title only, SB 430.

SOCIAL AND HEALTH SERVICE DEPARTMENT:

Alcoholism program, established, duties, SB 29, *Sub SB 29, CH. 122.
Ambulance service, licensing, regulation, SB 224.
Child support, public assistance debt, lien, summons service, provision, Sub HB 542.
Correctional institutions, cells, rooms, space requirements, standards, SB 257.
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252.
Disadvantaged, education programs, funds, school district reallocation, appropriation, SB
43.
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SB 122, *HB 190, CH. 130.
Veterans, estates, administration authorized, *SB 83, CH. 4.
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coordinating council, SB 158.

SOIL CONSERVATION:

Columbia-Snake-Palouse program amendment, passage, *SFR 22 p. 320

SOUTHEAST ASIA:

War prisoners, missing in action, children, tuition-free education provisions, *SB 15, CH.
17.

SPECIAL MOBILE EQUIPMENT:

Spray rigs included, classification, *HB 88, CH. 5.

SPOKANE COMMUNITY COLLEGE:

District 17, member, board of trustees, David P.
Roberts, appointment, GA 31 p. 122
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SPRAY RIGS:

Special mobile equipment, classification, included, *SB 88, CH. 5.

SPRINGER, ROBERT O.:

Community college district No. 22 (Tacoma), trustee,
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* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
** Appointment confirmed.
GA—Governatorial Appointment.
SFR—Senate Floor Resolution.
(a)—Amendment to original bill.

STATE FINANCE COMMITTEE:

State permanent funds, investment, federally insured loans, purchase, provisions, SB 283.

STATE GOVERNMENT:

Actions against state, certain cases, specific inclusion requirement, SB 137.
 Administrative rules, state agencies, reasons, legislative council testimony, SB 299.
 Appropriations, supplemental, *Sub HB 112, CH. 155 PV.
 Blind, state services, department transferred, commission for blind, SB 141.
 Civilians, special deputies, appointment authorized, SB 153.
 Collective bargaining, employees, agreements, final adoption, ratification, requirement, SB 426.
 Contractors, public works, certain, progress payments provision, SB 140.
 Criminal identification, state patrol, new section, established, *SB 146, CH. 152 PV.
 Emergency service department created, civil defense department, name changed, *SB 97, CH. 6.
 Ethics, public officials, revisions, SB 115.
 Fire service commission, created, powers, duties, SB 12.
 General funds, title only, HB 439.
 Horse racing commission, membership, expanded, HB 252.
 Industrial welfare commission, labor and industries department, membership, duties, changed, SB 142.
 Insurance, officials, employees, coverage plans, payments, provisions, SB 297.
 Intergovernmental transfers, noncompliance, 1972 amendatory act, valid, SB 272, *Sub SB 272, CH. 95.
 Labor negotiations, state agencies, strategy closed executive sessions, SB 289.
 Legislative journals, agency reports, form, specifications, requirements revised, *HB 12, CH. 1.
 Mass transportation department, created, powers, duties, SB 178.
 Officials, state committee jurisdiction, title only, SB 440.
 Open meetings, required, SB 231.
 Parks, recreation, public, improvement, development, bonds issuance authorized, SB 121, *HB 189, CH. 129.
 Payroll accounting, unified system, SB 419.
 Per diem, boards, commissions, uniform allowances, provisions, HB 62.
 Public administrator, office established, probate duties, HB 444.
 Services, payments in advance, authorized, HB 36.
 State building, east capitol site, construction, leasing, financing, general administration authority, Sub HB 514.
 State permanent funds, investment, federally insured loans, purchase, provisions, SB 283.
 State treasurer, deposit procedures, allocations, revision provisions, *SB 28, CH. 145.
 Sweepstakes commission, established, powers, duties, SB 2.
 Taxes, property, county revaluation program, state aid, costs, local district share provision, *SB 293(a), CH. 102.
 Title only, SB 341, SB 345, SB 400.
 Transportation department created, powers, duties, SB 139, SB 236.
 Waste disposal facilities, construction, improvement, bonds issuance authorized, SB 118, *HB 186, CH. 127.
 Water supply facilities, construction, improvement, bonds issuance authorized, SB 119, *HB 187, CH. 128.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

STATE PARKS:

User fee system, study, *SFR 50 p. 698

STATE PATROL:

Criminal identification, new section, established, *SB 146, CH. 152 PV.
Identification, criminal, civil data, record information, responsibilities, duties, *SB 146, CH. 152 PV.
Officers, disabled, non-duty reasons, active duty relief, provisions revised, SB 418.
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STATE TREASURER:

Advisory committee, created, duties, *SB 28, CH. 145.
Appropriation, deposit procedures, revision provisions purposes, *SB 28, CH. 145.
Deposit procedures, allocation, maximum state returns, revision provisions, *SB 28, CH. 145.
Double amendments, corrected, *HB 84, CH. 12.
Unemployment checks, lost, duplicates, issuance provisions, *SB 89, CH. 74.
Warrants, payment refusal, recovery provision revised, *SB 28, CH. 145.

STEVENS COUNTY:

Judges, superior court, number reduced, SB 54(a).

STORTINI, SENATOR JOE:

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STREETS:

City, title only, SB 315.
Construction, improvement, first class cities, under \$25,000 labor cost, contract not required, SB 178.

STUDENTS:

Ancillary services, part-time students, state funding provisions, SB 66, *HB 105, CH. 14.
Attendance districts, neighborhood schools, establishment, SB 159.
College, resident, nonresident, definitions revised, *SB 240, CH. 149.
Community colleges, faculty tenure, review committee, student representative, SB 239.
Conduct, standards, rights, provisions, SB 171.
Disadvantaged, needy, financial assistance, provisions, SB 65.
Financial assistance, private elementary, secondary schools, study, *SFR 80 p. 761
Higher education, loans, \$500 annually, promissory note, repayment, provisions, SB 157.
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Loans, educational purposes, guaranteed, public employees' retirement system, investment permitted, SB 281.
Savings and loan associations, authorized, *HB 266, CH. 42.
Vocational education, guaranteed, finance committee, investment permitted, *Sub HB 272, CH. 92.
Military reservation residents, single school district, attendance provisions, Sub HB 106, SB 67, *SB 163, CH. 63.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.
** Appointment confirmed.
GA—Gubernatorial Appointment.
SFR—Senate Floor Resolution.
(a)—Amendment to original bill.

STUDENTS—Continued:

- Part-time, ancillary services, state funding provisions, SB 66, *HB 105, CH. 14.
- Pregnant, educational programs, provisions, SB 180.
- Rights, conduct, standards, provisions, SB 171.
- Secondary, non-high district residents, funds distribution provisions, SB 49, *HB 57, CH. 124.
- State schools, residential, personal needs, income use provisions, SB 40.

STUDIES:

- Air transportation, short-haul, western regional compact, demonstration project provision, *HB 164, CH. 36.
- Discovery Bay, commercial salmon fishing impact, survey, study, Sub SB 221.
- Jetty island, Everett harbor, acquisition, feasibility study, SB 235.
- Levy, special temporary study commission, school programs, obsolete code provision, removed, HB 55, *SB 47, CH. 2.
- Noise emission, motor vehicles, standards recommendation purposes, HB 27.
- Public employees' systems, funding, alternative methods, study continued, HCR 10.
- State parks, entrance fees, reservation system, parks and recreation commission, SB 7(a).
- Teachers, certain, governmental operations, functions, observation, feasibility study, SCR 6.
- Teaching methods, college instructors, periodic classroom experience, feasibility study, SB 36.

SUBSISTENCE: (see also Salaries and Wages)

- Boards, commissions, uniform per diem allowances, provisions, HB 62.

SUGAR BEETS:

- Tax, personal property, exemption, vegetable definition inclusion, SB 175(a), *HB 45, CH. 30.
- Property, in transit, exempt, *HB 45, CH. 30.

SUMMONS AND PROCESS:

- Property, real, delinquent taxes, foreclosure action, notice requirement, provision, *Sub HB 13, CH. 84.

SUPERINTENDENT OF PUBLIC INSTRUCTION:

- Disadvantaged, education programs, funds, school district reallocation, provisions, SB 43.
- School construction, fire prevention, safety, plans, approval provision, *SB 42, CH. 70.
- Districts, property taxes, non-payment losses, reporting, reimbursement, provision, *SB 45, CH. 146.
- Year, full, district unable to fulfill requirements, state apportionment moneys, provisions, Sub SB 203, *HB 90(a), CH. 105.
- Number of days, reduction, special levy failure reasons, provision, Sub SB 203(a).
- Students, part-time, ancillary services, state funding provisions, SB 66, *HB 105, CH. 14.
- Teaching methods, college instructors, periodic classroom experience, feasibility study, SB 36.

SUPERIOR COURTS:

- Clallam-Jefferson, joint district, judges, number increased, SB 441.
- Filing fees, increase, higher court judges' salaries allocation, *SB 90, CH. 20.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

SUPERIOR COURTS—Continued:

- Industrial insurance, board decisions, appeals, local county court, attorney fees, provisions, *HB 20, CH. 50.
- Judges, salaries, filing fees increases, allocation provision, *SB 90, CH. 20.
Increased, *SB 27(a), CH. 100.
- Stevens county, number reduced, SB 54(a).
- Pacific-Wahkiakum, joint district, judges, number increased, SB 439.
- Parental rights, relinquishment petition, filing fee eliminated, SB 58.
- Salaries, annual adjustments, state per capita income basis, *SB 27, CH. 100.
- State, actions against, certain cases, specific inclusion, requirement, SB 137.

SUPPORT:

- Reciprocal enforcement, uniform act, foreign jurisdiction inclusion, *HB 93, CH. 31.

SUPREME COURT:

- Judges, salaries increased, *SB 27(a), CH. 100.
Superior court filing fees increases, allocation provisions, *SB 90, CH. 20.
- Lawyer's code of ethics, rules, adoption provision, SB 78.
- Salaries, annual adjustments, state per capita income basis, *SB 27, CH. 100.

SURVIVAL OF ACTIONS:

- Personal representative, beneficiary pain, suffering damages, recovery provision, SB 86.

SWEEPSTAKES:

- Commission, established, powers, duties, SB 2.
- State operated, authorized, SB 2.

SYLLABUS:

- Higher education, courses, teaching faculty, submission requirement, SB 20.

TACOMA COMMUNITY COLLEGE:

- District 22, member, board of trustees, Robert O'Neill
Springer, appointment, GA 34 p. 122

TAXES:

- Banks, trusts, savings and loans, business tax, municipal, imposition authorized, *Sub HB 414(a), CH. 134.
- B & O, flour manufacturers, rate changed, SB 266.
Group training homes, mentally retarded persons, care cost income, exempt, *Sub HB 414, CH. 134.
Title only, Sub 425.
- Campers, excise, reduced, *SB 4, CH. 144.
Repealed, SB 39, *SB 4(a), CH. 144.
- Campers, mobile homes, exempted, SB 99.
- Cigarette, revenue, Viet Nam veterans' bonus, payment provisions, SB 59.
- Cigarettes, possession basis, collection provision, *HB 44, CH. 157 PV.
Veterans, Viet Nam, bonuses, payments, higher education credits, options, provisions, *Sub HB 313, CH. 154.
- Delinquent property, payment, interest apportionment, school districts, provisions, SB 294, SB 309.
- Drugs, prescription, sales, exempt, SB 286.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

TAXES—Continued:

- Dwellings, private, unfit for habitation, county tax sale, certain cities, acquisition provisions, Sub SB 210.
- Equalization boards, county, meeting dates, hearing, operations provisions, revised, HB 138, SB 107.
- Excise, campers, reduced, *SB 4, CH. 144.
 - Repealed, SB 39, *SB 4(a), CH. 144.
 - Travel trailers, reduced, *SB 4(a), CH. 144.
- Exemptions, property, annual application required, SB 125.
- Forest land, title only, SB 382.
- Forest, lands, fire protection projects, high hazard area assessments, Yacolt forest account, allocation, *HB 527 VETOED.
- Fuel, motor vehicle, sales, imposed, unemployment reduction, supplemental appropriation, SB 87.
 - Use, imposed, SB 116.
- Snowmobiles, tax refunds, provisions, SB 270, Sub SB 270.
- Special, dealer, user, assessments, payment, hearing, notice, provisions, *HB 221, CH. 138 PV.
 - Title only, SB 377.
 - Urban passenger transportation systems, use beyond county limits, exempt, *HB 17, CH. 49.
- Trucks, garbage compactors, cement mixer power take-off units, exemption provisions clarified, *HB 221, CH. 138 PV.
- Income, flat rate, imposed, constitutional amendment, approval contingency basis, SB 164.
 - Graduated, imposed, agricultural, open space, timber land, open space, tax provisions, Sub HB 354.
 - Imposition authorized, sales, use taxes reduced, property tax provisions, Sub HJR 82.
- Inheritance, estate, deductions, non-probate cases, allowed, *SB 74, CH. 73.
- Inventory, business, personal property, payment, tax credit provision, SB 108.
- Investment, deferrals, economic assistance authority, provision, *SB 92(a), CH. 117.
- Land, agricultural, farm, timber, valuation for use, open space, tax provisions, Sub HB 354, Sub SB 397.
- Levies, special temporary study commission, school programs, obsolete code provision, removed, HB 55, *SB 47, CH. 2.
- Liens, property, satisfaction, erroneous sale, return provisions, *Sub HB 13, CH. 84.
- Liquor, city, county share, alcoholism programs facilities, allocation requirement, *SB 298, CH. 77.
- Mobile homes, campers, exempted, SB 99.
 - Non-mobile units, real property, senior citizens, exemption provisions, *HB 140(a), CH. 126.
- Motor vehicle fuel, ferry system use, percentage allocation, provisions, HB 291, *SB 152, CH. 24.
 - Pollution, propane, fleet users, exempt, SB 377(a).
 - Sales, imposed, unemployment reduction, supplemental appropriation, SB 87.
 - Use, imposed, SB 116.
- Motor vehicles, excise, double amendments, corrected, *HB 86, CH. 87.
 - Fuel, title only, SB 355.
- Open land, taxpayer declaration, provisions, SB 170.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

TAXES—Continued:

- Property, county revaluation program, state aid, cost, local district share provision, *SB 293(a), CH. 102.
- County tax advisor, appointment mandatory, SB 126.
- Delinquent payments, interest apportionment, school district, provisions, SB 294, SB 309.
- Exemptions, annual application required, SB 125.
- Non-payment, school district losses, state reporting, reimbursement, provision, *SB 45, CH. 146.
- Non-sectarian organizations, double amendments, corrected, HB 87.
- Personal, business inventory, payment, tax credit provision, SB 108.
- Real, assessed valuation, appraisals, sales factors, consideration provision, *HB 139(a), CH. 125.
 - Change, notice requirement, SB 123, *HB 139, CH. 125.
 - Assessor's plat book, fee owners, listing refund, SB 307.
 - Certain improvements, five-year deferral, SB 93.
 - Comparable sales compilation, review petitioners, availability, HB 137, SB 106.
 - Delinquent, foreclosure action, notice requirement, provision, *Sub HB 13, CH. 84.
 - Redemption cost, title search, inclusion, *Sub HB 13, CH. 84.
 - Dwellings unfit for habitation, county tax sale, certain cities, acquisition provision, Sub SB 210.
 - Improvements, 30% original value, three-year deferral, provisions, *HB 139(a), CH. 125.
 - LID assessment, owner notification requirement, *HB 130, CH. 137 PV.
 - Deferrals, economically disadvantaged property owners, first class cities, provisions, *HB 130, CH. 137 PV.
 - Senior citizens, exemption qualification, eligibility requirements revised, SB 127, *HB 140, CH. 126.
 - Statement mailings, exemption statement inclusion, SB 432.
 - Revaluation plan basis, all taxable property, inclusion required, SB 264.
 - School district millages, local, state revenues basis, state aid, provisions established, SB 37.
 - Sugar beets, exemption purposes, vegetable definition inclusion, SB 175(a), *HB 45, CH. 30.
 - Timber, unprocessed, stored, exempted, SB 175.
 - Valuation increase requests, county assessor authorization, SB 242.
- Reforestation, title only, SB 209.
- Revenue, taxation, title only, SB 322, SB 338, SB 343, SB 359, SB 360, SB 365, SB 409, SB 413, SB 422, SB 436.
- Road millage, title only, SB 372.
- Sales, collection charge, state, limitation removed, HB 102.
 - Food, off-premise consumption, prescription drugs, reduced, SB 433.
 - Fuel, motor vehicle, imposed, unemployment reduction, supplemental appropriation, SB 87.
 - Local, expiration date provision, repealed, *SB 32, CH. 121.
 - Option, expiration date removed, HB 102.
 - Personal property, certain delivery locations, imposed, Sub SB 322.
 - Prescription drugs, exempt, SB 286.
 - Services, title only, SB 442.
 - Use, building construction, manufacturing business, deferral provisions, HB 128.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

TAXES—Continued:

- Sugar beets, in transit, property tax exempt, *HB 45, CH. 30.
 - Property tax, exemption purposes, vegetation definition inclusion, SB 175(a), *HB 45, CH. 30.
- Tax advisor, county, appointment mandatory, SB 126.
- Tax title lands, public use, management, disposition, county authority, *Sub SB 412, CH. 150.
- Telegraph companies, assessment, operating property basis, HB 42.
- Timber, forest land, title only, SB 217, *SB 207, CH. 148.
 - Harvested, school district distribution, calculation provision, *SB 207(a), CH. 148.
 - Stumpage value, tax rates, schedule, provisions, *SB 207(a), CH. 148.
 - Unprocessed, stored, pending export, property tax, exempted, SB 175(a), *HB 45, CH. 30.
 - Property tax, exempted, SB 175.
- Travel trailers, excise, reduced, *SB 4(a), CH. 144.
- University tract properties, payment in lieu of taxes, provision, *HB 142, CH. 107.

TEACHERS:

- Employment, ceasing, sick leave accumulation, partial compensation, SB 222.
- Governmental operations, functions, observation, feasibility study, SCR 6.
- Leave replacements, contracts, not required, future employment preference, Sub HB 318.
- Retirees, teachers' retirement system, group health insurance, deduction provision, Sub SB 206, *2nd Sub SB 206, CH. 147.
- Retirement, age minimum, removed, SB 259.
 - Combined pension, annuity, allowances, benefits, provisions, SB 420.
 - Pension benefits, adjustment, dollar index basis, provisions, SB 155, Sub SB 206, *2nd Sub SB 206, CH. 147.
- Retirement system, appropriation, pension benefits, adjustment, dollar index basis, SB 155, Sub SB 206, *2nd Sub SB 206, CH. 147.
 - Title only, SB 206.
- Seniority, school district transfers, retention provision removed, SB 166.
- Teaching methods, college instructors, periodic classroom experience, required, SB 36.
- Training programs, field oriented, study, *SFR 23 p. 321

TELEPHONE AND TELEGRAPHS:

- Equipment, facilities, tampering, rearrangement, crime, SB 100, *Sub SB 100, CH. 75.
- Service, charges, evasion, fraud, crime, SB 100, *Sub SB 100, CH. 75.
- Telegraph companies, tax assessment, operating property basis, HB 42.

TENANTS: (see also Landlords and Tenants, also Housing)

- Lien, personal property, rent due, landlords' personal representative, provisions, HB 349.

TENURE REVIEW:

- Faculty, college, student involvement, study, *SFR 51 p. 699

TERRELL, DR. GLENN:

- Western interstate higher education commission, member, appointment, GA 13 p. 118

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

THERMAL POWER PLANT SITE EVALUATION COUNCIL:

Member, Dr. Oswald H. Greager, appointment, GA 18 p. 119

THURSTON COUNTY:

Judges, superior court, additional, title only, SB 439.

TIJERINA, ADAN FARIAS:

Mexican-American affairs commission, member, appointment, GA 41 p. 509

TIMBER:

Harvested, stumpage value, tax rates, schedule, provisions, *SB 207(a), CH. 148.

Land, valuation for use, open space, tax provisions, Sub HB 354, Sub SB 397.

School districts, harvested timber, tax distribution, calculation provision, *SB 207(a), CH. 148.

Taxes, reforestation, title only, SB 209.

Timber, forest land, title only, SB 217, *SB 207, CH. 148.

Unprocessed, stored, pending export, property tax, exempted, SB 175(a), *HB 45, CH. 30.

Property tax, exempted, SB 175.

TITLE ONLY BILLS:

Adult education, SB 197, SB 339.

Alcoholic beverages, SB 331, SB 346, SB 347.

Animals, humane treatment, SB 363.

Banking, SB 357, SB 358.

B & O tax, SB 425.

Campaign contribution, SB 342.

City streets, county roads, SB 315.

Colleges, public education, SB 392.

Community colleges, SB 376.

Congressional districts, redistricted, title only, HB 117(a).

Congressional redistricting, SB 196.

Consumer warranties, SB 378.

Corporations, special establishment, SB 321.

County services, SB 373.

Crimes, SB 291, SB 325, SB 386.

Education, SB 198, SB 203, SB 204, SB 205, SB 211, SB 336, SB 367, SB 407.

Employment, SB 428.

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Employment agencies, SB 370.

Environment, SB 390.

Family law, SB 371.

Farm, agricultural land, valuation, taxation, SB 396.

Ferries, routes, operations, *HB 348(a), CH. 44.

Fish, food, shellfish, SB 200, SB 202, SB 221, SB 330, SB 351, SB 380, SB 381, SB 399, SB 401, SB 402.

Fish, game, SB 201.

Fuel tax, special, SB 377.

Game, game fish, SB 201.

Health facilities, fire, safety, SB 329.

Higher education, SB 332, SB 333, SB 391.

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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

TITLE ONLY BILLS—Continued:

- Health care programs, SB 345.
- Highway interchanges, adjacent, incremental value, assessment, title only, SB 316.
- Housing, unfit dwellings, SB 210.
- Industry, dispersion, diversification, SB 405.
- Institutions, state, SB 385.
- Insurance, SB 387, SB 388
 - Industrial, SB 326, SB 337, SB 437, *SB 393(a), CH. 78.
- Investments, state board, SB 349.
- Judges, superior court, additional, SB 439.
- Labor, SB 354, SB 379.
- Legislative redistricting, SB 193, SB 194, SB 212, SB 213, SB 215, SB 324
- Local government, SB 398, SB 429.
- Local improvement districts, SB 328.
- Mentally retarded guardianship, SB 352.
- Military personnel, predischARGE education programs, SB 434.
- Motor vehicles, SB 219.
- Fuel taxes, SB 355.
- Municipal travel reimbursement, SB 214.
- Noise control, SB 335.
- Nursing homes, SB 344.
- Open space lands, SB 397.
- Open space lands, taxation methods, SB 176.
- Osteopaths, SB 411.
- Passenger stations, adjacent property, incremental property, assessment, SB 317.
- Pollution, SB 368.
- Public assistance, HJM 5(a), SB 208, SB 375.
- Public bidding, SB 319.
- Public education, colleges, SB 392.
- Public employees, retirement, SB 323.
- Public lands, SB 353, SB 412.
- Public utility districts, SB 364, SB 383.
- Recreation trails, SB 216.
- Reforestation, taxes, title only, SB 209.
- Revenue, taxation, SB 322, SB 338, SB 343, SB 359, SB 360, SB 365, SB 409, SB 413, SB 422, SB 436.
- Road millage, county, SB 372.
- Sales tax, services, SB 442.
- School districts, budgets, *SB 350(a), CH. 26.
- School districts, preliminary budget, SB 410.
- Securities, patronage, transactions, SB 403.
- Sewers, SB 348, SB 404.
- Snowmobiles, SB 430.
- Sport fisheries, SB 218.
- State general fund, HB 439.
- State government, SB 341, SB 345, SB 400.
- State, local improvements, revolving fund, HB 439(a).
- State officials, state committee jurisdiction, SB 440.
- State patrol, SB 362.
- Taxes, forest land, SB 382.
- Teachers' retirement, SB 206.

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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

TITLE ONLY BILLS—Continued:

- Timber, forest land, taxation, SB 217, *SB 207(a), CH. 148.
- Transportation, SB 366, SB 395, SB 406.
 - Financial assistance, SB 320.
- Transportation facilities, equipment, public contracts, SB 318.
 - Financing, SB 369.
- Trusts, regulation, SB 334.
- Unit pricing, SB 361.
- Utilities, SB 356.
- Veterans, SB 384, SB 408.
- Vocational education, SB 327, SB 340, SB 374.
- Voter residency requirements, SB 394.
- Wages, hours, SB 389.

TOLL BRIDGE AUTHORITY:

- Port Townsend-Keystone ferry, operation, authorized, *HB 348(a), CH. 44.

TRAFFIC CONTROL:

- Rules of the road, motor vehicles, general revisions, *HB 150, CH. 33.

TRAILERS: (see also Trucks and Tractors, also Mobile Homes)

- Travel, excise tax, reduced, *SB 4(a), CH. 144.

TRAILS:

- All-terrain vehicle, category established, *Sub HB 29, CH. 153.
- Bicycle, pedestrian, equestrian, establishment, highway motor vehicle funds, use provisions, SB 33, *Sub SB 355(a), CH. 103.
- Pedestrian, bicycle, equestrian, establishment, highway funds use provisions, SB 33, *Sub SB 355(a), CH. 103.
- Recreation, title only, SB 216.

TRANSIT SYSTEMS: (see also Transportation, also Mass Transit)

- Urban passenger systems, special fuel tax, use beyond county limits, exempt, *HB 17, CH. 49.

TRANSPORTATION: (see also Transit Systems, also Mass Transit)

- Air, short-haul, western regional, compact, *HB 164, CH. 36.
 - Establishment petitioned, *HJM 2.
- Controlled substances, unlawful, conveyance forfeiture provisions, SB 248.
- Department, created, powers, duties, SB 139, SB 236.
- Facilities, equipment, public contracts, title only, SB 318.
 - Financing, title only, SB 369.
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- Mass transportation department, created, power, duties, SB 178.
- Motor freight carriers, special commercial zones, prescribed rates, operation provisions, HB 233, *SB 111, CH. 22.
- Passenger stations, adjacent property, incremental property, assessment, title only, SB 317.
- Public systems, construction, improvement, bonds issuance authorized, SB 120, *Sub HB 324, CH. 132.

* Indicates bills passed by both Senate and House; also Floor Resolutions adopted.

** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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- Planning, design, development, highway department expenditures, matching funds, appropriation, *Sub HB 324, CH. 132.
- School districts, equipment depreciation, reserve fund authorized, *HB 33, CH. 85.
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- Urban passenger systems, special fuel tax, use beyond county limits, exempt, *HB 17, CH. 49.

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- Fuel, tax, garbage compactor, cement mixer power take-off units, exemption provisions clarified, *HB 221, CH. 138 PV.
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- Funds, insurance acquisition, life of beneficiary, use permitted, HB 108.
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- Public monies, mutual savings banks, qualified public depository, provisions, SB 271.
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- Hospitals, district funds, distribution provisions, *HB 521, CH. 143 PV.
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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Gubernatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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** Appointment confirmed.

GA—Governatorial Appointment.

SFR—Senate Floor Resolution.

(a)—Amendment to original bill.

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 ** Appointment confirmed.
 GA—Governatorial Appointment.
 SFR—Senate Floor Resolution.
 (a)—Amendment to original bill.